

<u>SUBJECT</u>		<u>DATE</u>
1501. RCRA Empty Containers and The Debris Rule	ENCORE	AUG 25, 2022
1502. Exceptions to Free Liquids in Landfills Prohibition	ENCORE	SEP 1, 2022
1503. Dust Suppression in Landfills using Nonhazardous Liquids	ENCORE	SEP 8, 2022
1504. Treated Hazardous Wastes Used as Dust Suppressant	ENCORE	SEP 15, 2022
1505. LDR One-Year Storage Prohibition and Generator Permitted Storage	ENCORE	SEP 22, 2022
1506. LDR Notifications and Generator Permitted Storage	ENCORE	SEP 29, 2022
1507. Satellite Accumulation and the One-Year LDR Prohibitions on Storage	ENCORE	OCT 6, 2022

Approved for Public Release;
Further Dissemination Unlimited

DISCLAIMER - "Two Minute Training" ("2MT") is a peer-to-peer communication, presented to share the benefit of the author's work experience with other professionals, who can independently evaluate his analysis. 2MT does not necessarily reflect the opinions, conclusions or policies of the author's past or current employers or the US Department of Energy. The author's employers do not take any responsibility for the accuracy of its conclusions. 2MT is not intended to be used as authoritative guidance or direction by any person or entity. Anyone transmitting or reproducing it is prohibited from modifying its content, this disclaimer, or other text, or republishing it independent of its original source.

TWO MINUTE TRAINING

TO: CENTRAL PLATEAU CLEANUP COMPANY

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

SUBJECT: SATELLITE ACCUMULATION AND THE ONE-YEAR LDR PROHIBITIONS ON STORAGE

DATE: OCTOBER 6, 2022

<u>CPCCo Projects</u>	<u>CPCCo Functionals</u>	<u>HMIS</u>	<u>Hanford Laboratories</u>	<u>Other Hanford Contractors</u>	<u>Other Hanford Contractors</u>
Janine Baker	Sara Austin	Brett Barnes	Dean Baker	Bill Bachmann	Dan Saueressig
Tania Bates	Jeff Bramson	Curt Clement	Linda Conlin	Scott Baker	Lana Strickling
Theresa Boles	Bob Bullock	Mike Demiter	Bailey Hardy	Michael Carlson	Joelle Moss
Justin Bolles	Frank Carleo	Jerry Cammann	Garrett Knutson	Peter Ceton	Greg Varljen
James Brack	Bob Cathel	Kelly Elsethagen	Eric Van Mason	Danielle Collins	Julie Waddoups
Rene Catlow	Stacy Cutter	Garin Erickson	Melanie Myers	Paul Crane	Jeremy Wall
Richard Clinton	Jeanne Elkins	Katie Hall		Tina Crane	Jay Warwick
Patty Drago	Jonathan Fullmer	Dashia Vander Sys		Ron Del Mar	Ted Wooley
Paul Fernandez	Randal Fox	Mark Kamberg	<u>DOE RL, ORP, WIPP</u>	John Dorian	
Ryan Fisher	Alison Greene	Jon McKibben	Duane Carter	Mark Ellefson	
Andrew Getz	Sarah Horn	Saul Martinez	Ingrid Colton	Darrin Faulk	
Cory Grabeel	John Hultman	Matt Mills	Tashina Jasso	Kip George	
Lawanda Grow	Julie Johanson	Carly Nelson	Tony McKarns	James Hamilton	
Char Hall	Mitch Marrott	Eric Pennala	Adolfo Perez	Leah Hare	
Stuart Hildreth	Morgan Matson	Jon Perry	Bryan Trimberger	Andy Hobbs	
Aprill Jivelekas	Stewart McMahand	Dave Richards	Robin Varljen	Stephanie Johansen	
Sasa Kosjerina	Carlie Michaelis	Deanna Rohlfing	Allison Wright	Ryan Johnson	
William Krueger	Brian Mitcheltree	Christian Seavoy		Mike Lowery	
Richard Lipinski	Anthony Nagel	David Shaw		Michael Madison	
Stuart Mortensen	Chris Plager	John Skoglie		Terri Mars	
Edward Myers	Linda Petersen	Greg Sullivan		Steve Metzger	
Trey Reppe	Brent Porter			Tony Miskho	
Melissa Sahn-dame	Sean Sexton			Tom Moon	
Seth Slater	Dave Shea			Chuck Mulkey	
Phil Sheely	Deborah Singleton			Michelle Oates	
Kat Thompson	Dale Snyder			Kirk Peterson	
Jeff Westcott	Britt Wilkins			Jeremy Rishel	
Richard Willson	Jennifer Williams				
Nick Wood					
Jon Wright					

Approved for Public Release;
Further Dissemination Unlimited

DISCLAIMER - "Two Minute Training" ("2MT") is a peer-to-peer communication, presented to share the benefit of the author's work experience with other professionals, who can independently evaluate his analysis. 2MT does not necessarily reflect the opinions, conclusions or policies of the author's past or current employers or the US Department of Energy. The author's employers do not take any responsibility for the accuracy of its conclusions. 2MT is not intended to be used as authoritative guidance or direction by any person or entity. Anyone transmitting or reproducing it is prohibited from modifying its content, this disclaimer, or other text, or republishing it independent of its original source.

TWO MINUTE TRAINING

SUBJECT: Satellite Accumulation and the One-Year LDR Prohibitions on Storage

Q: It is understood that satellite accumulation areas (SAAs) have no time limits in terms of accumulation, if volume limits are not exceeded. According to [WAC 173-303-174\(1\)](#), [[40 CFR 262.15\(a\)](#)], SAAs have volume limits of 55 gallons of hazardous wastes, 1 quart of liquid acutely hazardous wastes, and 2.2 pounds of solid acutely hazardous wastes. However, if an SAA container is accumulating a hazardous waste subject to the land disposal restrictions (LDR) at [40 CFR 268](#), would the one-year LDR prohibitions on storage at [40 CFR 268.50](#) apply as a time limit for the SAA?

A: Per the [January 14, 1986, Federal Register](#) on page 1709, middle column, 3rd paragraph:

"The Agency does not interpret the statutory restriction on the storage of prohibited wastes as overriding the satellite accumulation rule contained in 40 CFR 262.34(c) [now 40 CFR 262.15]. That rule allows generators to accumulate up to 55 gallons of hazardous waste or 1 quart of acutely hazardous waste in a container, at or near the point of generation, without a permit, interim status, or compliance with the 90-day accumulation rule. The purpose of satellite accumulation is to allow the accumulation of certain quantities necessary to facilitate transportation, further treatment, or disposal and, thus, such accumulation falls under the section [3004\(j\)](#) exemption [see page 36]."

Therefore, an SAA container can accumulate wastes for more than one year with no concern for time limits, assuming that the volume limits stated at [WAC 173-303-174\(1\)](#) are not exceeded and that all other applicable SAA requirements are met.

SUMMARY:

- SAA containers accumulating waste within volume limits do not have time limits.
- SAA containers do have accumulation volume limits.
- The one-year prohibitions for storage of LDR wastes do not apply to SAA containers.

Excerpts from 40 CFR 268.50 and the RCRA 3004(j) exemption 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.

TWO MINUTE TRAINING - ATTACHMENT

SUBJECT: Satellite Accumulation and the One-Year LDR Prohibitions on Storage

40 CFR §268.50 Prohibitions on storage of restricted wastes

(a) Except as provided in this section, the storage of hazardous wastes restricted from land disposal under subpart C of this part of RCRA section 3004 is prohibited, unless the following conditions are met:

(1) A generator stores such wastes in tanks, containers, or containment buildings on-site solely for the purpose of the accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment, or disposal and the generator complies with the requirements in §§ 262.16 and 262.17 and parts 264 and 265 of this chapter.

(2) An owner/operator of a hazardous waste treatment, storage, or disposal facility stores such wastes in tanks, containers, or containment buildings solely for the purpose of the accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment, or disposal and:

(i) Each container is clearly marked to identify its contents and with:

(A) The words "Hazardous Waste";

(B) The applicable EPA hazardous waste number(s) (EPA hazardous waste codes) in subparts C and D of part 261 of this chapter; or use a nationally recognized electronic system, such as bar coding, to identify the EPA hazardous waste number(s);

(C) An indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (*i.e.*, ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704); and

(D) The date each period of accumulation begins.

(ii) Each tank is clearly marked with a description of its contents, the quantity of each hazardous waste received, and the date each period of accumulation begins, or such information for each tank is recorded and maintained in the operating record at that facility. Regardless of whether the tank itself is marked, an owner/operator must comply with the operating record requirements specified in § 264.73 or § 265.73.

(3) A transporter stores manifested shipments of such wastes at a transfer facility for 10 days or less.

(4) *A health care facility... and (5) A reverse distributor... Skipped to save space!*

(b) An owner/operator of a treatment, storage or disposal facility may store such wastes for up to one year unless the Agency can demonstrate that such storage was not solely for the purpose of accumulation of such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment, or disposal.

(c) An owner/operator of a treatment, storage or disposal facility may store such wastes beyond one year; however, the owner/operator bears the burden of proving that such storage was solely for the purpose of accumulation of such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment, or disposal.

TWO MINUTE TRAINING -ATTACHMENT

SUBJECT: Satellite Accumulation and the One-Year LDR Prohibitions on Storage

SOLID WASTE DISPOSAL ACT¹

[As Amended Through P.L. 115–232, Enacted August 13, 2018]

TITLE II—SOLID WASTE DISPOSAL

STANDARDS APPLICABLE TO OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SEC. 3004.

(j) STORAGE OF HAZARDOUS WASTE PROHIBITED FROM LAND DISPOSAL. — In the case of any hazardous waste which is prohibited from one or more methods of land disposal under this section (or under regulations promulgated by the Administrator under any provision of this section) the storage of such hazardous waste is prohibited unless such storage is solely for the purpose of the accumulation of such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment or disposal.