

| <u>SUBJECT</u> |   | <u>DATE</u>            |
|----------------|---|------------------------|
| 1448.          | Definitions of Inactive Portion, Active Portion and Closed Portion of a RCRA TSDF | AUG 12, 2021           |
| 1449.          | Dangerous Waste Designations and Dangerous Waste Code Determinations              | AUG 19, 2021           |
| 1450.          | Method Detection Limits and Hazardous Waste Determinations                        | ENCORE<br>AUG 26, 2021 |
| 1451.          | Method Detection Limits and Hazardous Waste Determinations II                     | ENCORE<br>SEP 2, 2021  |
| 1452.          | Totals Analysis vs. TCLP and Dividing by 20                                       | ENCORE<br>SEP 9, 2021  |
| 1453.          | Decharacterized RCRA Waste - Manifesting and LDR Reporting                        | ENCORE<br>SEP 16, 2021 |
| 1454.          | Decharacterized Hazardous Waste Listed Solely for Non-Toxic Characteristics       | ENCORE<br>SEP 23, 2021 |
| 1455.          | Decharacterized Wastes and the LDR Dilution Prohibition                           | ENCORE<br>SEP 30, 2021 |
| 1456.          | The "Derived from Rule", the "Mixtures Rule", and the "Contained-In Policy"       | ENCORE<br>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<br>NOV 4, 2021  |
| 1461.          | Pumps Containing Liquid Hazardous Waste and Land Disposal Restrictions            | ENCORE<br>NOV 11, 2021 |

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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:** PUMPS CONTAINING LIQUID HAZARDOUS WASTE AND LAND DISPOSAL RESTRICTIONS

**DATE:** NOVEMBER 11, 2021

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## TWO MINUTE TRAINING

**SUBJECT:** Pumps Containing Liquid Hazardous Waste and Land Disposal Restrictions

**Q:** Last week's "Two Minute Training" stated that a pump containing liquid hazardous waste did not have to be dismantled to remove the liquid in order to comply with the prohibition against liquids in landfills. This was because small containers designed to hold free liquids for use other than storage are exempt from the requirement to remove or sorb the free liquids - see [WAC 173-303-140\(4\)\(b\)\(i\)](#) [[40 CFR 264.314\(a\) - \(c\)](#) and [40 CFR 265.314\(a\) - \(c\)](#)]. Concerning the land disposal restrictions (LDR), if these free liquids are exempt from the liquids in landfill prohibition, are they also exempt from LDR?

**A:** It depends on how the pump is to be managed.

If the pump is a RCRA empty container per [WAC 173-303-160\(2\) - \(4\)](#) [[40 CFR 261.7](#)], then the free liquids remaining in the RCRA empty container are excluded from RCRA regulation, including LDR. [Note that the exclusion has nothing to do with the liquids in landfill prohibition. The free liquids remaining in a RCRA empty container are exempt due to the RCRA empty container rule.]

However, if the pump is a RCRA non-empty, intact container (subject to RCRA; not eligible for the debris treatment standards), then the hazardous waste free liquids are subject to LDR and must be treated to the waste code specific treatment standards at [40 CFR 268.40](#).

Or, if the pump is a RCRA non-empty, non-intact container (subject to RCRA; eligible for the debris treatment standards), then the hazardous waste free liquids are subject to LDR and can be treated to the waste code specific treatment standards at [40 CFR 268.40](#), or the alternative treatment standards for debris at [40 CFR 268.45](#).

Last week's pump was not RCRA empty. It also was ruptured and therefore not an intact container. Thus, the waste in the ruptured pump was subject to LDR and could be managed as debris, most likely via macroencapsulation, and then land disposed.

### SUMMARY:

- Exceptions to the liquids in landfill prohibition include very small containers, labpacks, or containers designed to hold free liquids for use other than storage.
- A pump can be considered a container designed to hold free liquids for use other than storage and therefore, eligible for landfilling - even if holding hazardous free liquids.
- A pump containing free liquids may or may not be subject to LDR, depending upon whether or not the pump is managed as a RCRA empty or non-empty container.

WAC 173-303-160(2) - (4) is attached to the e-mail. If you have any questions, contact me at [Paul W Martin@rl.gov](mailto:Paul.W.Martin@rl.gov) or at (509) 376-6620.

**FROM:** Paul W. Martin

**DATE:** 11/11/2021

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## TWO MINUTE TRAINING – ATTACHMENT

**SUBJECT:** Pumps Containing Liquid Hazardous Waste and Land Disposal Restrictions

**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.

## TWO MINUTE TRAINING – ATTACHMENT

**SUBJECT:** Pumps Containing Liquid Hazardous Waste and Land Disposal Restrictions

**WAC 173-303-160 Containers.** *(continued)*

(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.

(4) A person who cannot meet the provisions in (2)(b) of this section may petition the department to approve alternative container rinsing processes in accordance with WAC 173-303-910(1).