

<u>SUBJECT</u>		<u>DATE</u>
1056.	Hazardous Waste Tanks and the Less than 90-Day Accumulation Time Limit	ENCORE APR 23, 2015
1057.	Decharacterized RCRA Waste - Manifesting and LDR Reporting	ENCORE APR 30, 2015
1058.	Decharacterized Hazardous Waste Listed Solely for Non-Toxic Characteristics	ENCORE MAY 7, 2015
1059.	Decharacterized Wastes, <90-Day Accumulation Time Limits and LDR Storage Prohibition	ENCORE MAY 14, 2015
1060.	Decharacterized Wastes and the LDR Dilution Prohibition	ENCORE MAY 21, 2015
1061.	Hazardous Debris Macroencapsulation and Size Reduction	ENCORE MAY 28, 2015
1062.	Universal Waste Lamps and Prohibition on Crushing	JUN 4, 2015
1063.	F003 Listed Hazardous Waste and the 10% Rule	ENCORE JUN 11, 2015
1064.	F001 - F005 Listed Hazardous Waste and the 10% Rule	ENCORE JUN 18, 2015
1065.	Macroencapsulation of Hazardous Debris and Presence of Free Liquids	ENCORE JUN 25, 2015
1066.	DOT Shipping of Damaged, Defective or Recalled Lithium Batteries	JUL 1, 2015
1067.	Used Oil Eligibility for Animal and Vegetable Oils	ENCORE JUL 9, 2015
1068.	Used Oil Eligibility for Petroleum Oils Mixed with Animal or Vegetable Oils	JUL 16, 2015
1069.	Conditioned Exclusion for Listed Hazardous Waste Debris Treated via Extraction/Destruction	ENCORE JUL 23, 2015
1070.	Conditioned Exclusion for Characteristic Debris Treated via Immobilization	JUL 30, 2015
1071.	RCRA Personnel Training and Classroom Training vs. Online Training	AUG 6, 2015
1072.	PCB Decontamination Standards with No Decontamination Performed	AUG 13, 2015
1073.	PCB Manifest Exceptions a.k.a. When is a PCB Manifest Not Required	ENCORE AUG 19, 2015
1074.	PCB Manifest Relief a.k.a. When is a PCB Manifest Not Required – The Sequel	AUG 27, 2015
1075.	Hazardous Debris and Radioactively Contaminated Cadmium Batteries	ENCORE SEP 3, 2015
1076.	Hazardous Debris and Radioactively Contaminated Lead Acid Batteries	ENCORE SEP 10, 2015
1077.	Mercury Wet Cell Batteries - Debris or Not Debris	ENCORE SEP 17, 2015
1078.	Hazardous Debris and Non-Radioactive Lead Acid Batteries	SEP 24, 2015
1079.	Unused Paraformaldehyde - U Listed Hazardous Waste or Not?	ENCORE OCT 1, 2015
1080.	CAS Numbers and the Hazardous Waste "U" and "P" Listings	ENCORE OCT 8, 2015
1081.	Universal Waste One Year Accumulation and Multiple Handlers	ENCORE OCT 15, 2015
1082.	LDR Notifications and F001-F005 Constituents of Concern	ENCORE OCT 29, 2015
1083.	LDR Notifications and F001-F005 Constituents of Concern – Again	ENCORE NOV 5, 2015
1084.	LDR Notifications and F001-F005 Constituents of Concern - One Last Time	ENCORE NOV 12, 2015
1085.	DOT and Terminal Protection of Alkaline Batteries	ENCORE NOV 19, 2015
1086.	Used Oil and Keeping Containers Closed – WAC 173-303 vs. 40 CFR 279	NOV 24, 2015
1087.	PCB Weight Determinations	ENCORE DEC 3, 2015
1088.	Satellite Accumulation Requirements and Container Inspections	ENCORE DEC 10, 2015
1089.	'Twas The Night Before Christmas - The Twenty-Third Annual Edition	ENCORE DEC 24, 2015
1090.	Satellite Accumulation and 85-Gallon Containers	ENCORE DEC 31, 2015
1091.	PCB Date Removed From Service Notations – On the Item or In a Log	ENCORE JAN 7, 2016
1092.	The Date Removed From Service Marking on the PCB Mark	ENCORE JAN 14, 2016
1093.	Generator Weekly Inspection Log Documentation – Federal vs. WA State	ENCORE JAN 21, 2016
1094.	Used Oil and Weekly Inspections	ENCORE JAN 28, 2016
1095.	TSCA/PCB Determinations for Fluorescent Light Ballasts via the Manufacture Date	ENCORE FEB 4, 2016
1096.	PCB Containers and Multiple Removed From Service Dates	ENCORE FEB 11, 2016
1097.	Generator Inspection Logs and Corrective Action Documentation	ENCORE FEB 18, 2016
1098.	PCB Concentrations and Micrograms per Centimeters Squared (µg/cm <sup>2</sup> )	FEB 25, 2016
1099.	RCRA Empty Containers and Removing as Much Waste as Possible	ENCORE MAR 3, 2016
1100.	PCB Incineration and "Six Nines" Destruction Removal Efficiency Criteria	ENCORE MAR 10, 2016
1101.	RCRA Treatment and The Two-Part Definition	MAR 17, 2016
1102.	D002 Waste and Dilution as Adequate LDR Treatment	ENCORE MAR 24, 2016
1103.	Satellite Accumulation of Aerosol Cans and Determining the 55-Gallon Limit	MAR 31, 2016
1104.	Satellite Accumulation and Process Location Changes	ENCORE APR 7, 2016
1105.	Satellite Accumulation Prior to and After Recycling	APR 14, 2016

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## TWO MINUTE TRAINING

**TO:** CH2M HILL PLATEAU REMEDIATION COMPANY

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

**SUBJECT:** SATELLITE ACCUMULATION PRIOR TO AND AFTER RECYCLING

**DATE:** APRIL 14, 2016

<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 Roni Ashley Tania Bates Bob Cathel Rene Catlow Richard Clinton Larry Cole John Dent Brian Dixon Eric Erpenbeck Stuart Hildreth Mike Jennings Stephanie Johansen Jeanne Kisielnicki Melvin Lakes Marty Martin Jim McGrogan Stuart Mortensen Anthony Nagel Dean Nester Dave Richards Phil Sheely Connie Simiele Jennie Stults Michael Waters Jeff Widney	Brett Barnes Mitch Boyd Ron Brunke Bill Cox Laura Cusack Lorna Dittmer Rick Engelmann Ted Hopkins Sasa Kosjerina Jim Leary Dale McKenney Jon McKibben Rick Oldham Linda Petersen Fred Ruck Ray Swenson 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 Christina Robison Don Rokkan Lana Strickling Lou Upton	(TBD)  <u>DOE RL, ORP, WIPP</u>  Mary Beth Burandt Duane Carter Cliff Clark Mike Collins Tony McKarns Ellen Mattlin Greg Sinton Scott Stubblebine	Bill Bachmann Dean Baker Scott Baker Lucinda Borneman Paul Crane Tina Crane 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 Grant McCalmant Steve Metzger Tony Miskho Matt Mills Tom Moon Chuck Mulkey Mandy Pascual Kirk Peterson Jean Quigley	Dan Saueressig Merrie Schilperoort Joelle Moss Glen Triner Greg Varljen Julie Waddoups Jay Warwick Kyle Webster Jeff Westcott Ted Wooley

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## TWO MINUTE TRAINING

**SUBJECT:** Satellite Accumulation Prior to and After Recycling

**Q:** In last week's Two Minute Training (2MT), we learned that a satellite accumulation area (SAA) is not mobile and cannot be moved to a new location. BUT WHAT IF, a customer has an SAA that is accumulating discarded aerosol paint cans that are destined for onsite recycling via an aerosol puncturing device that will generate waste paint and scrap metal in separate containers. Can one or both of these containers also be managed as SAAs?

**A:** According to [WAC 173-303-200\(2\)\(c\)](#) [[40 CFR 262.34\(c\)\(2\)](#)], once an SAA has exceeded the 55-gallon limit for dangerous/hazardous waste (or the 1 quart limit for acutely hazardous waste), the excess waste must be transferred to the generator's  $\leq 90$ -day or  $\leq 180$ -day or  $\leq 270$ -day accumulation area, or to an interim status or permitted storage facility. In the customer's scenario, the SAA waste - aerosol cans - are transferred to a recycling unit that is exempt from permitting as noted at [WAC 173-303-120\(4\)](#) [[40 CFR 261.6\(c\)\(1\)](#)]. The aerosol can puncturing device (the recycling unit) punctures the aerosol cans and collects the residual paint waste in a 55-gallon container below the puncturing device. The now empty aerosol cans are collected in a separate 55-gallon container as scrap metal for recycle. Since the puncturing is a form of treatment, the paint waste is a new point of generation which allows the waste paint drum to be managed as a new SAA. In this scenario the original SAA waste did not get transferred to another SAA, since it was transferred to an exempt treatment unit and following the new point of generation was accumulated in a new SAA.

An EPA letter dated May 3, 1989, ([RO 13280](#)) has an analogous clarification concerning a generator's waste exiting a recycling unit and whether or not the waste is allowed another 90-day accumulation period. EPA stated:

*"Wastes or residues from recycling activities are considered to be newly generated wastes and therefore are also allowed a 90 day accumulation period without a permit."*

Concerning the scrap metal container, since scrap metal destined for recycling is exempt from RCRA regulation per [WAC 173-303-071\(3\)\(ff\)](#) [[40 CFR 261.6\(a\)\(3\)\(ii\)](#)], the 55-gallon container of scrap metal is not an SAA and is just a 55-gallon container of scrap metal destined for recycle.

### SUMMARY:

- In general, an SAA cannot be transferred to another SAA.
- An SAA must be transferred to a designated accumulation or storage area.
- SAA waste exiting a recycling treatment unit is a new point of generation and can therefore be accumulated in a new SAA.

The May 3, 1989, EPA letter is 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:** 4/14/16

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## TWO MINUTE TRAINING - ATTACHMENT

**SUBJECT:** Satellite Accumulation Prior to and After Recycling

9451.1989(01)

### RECYCLING ACTIVITIES

MAY 3 1989

Alan H. McLean  
Hughes Hubbard and Reed  
Madison Avenue  
New York, New York 10017

Dear Mr. McLean:

This letter is in response to your letter dated March 2, 1989, requesting a written interpretation of aspects of the Resource Conservation and Recovery Act (RCRA) implementing regulations applicable to recycling activities (40 CFR Parts 124, 264, 265, 266, 268 and 270). It is my understanding that Environmental Technology Group's (ETG's) operation involves a mobile recycling unit that visits hazardous waste generator sites. Used solvents are pumped into the mobile unit through hoses connected to the generators' storage tanks or containers and a horizontal thin film evaporator is applied to reclaim reusable solvents. The reusable solvents are then pumped back into the generator's product tanks or containers. All rinsings and non-recoverable residues exiting from the mobile unit are placed in waste containers and remain on-site as the property of the generator.

In your letter, you reached several tentative conclusions regarding the applicability of certain RCRA regulations to your process. I have discussed those Federal regulations below to clarify how they would apply to your activities. However, it should be noted that in states that are authorized to implement the RCRA program, the state regulations, rather than Federal regulations, are applicable. The state program can be broader-in-scope or more stringent than the Federal counterpart, so ETG should check all applicable state standards before deploying its mobile recycling units.

The first question raised is, who is considered the generator of the residue or still bottom resulting from the recycling of the spent solvent by ETG's units. EPA considers the original generator of the spent solvents and ETG to be co-generators of these still bottoms, and the RCRA regulations regarding generators, found at 40 CFR Part 262, are applicable to both. However, this does not mean that both generators must satisfy each regulatory requirement individually. When two or more parties contribute to the generation of a hazardous waste, as is the case in the generation of the still bottoms, these requirements are satisfied if one of the parties assumes and performs the duties of the generator on behalf of both the parties (45 FR 72026, October 30, 1980). Therefore, by mutual agreement either party could perform the generator responsibilities of recordkeeping, reporting, and manifesting for the still bottom waste. Typically, these duties are assumed by the original generator who owns the site. Nevertheless, EPA reserves the right to enforce against any and all persons who fit the definition of "generator" in a particular case if the requirements of Part 262 are not adequately met. For more discussion on generator responsibilities, see the October 30, 1980 Federal Register notice referenced above.

Regarding the notification process, generator notifications under section 3010 of RCRA are generally required only once, at the time that RCRA regulations initially become applicable to the generator. It is through the notification process that a generator obtains an EPA identification number. If the original generator has already submitted a

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**DATE:** 4/14/16

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## TWO MINUTE TRAINING - ATTACHMENT

**SUBJECT:** Satellite Accumulation Prior to and After Recycling

notification and received an EPA identification number, and if this generator consents to performing the generator duties for the still bottoms as described above, then, additional notification is not required for the mobile unit to perform the recycling operation. This arrangement appears to fit the circumstances described in your letter. However, should the agreement between ETG and a particular client prescribe that ETG be generator of record for the still bottoms, including manifesting the residue, ETG would need to obtain an EPA identification number for that particular site by submitting a notification form (40 CFR 262.12(a)).

You also inquire about the applicability of the permitting requirements to the generator or the mobile unit operator. Your letter correctly states that a hazardous waste recycling process is exempt from the RCRA permitting requirements (40 CFR 261.6(c)). Therefore, neither ETG nor the generator would be obligated to obtain a permit for the recycling operation. Further, generators are allowed to accumulate hazardous waste on-site in tanks or containers for up to 90 days without being required to obtain interim status or a permit (40 CFR 262.34). It should be noted, however, that 90-day generators must comply with the technical standards of Part 265, Subpart J (for tanks), and Subpart I (for containers), as well as certain emergency response and personnel training provisions. If the accumulation period before the waste is introduced into the recycling unit exceeds 90 days, the generator will need to obtain interim status or a permit for such storage.

Wastes or residues from recycling activities are considered to be newly generated wastes and therefore are also allowed a 90 day accumulation period without a permit. Note that these wastes are also "derived from" wastes and are assigned the same EPA waste codes as the spent solvent from which they are derived (40 CFR 261.3 (c)(2)(i)).

You also indicate in your letter that ETG will not be subject to the Part 268 land disposal restriction requirements since a permit is not required. However, you should note that the Part 268 standards apply independent of the permit program, and any such requirements that are applicable to a particular waste (e.g., the solvent still bottoms) must be compiled with regardless of the §262.34 accumulation provision.

I hope this information will be helpful to you. If you have further questions please feel free to call Frank McAlister at (202) 382-4740.

Sincerely yours,

Original Document signed

Joseph S. Carra  
Director  
Permits and State Programs Division

RO 13280

**FROM:** Paul W. Martin

**DATE:** 4/14/16

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