

<u>SUBJECT</u>			<u>DATE</u>
1056.	PCB Reporting and Recordkeeping Relief	ENCORE	JAN 12, 2014
1057.	Commercial Chemical Products and Unused Batteries	ENCORE	JAN 16, 2014
1058.	PCB Annual Records Retention Timeframes		JAN 31, 2014
1059.	Satellite Accumulation within a ≤90-day Accumulation Area		FEB 7, 2014
1060.	PCB Certificate of Disposal Relief	ENCORE	FEB 13, 2014
1061.	Used Oil and Weekly Inspections		FEB 20, 2014
1062.	Bags and RCRA Container Definition		FEB 27, 2014
1063.	Product Storage Tank Residues and Hazardous Waste Regulations	ENCORE	MAR 6, 2014
1064.	Spent Lead-Acid Batteries and Accumulation Time Limits		MAR 13, 2014
1065.	Land Disposal Restrictions and Dates of Accumulation		MAR 23, 2014
1066.	Universal Waste Accumulation Time Limits and the One Year Rule		MAR 29, 2014
1067.	PCB Manifest Discrepancy Reports and Estimated Waste Weights		APR 6, 2014
1068.	PCB Wastes, Independent Transporters and Confirmation of Receipt		APR 10, 2014
1069.	Paint Wastes and The Applicability of the F001-F005 Listings to Ingredients	ENCORE	APR 20, 2014
1070.	Other Paint Wastes and the Applicability of the F001-F005 Listings	ENCORE	APR 24, 2014
1071.	Multiple Characteristic Hazardous Waste Codes and Underlying Hazardous Constituents		MAY 1, 2014
1072.	TSCA "No PCBs" versus "Non-PCBs" versus "Nondetectable PCBs"	ENCORE	MAY 8, 2014
1073.	Purpose of Keeping a Hazardous Waste Container Closed	ENCORE	MAY 15, 2014
1074.	PCB Containers and Multiple Removed From Service Dates		MAY 22, 2014
1075.	Satellite Accumulation and RCRA Personnel Training		MAY 29, 2014
1076.	Transporter Signatures on Hazardous Waste Manifest and Multiple Drivers		JUN 5, 2014
1077.	Universal Waste and Nonhazardous Batteries		JUN 12, 2014
1078.	Universal Waste and Incandescent Bulbs		JUN 19, 2014
1079.	The PCB Mark and the Fields "Also Contact" and "Tel No"	ENCORE	JUN 29, 2014
1080.	Halon Fire Extinguishers - Banned or Not Banned?	ENCORE	JUL 5, 2014
1081.	Cabinets as RCRA Containers	ENCORE	JUL 13, 2014
1082.	LDR Storage Prohibitions and Treated Wastes	ENCORE	JUL 17, 2014
1083.	LDR Treatment Standards and F001 "Chlorinated Fluorocarbons"	ENCORE	JUL 24, 2014
1084.	RCRA Regulatory Status of Chlorinated Fluorocarbons Used as Refrigerants	ENCORE	JUL 31, 2014
1085.	Universal Wastes, Manifesting and DOT Shipping Names		AUG 7, 2014
1086.	CERCLA Hazardous Substances – A Brief Definition		AUG 14, 2014
1087.	CERCLA Hazardous Substances – The Petroleum Exclusion		AUG 21, 2014
1088.	PCB Concentration Assumptions for Use vs. PCB Disposal	ENCORE	AUG 28, 2014
1089.	Universal Waste and Basis for the One Year Accumulation Time Limit		SEP 4, 2014
1090.	Product Spills and Waste Determinations	ENCORE	SEP 11, 2014
1091.	PCB Concentrations and 10,000 PPM		SEP 18, 2014
1092.	PCB Concentrations and 1,000 PPM		SEP 25, 2014
1093.	Universal Waste Alkaline Batteries and Self-Transportation		OCT 2, 2014
1094.	Universal Waste Lithium Batteries and Self-Transportation		OCT 9, 2014
1095.	Universal Waste Batteries and Closed Containers	ENCORE	OCT 16, 2014
1096.	PCB Containers and Concentration of PCBs		OCT 23, 2014
1097.	Recyclable Chemicals and Zombie Destruction		OCT 31, 2014
1098.	Satellite Accumulation Requirements in Washington State	ENCORE	NOV 6, 2014
1099.	Satellite Accumulation and "At or Near"		NOV 13, 2014
1100.	Regulatory Status of Chromated, Copper, Arsenate, (CCA) Wood as Wood Mulch	ENCORE	NOV 20, 2014
1101.	Defining Criteria for Household Waste Exclusion	ENCORE	NOV 26, 2014
1102.	The Household Waste Exclusion and Renovation Debris		DEC 4, 2014
1103.	The Household Waste Exclusion and Renovation Debris – Part II		DEC 11, 2014
1104.	PCB Ballasts and Disposal Options	ENCORE	DEC 18, 2014
1105.	'Twas the Night Before Christmas – The Twenty-Second Edition		DEC 24, 2014
1106.	Printed Circuit Board Recycling – Shredded vs. Whole	ENCORE	JAN 1, 2015
1107.	Satellite Accumulation and Product Vessel Cleanouts		JAN 8, 2015
1108.	Date of Accumulation for Hazardous Waste and Receipt of Analytical Information	ENCORE	JAN 15, 2015

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TWO MINUTE TRAINING

TO: CH2M HILL PLATEAU REMEDIATION COMPANY

FROM: PAUL W. MARTIN, Senior Environmental Compliance Officer
CHPRC Environmental Protection, Hanford, WA

SUBJECT: DATE OF ACCUMULATION FOR HAZARDOUS WASTE AND RECEIPT OF ANALYTICAL INFORMATION

DATE: JANUARY 15, 2015

<u>CHPRC Projects</u>	<u>CH PRC - Env. Protection</u>	<u>MSA</u>	<u>Hanford Laboratories</u>	<u>Other Hanford Contractors</u>	<u>Other Hanford Contractors</u>
Richard Austin Tania Bates Ty Blackford Bob Cathel Rene Catlow Richard Clinton Larry Cole John Dent Brian Dixon Eric Erpenbeck Stuart Hildreth Mike Jennings Stephanie Johansen Jeanne Kisielnicki Melvin Lakes Jim McGrogan Stuart Mortensen Anthony Nagel Dean Nester Dave Richards Phil Sheely Connie Simiele Roni Swan Michael Waters Jeff Westcott Jeff Widney	Brett Barnes Ron Brunke Bill Cox Lorna Dittmer Rick Engelmann Ted Hopkins Jim Leary Dale McKenney Jon McKibben Rick Oldham Linda Petersen Fred Ruck Jennie Seaver Wayne Toebe Lee Tuott Daniel Turlington Dave Watson Joel Williams	Jerry Cammann Jeff Ehlis Garin Erickson Lori Fritz Panfilo Gonzales Jr. Dashia Huff Mark Kamberg Edwin Lamm Candice Marple Saul Martinez Jon Perry Thomas Pysto Don Rokkan Lana Strickling Lou Upton Christina Zerby	Alan Campbell Grant McCalmant <u>DOE RL, ORP, WIPP</u> Mary Beth Burandt Cliff Clark Mike Collins Tony McKarns Ellen Mattlin Greg Sinton Scott Stubblebine	Bill Bachmann Dean Baker Scott Baker Lucinda Borneman Paul Crane Tina Crane Greta Davis Jeff DeLine Ron Del Mar John Dorian Mark Ellefson Darrin Faulk Joe Fritts Tom Gilmore Rob Gregory Gene Grohs James Hamilton Andy Hobbs Ryan Johnson Dan Kimball Megan Lerchen Richard Lipinski Charles (Mike) Lowery Michael Madison Terri Mars Cary Martin Steve Metzger Tony Miskho Matt Mills Tom Moon Chuck Mulkey Judith Nielsen Mandy Pascual Kirk Peterson Jean Quigley	Mark Rollison Dan Saueressig Merrie Schilperoort Joelle Stamm Glen Triner Greg Varljen Julie Waddoups Kyle Webster Ted Wooley

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TWO MINUTE TRAINING

SUBJECT: Date of Accumulation for Hazardous Waste and Receipt of Analytical Information

Q: A Washington state customer generated a new waste stream on November 15, 2013, and placed the waste in a container marked as “Waste Pending Analysis” since its status as a hazardous waste was unknown. A sample was immediately taken and sent to an offsite laboratory. On December 15, 2013, the customer received and reviewed the analysis which indicated that the new waste stream was a regulated hazardous waste. Concerning the date of accumulation required in WAC 173-303-200(1)(c), [40 CFR 262.34(a)(2)], should the date of accumulation be the date the waste material was first generated (11/15/13); or should it be the date the analytical results were received (12/15/13)?

A: In an EPA memo dated April 21, 1989, from Sylvia Lowrance to Steven Axtell, EPA answered a similar question. EPA stated that once the regulatory status was determined the generator must mark the container with the actual date of generation and not with the date of analysis receipt. Even though this customer may have been managing the waste stream as a nonhazardous waste pending receipt of analysis, now the customer must date the container with the original date of generation and follow all applicable generator standards as outlined in WAC 173-303-200 [40 CFR Part 262].

However, in Washington state, per Technical Information Memorandum (TIM) 82-5, “[Effective Date of the 90-Day Storage \(Accumulation\) Requirement](#)” it states;

“If the conditions of this TIM are met, the advantage to the generator is that the “unknown” waste is not counted toward the generator’s monthly generation rate, the generator can avoid TSD permitting requirements, and the 90/180 day storage (accumulation) time limit does not begin until the unknown waste is identified as a dangerous waste.

Therefore, in Washington State, the date of accumulation would be the date the waste is identified as a dangerous waste, i.e., the date analysis is received.

SUMMARY:

- Under the Federal interpretation:
 - The date of accumulation is the date the waste was actually generated.
 - The date of receipt of analysis has no bearing on the actual date of accumulation.
- Under the Washington state interpretation the date of accumulation is the date of receipt of analysis.

The April 21, 1989, EPA Memo, WAC 173-303-200(1)(c) and 40 CFR 262.34(a)(2) are attached to the e-mail. If you have any questions, please contact me at “Paul_W_Martin@rl.gov” or at (509) 376-6620.

FROM: Paul W. Martin

DATE: 1/15/15

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TWO MINUTE TRAINING - ATTACHMENT

SUBJECT: Date of Accumulation for Hazardous Waste and Receipt of Analytical Information

Faxback 11424

9453.1989(05)

APR 21 1989

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

Mr. Stephen J. Axtell
Smith & Schnacke
2000 Courthouse Plaza NE
Post Office Box 1817
Dayton, Ohio 45401-1817

Dear Mr. Axtell:

This letter is in response to your letter of February 23, 1989, requesting clarification of the generator accumulation time requirements of 40 CFR 262.34. You ask when the accumulation time begins for an unknown waste that, upon analysis, is found to meet the definition of hazardous waste. Initially, the container was improperly labeled or not labeled at all. A sample of the contents was sent off site for analysis, and was found to be hazardous.

In your letter you relate that Chris Bryant of the RCRA Hotline indicated that the accumulation time for an unknown waste begins when the analytical results indicating that the waste is hazardous are received. Unfortunately, this information was incorrect. The correct reading of Section 262.34 in this instance follows:

Section 262.34(a) provides a limited exemption from the requirement that those who store hazardous waste must obtain permits. To obtain the exemption, a generator must comply with all the requirements of Section 262.34. If the date on which the accumulation began was not marked on the drum (Section 262.34(a) (2)) or the drum was not marked "Hazardous Waste" (Section 262.34 (a)(3)), then the generator has not met the pre-conditions for the exemption from permitting requirements and is an operator of a storage facility subject to the requirements of 40 CFR Parts 264/265 and the permit requirements of Part 270.

Where a generator does meet the conditions of Section 262.34, the accumulation time begins when a waste is generated or when it is first taken from a "satellite" accumulation area operated pursuant to 40 CFR 262.34(c). Waste is generated either when it is produced or when it is first caused to be subject to regulation (40 CFR 260.10), not when a generator first analyzes the waste. If the waste in the drum was a listed or characteristic hazardous waste when it was produced, then the one-time 90-day accumulation time could begin only at the time the waste was produced or removed from the satellite accumulation area.

If the waste was not subject to regulation when it was first stored, e.g., the material had not yet been listed as a regulated hazardous waste, then the 90-day period would have begun when the waste became subject to regulation--upon the effective date of the new listing. A generator's failure to properly analyze, label, and accumulate waste does not exempt the waste from regulation.

If we can be of any further assistance, please contact Emily Roth at (202) 382-4777.

Sincerely,

Sylvia K. Lowrance, Director
Office of Solid Waste

FROM: Paul W. Martin

DATE: 1/15/15

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TWO MINUTE TRAINING - ATTACHMENT

SUBJECT: Date of Accumulation for Hazardous Waste and Receipt of Analytical Information

WAC 173-303-200 Accumulating dangerous waste on-site

(1) A generator, not to include transporters as referenced in WAC 173-303-240(3), may accumulate dangerous waste on-site without a permit for ninety days or less after the date of generation, provided that:

(c) The date upon which each period of accumulation begins is marked and clearly visible for inspection on each container.

40 CFR 262.34 Accumulation time

(a) Except as provided in paragraphs (d), (e), and (f) of this section, a generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, provided that:

(2) The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container.

FROM: Paul W. Martin

DATE: 1/15/15

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PG: 3

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