

<u>SUBJECT</u>		<u>DATE</u>
1448. Definitions of Inactive Portion, Active Portion and Closed Portion of a RCRA TSD		AUG 12, 2021
1449. Dangerous Waste Designations and Dangerous Waste Code Determinations		AUG 19, 2021
1450. Method Detection Limits and Hazardous Waste Determinations	ENCORE	AUG 26, 2021
1451. Method Detection Limits and Hazardous Waste Determinations II	ENCORE	SEP 2, 2021
1452. Totals Analysis vs. TCLP and Dividing by 20	ENCORE	SEP 9, 2021
1453. Decharacterized RCRA Waste - Manifesting and LDR Reporting	ENCORE	SEP 16, 2021
1454. Decharacterized Hazardous Waste Listed Solely for Non-Toxic Characteristics	ENCORE	SEP 23, 2021
1455. Decharacterized Wastes and the LDR Dilution Prohibition	ENCORE	SEP 30, 2021
1456. The "Derived from Rule", the "Mixtures Rule", and the "Contained-In Policy"	ENCORE	OCT 7, 2021
1457. Hazardous Debris and Options to Exclude as a Dangerous Waste		OCT 14, 2021
1458. Regulatory Status of Characteristic Baghouse Dust Destined for Reclamation		OCT 21, 2021
1459. RCRA Point of Generation and Baghouse Dust Collection Systems		OCT 28, 2021
1460. Pumps Containing Liquid Hazardous Wastes and Liquids in Landfill Prohibition	ENCORE	NOV 4, 2021
1461. Pumps Containing Liquid Hazardous Waste and Land Disposal Restrictions	ENCORE	NOV 11, 2021
1462. Pumps Containing Liquid Hazardous Wastes and RCRA Empty Containers		NOV 18, 2021
1463. Multiple Characteristic Hazardous Waste Codes and Underlying Hazardous Constituents	ENCORE	NOV 23, 2021
1464. LDR Notifications/Certifications and Generator Permitted Treatment, Storage, or Disposal Facility	ENCORE	DEC 2, 2021
1465. Multiple Characteristic and Listed Hazardous Waste Codes and the "in lieu of" LDR Principle	ENCORE	DEC 9, 2021
1466. Universal Wastes - Recycling versus Disposal	ENCORE	DEC 16, 2021
1467. 'Twas the Night Before Christmas – The Twenty-Eighth Edition		DEC 24, 2021
1468. Spent Lead Acid Batteries vs., Universal Wastes	ENCORE	DEC 30, 2021
1469. Hazardous Debris and Radioactively Contaminated Cadmium Batteries	ENCORE	JAN 6, 2022
1470. Hazardous Debris and Radioactively Contaminated Lead-Acid Batteries	ENCORE	JAN 13, 2022
1471. Mercury Wet Cell Batteries - Debris or Not Debris	ENCORE	JAN 20, 2022
1472. Hazardous Debris and Non-Radioactive Lead Acid Batteries	ENCORE	JAN 27, 2022
1473. Hazardous Debris and LDR High/Low Mercury Subcategories	ENCORE	FEB 3, 2022
1474. Central Accumulation Areas and the ≤90-day Time Frame	ENCORE	FEB 10, 2022
1475. Central Accumulation Areas with Satellite Accumulation		FEB 17, 2022
1476. Definition of RCRA Empty Tank	ENCORE	FEB 24, 2022
1477. RCRA Empty Acutely Hazardous Waste Containers	ENCORE	MAR 3, 2022
1478. The RCRA Definition of Acute Hazardous Waste		MAR 10, 2022
1479. Regulatory Status of Liquids and Solids Separated from D001 High TOC Wastes	ENCORE	MAR 17, 2022
1480. Generator Accumulation at a Permitted Storage Facility		MAR 24, 2022
1481. Generator Accumulation and Maximum Inventory of Dangerous Waste Onsite at a RCRA TSD		MAR 31, 2022
1482. LDR Storage Prohibitions and the One-Year Rule	ENCORE	APR 7, 2022
1483. LDR Storage Prohibitions and Treated Hazardous Wastes	ENCORE	APR 14, 2022
1484. LDR Storage Prohibitions and Treated Hazardous Debris or Contaminated Soil	ENCORE	APR 21, 2022
1485. Satellite Accumulation, the Three-Day Rule, and Washington State vs. EPA	ENCORE	APR 28, 2022
1486. Satellite Accumulation Areas and the Three-Day Accumulation Time Limit	ENCORE	MAY 5, 2022
1487. Satellite Accumulation Areas and the Three-Day vs., the 72-Hour Accumulation Time Limit		MAY 12, 2022
1488. RCRA and New Point of Generation	ENCORE	MAY 19, 2022
1489. High Mercury vs. Low Mercury and Point of Generation	ENCORE	MAY 26, 2022
1490. Nonwastewater vs., Wastewater – The LDR Definitions		JUN 2, 2022
1491. LDR Treatability Groups and Applicability of LDR Treatment Standards		JUN 9, 2022
1492. Land Disposal Restricted vs. Land Disposal Prohibited	ENCORE	JUN 16, 2022
1493. RCRA Empty Containers vs. TSCA PCB Decontaminated Containers - Scenario I	ENCORE	JUN 23, 2022
1494. RCRA Empty Containers vs. TSCA PCB Decontaminated Containers - Scenario II	ENCORE	JUN 30, 2022
1495. RCRA Empty Containers vs. TSCA PCB Decontaminated Containers - Scenario III	ENCORE	JUL 7, 2022

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TWO MINUTE TRAINING

TO: CENTRAL PLATEAU CLEANUP COMPANY

FROM: PAUL W. MARTIN, RCRA Subject Matter Expert
CPCCo Environmental Protection, Hanford, WA

SUBJECT: RCRA EMPTY CONTAINERS VS. TSCA PCB DECONTAMINATED CONTAINERS - SCENARIO III

DATE: JULY 7, 2022

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TWO MINUTE TRAINING

SUBJECT: RCRA Empty Containers vs. TSCA PCB Decontaminated Containers - Scenario III

Q: OK - one last scenario...really. The last two weeks' 2MTs discussed requirements for rendering reusable, a drained 55-gallon waste drum that had contained a RCRA listed hazardous waste (non-acute one week, and acute the next week); and a TSCA PCB regulated waste (PCB concentration ≥ 50 ppm and < 500 ppm one week, and ≥ 500 ppm the next week). What if the customer does not want to reuse the drum as before, but instead wants to dispose of the drum in a local nonhazardous waste landfill (Subtitle D)? What must the customer do to render a drum disposable in a Subtitle D landfill, per RCRA and TSCA requirements?

A: In terms of RCRA, the customer must still render the drum RCRA empty. If the waste was an acutely hazardous waste, the container could be rinsed at least three times with an appropriate cleaner or solvent (WAC 173-303-160(2)(b) [40 CFR 261.7]). The volume of solvent used for each rinsing must be 10% or more of the container's capacity or of sufficient quantity to decontaminate the container thoroughly.

If the waste was not an acutely hazardous waste, then the container must be emptied as much as possible and contain no more than 1 inch of residues, or no more than 3% by weight of residues. Once the RCRA empty criteria is achieved for acute or non-acutely hazardous wastes, the residues remaining in the RCRA empty container are no longer subject to RCRA [WAC 173-303-160(3)]. Whether the container is for reuse, or disposal in a Subtitle D landfill, the container must be RCRA empty.

Note that the rinsate from a listed hazardous/dangerous waste remains a regulated listed waste. The rinsate from a characteristic hazardous/dangerous waste remains a regulated characteristic waste, if the rinsate exhibits any characteristic. The same concept applies to a rinsate that fails any WA State criteria for hazardous/dangerous waste.

In terms of TSCA, if the PCB concentration of the waste was < 500 ppm, per 40 CFR 761.60(c)(2) the drum can be drained and disposed as municipal solid wastes, i.e., disposed in a Subtitle D landfill. The drained liquid would require disposal in a TSCA compliant high efficiency boiler or incinerator as required at 40 CFR 761.60(a). Note that no rinsing or decontamination is required to meet the criteria of "drained".

If the PCB concentrations of the waste were ≥ 500 ppm, the drum would have to be decontaminated per 40 CFR 761.79(c)(1), i.e., triple rinsed, as opposed to merely drained. Per 40 CFR 761.79(a)(4), materials decontaminated for PCBs are unregulated for disposal. This means that the PCB waste drum could be disposed in a Subtitle D facility once decontaminated.

Note that if the PCB waste drum (≥ 500 ppm) was not decontaminated and only drained, the drained drum would require disposal in a TSCA approved incinerator or landfill, i.e., not a Subtitle D landfill.

SUMMARY:

- When disposed in a Subtitle D Landfill:
 - RCRA hazardous waste containers must be RCRA empty,
 - PCB contaminated waste containers (≥ 50 & < 500 ppm) must be drained,
 - PCB waste containers (≥ 500 ppm) must be decontaminated.

Excerpts from WAC 173-303-160, 40 CFR 761.60 and 761.79 are attached to the e-mail. If you have any questions, please contact me at [Paul W Martin@rl.gov](mailto:Paul_W_Martin@rl.gov) or at (509) 376-6620.

FROM: Paul W. Martin

DATE: 7/7/2022

FILE: 2MT\2022\070722.rtf

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TWO MINUTE TRAINING - ATTACHMENT

SUBJECT: RCRA Empty Containers vs. TSCA PCB Decontaminated Containers - Scenario III

WAC 173-303-160 Containers.

(2) A container or inner liner is "empty" when:

(a) All wastes in it have been taken out that can be removed using practices commonly employed to remove materials from that type of container or inner liner (for example, pouring, pumping, aspirating, etc.) and:

- (i) No more than one inch of waste remains at the bottom of the container or inner liner; or
- (ii) No more than 3 percent by weight of the total capacity of the container remains in the container or inner liner if the container is less than or equal to 119 gallons in size; or
- (iii) No more than 0.3 percent by weight of the total capacity of the container remains in the container or inner liner if the container is greater than 119 gallons in size.

A container that held compressed gas is empty when the pressure inside the container equals or nearly equals atmospheric pressure; and

(b) If the container or inner liner held acutely hazardous waste, as defined in WAC 173-303-040, toxic EHW as defined in WAC 173-303-100 or pesticides bearing the danger or warning label, the container or inner liner has been rinsed at least three times with an appropriate cleaner or solvent. The volume of cleaner or solvent used for each rinsing must be ten percent or more of the container's or inner liner's capacity or of sufficient quantity to thoroughly decontaminate the container. In lieu of rinsing for containers that might be damaged or made unusable by rinsing with liquids (for example, fiber or cardboard containers without inner liners), an empty container may be vacuum cleaned, struck, with the open end of the container up, three times (for example, on the ground, with a hammer or hand) to remove or loosen particles from the inner walls and corners, and vacuum cleaned again. Equipment used for the vacuum cleaning of residues from containers or inner liners must be decontaminated before discarding, in accordance with procedures approved by the department. A container or inner liner is also considered "empty" if the container or inner liner has been cleaned by another method that has been shown in the scientific literature, or by tests conducted by the generator, to achieve equivalent removal.

Any rinsate or vacuumed residue that results from the cleaning of containers or inner liners must, whenever possible, be reused in a manner consistent with the original intended purpose of the substance in the container or inner liner. In the case of a farmer, if the rinsate is a pesticide residue then the rinsate must be managed or reused in a manner consistent with the application instructions on the pesticide label. On-site disposal or burial of pesticide residues is prohibited. Otherwise, the rinsate must be checked against the designation requirements (WAC 173-303-070 through 173-303-100) and, if designated, managed according to the requirements of this chapter.

(c) In the case of a container, the inner liner, that prevented the container from contact with the commercial chemical product or manufacturing chemical, has been removed.

(3)

(a) Any residues remaining in containers or inner liners that are "empty" as described in subsection (2) of this section **will not be subject to the requirements of this chapter**, and will not be considered as accumulated wastes for the purposes of calculating waste quantities.

(b) Any dangerous waste in either: A container that is not empty, or an inner liner removed from a container that is not empty (as defined in subsection (2) of this section) is subject to the requirements of this chapter.

FROM: Paul W. Martin

DATE: 7/7/2022

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TWO MINUTE TRAINING -ATTACHMENT

SUBJECT: RCRA Empty Containers vs. TSCA PCB Decontaminated Containers - Scenario III

40 CFR 761.60 Disposal requirements.

(a) PCB liquids. PCB liquids at concentrations ≥ 50 ppm must be disposed of in an incinerator which complies with §761.70, except that PCB liquids at concentrations ≥ 50 ppm and < 500 ppm may be disposed of as follows:

- (1) For mineral oil dielectric fluid, in a high efficiency boiler according to §761.71(a).
- (2) For liquids other than mineral oil dielectric fluid, in a high efficiency boiler according to §761.71(b).

(c) PCB Containers.

(1) Unless decontaminated in compliance with §761.79 or as provided in paragraph (c)(2) of this section, a PCB container with PCB concentrations at 500 ppm or greater shall be disposed of:

- (i) In an incinerator which complies with §761.70, or
- (ii) In a chemical waste landfill that complies with §761.75; provided that if there are PCBs in a liquid state, the PCB Container shall first be drained and the PCB liquid disposed of in accordance with paragraph (a) of this section.

(2) Any PCB Container used to contain only PCBs at a concentration less than 500 ppm shall be disposed of as municipal solid wastes; provided that if the PCBs are in a liquid state, the PCB Container shall first be **drained** and the PCB liquid shall be disposed of in accordance with paragraph (a) of this section.

(3) Prior to disposal, a PCB container with PCB concentrations at 50 ppm or greater shall be stored in a unit which complies with §761.65.

40 CFR 761.79 Decontamination standards and procedures.

(a) Applicability. This section establishes decontamination standards and procedures for removing PCBs, which are regulated for disposal, from water, organic liquids, non-porous surfaces (including scrap metal from disassembled electrical equipment), concrete, and non-porous surfaces covered with a porous surface, such as paint or coating on metal.

(4) Materials from which PCBs have been removed by **decontamination** in accordance with this section, not including decontamination waste and residuals under paragraph (g) of this section, are unregulated for disposal under subpart D of this part.