

<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

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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: LDR NOTIFICATIONS AND F001-F005 CONSTITUENTS OF CONCERN

DATE: OCTOBER 29, 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 Widney	Brett Barnes Ron Brunke Bill Cox Laura Cusack Lorna Dittmer Rick Engelmann Ted Hopkins Jim Leary Dale McKenney Jon McKibben Rick Oldham Linda Petersen Fred Ruck Jennie Seaver 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 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 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 Kyle Webster Jeff Westcott Ted Wooley

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TWO MINUTE TRAINING

SUBJECT: LDR Notifications and F001-F005 Constituents of Concern

Q: The "Generator Paperwork Requirements Table" located near [40 CFR 268.7\(a\)\(4\)](#) states that "the constituents of concern for F001-F005 . . ." are required information on a land disposal restrictions (LDR) notification. Are "constituents of concern" all F001 - F005 hazardous constituents that cause the specific waste to be regulated as F001 - F005; or are they only those F001 - F005 hazardous constituents that actually exceed the applicable LDR treatment standards and therefore require treatment prior to land disposal?

A: Per an [EPA memo dated October 26, 1998](#), it states:

"As a generator you are responsible for determining whether some or all the constituents associated with each waste listed in 40 CFR 268.40 as 'regulated hazardous constituents' require treatment. If so, they are 'constituents of concern' to be included on the § 268.7 notification.

This determination may be made by testing or using knowledge of the waste on a constituent by constituent basis. Where this determination is based on testing, any of the constituents not shown to be below UTS, and not otherwise known to be below UTS, should be listed as a 'constituent of concern'.

As the generator, you will be identifying that these are the only constituents for which treatment is required and must retain on file the basis of your determination."

Therefore, only the constituents that actually exceed an applicable LDR treatment standard, i.e., require treatment, are "constituents of concern" that must be identified on the LDR notification.

SUMMARY:

- The "Generator Paperwork Requirements Table" identifies LDR notification requirements.
- "Constituents of concern" for F001 - F005 wastes must be identified on the LDR notice.
- "Constituents of concern" include only those F001 - F005 constituents that exceed an applicable LDR treatment standard and require treatment to meet an LDR standard.

The October 26, 1998, EPA memo 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: 10/29/15

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TWO MINUTE TRAINING - ATTACHMENT

SUBJECT: LDR Notifications and F001-F005 Constituents of Concern

Mr. David A. Swanburg, Base Civil Engineer
U.S. Air Force Reserve, 934 SPTG/CEV
760 Military Highway
Minneapolis-St. Paul LAP ARS, MN 55450-2000

October 26, 1998

Dear Mr. Swanburg:

This letter responds to your memorandum, dated August 14, 1998, in which you raised questions about the land disposal restrictions (LDR) regulations found at 40 CFR 268.7. I will answer your questions in the order they were presented in your memorandum.

1. Constituents of concern.

You request clarification of the term "constituents of concern" found in the § 268.7(a)(2) column of the Generator Paperwork Requirements Table. As you mention, the constituents of concern are those chemicals listed in the F001-F005 section of the Table of Treatment Standards at §268.40. Your question is: which of the thirty-or-so candidate constituents of concern should be included on the §268.7 notification? Several options were presented.

"Constituents of concern" as used in the Generator Paper Work Requirements Table refers to all constituents for which the waste is regulated, and may comprise both the "regulated hazardous constituents" associated with listed wastes and the "underlying hazardous constituents" of 40 CFR 268.48 when a waste also exhibits one or more 40 CFR 261.20 characteristics of hazardous waste. These are explained in more detail below.

As a generator you are responsible for determining whether some or all the constituents associated with each waste listed in 40 CFR 268.40 as "regulated hazardous constituents" require treatment (§ 268.7(a)(1)). If so, they are "constituents of concern" to be included on the § 268.7 notification. This determination may be made by testing or using knowledge of the waste on a constituent by constituent basis. Where this determination is based on testing, any of the constituents not shown to be below UTS, and not otherwise known to be below UTS, should be listed as a "constituent of concern." As the generator, you will be identifying that these are the only constituents for which treatment is required (§ 268.7(a)(2)) and must retain on file the basis of your determination (§ 268.7(a)(6)).

With respect to characteristically hazardous wastes, "underlying hazardous constituent" refers to the 40 CFR 268.48 constituents that can reasonably be expected to be present. (40 CFR 268.3(i)). For each of these constituents, the generator may use testing or knowledge to ascertain if they are present at levels above UTS. Where this determination is based on testing, any of the constituents not shown to be below UTS and not otherwise known to be below UTS should be listed as a "constituent of concern."

(Continued on next page.)

FROM: Paul W. Martin

DATE: 10/29/15

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TWO MINUTE TRAINING - ATTACHMENT

SUBJECT: LDR Notifications and F001-F005 Constituents of Concern

2. Carbon disulfide, cyclohexanone, and methanol.

You request clarification on whether carbon disulfide, cyclohexanone, and methanol are considered "constituents of concern" for a nonwastewater under any circumstances, and if so what are the circumstances? We read your question as referring to the special case of F001-F005 wastes and the entry in § 268.40 regarding these listed waste codes. For nonwastewater forms of these three constituents, if only one, two, or three of these constituents (and no other constituents) are present in the waste, they are considered "constituents of concern" and should be included on the notification. If these three constituents are present in the waste along with any other solvent constituents, they are not "constituents of concern" and should not be included on the notification.

3. Changes in treatment standards.

You request clarification on whether a new notification would be necessary if a treatment standard changes, perhaps causing the waste to be subject to the requirements for underlying hazardous constituents that it did not have prior to the regulation change.

Yes, a new notification should be prepared and submitted with the next shipment of wastes following the effective date of the changed treatment standard.

4. Changes in manifest number.

You request clarification on what manifest number should be associated with a notification that is submitted because the waste or the receiving facility changed, or because the treatment standard changed. Would the manifest number be that of the original first shipment of waste, or would be the manifest number associated with the waste under changed circumstances?

The manifest number should be the one associated with the first shipment of "changed" waste or the one sent to the "changed" treatment facility. It should not be the manifest number associated with the original first shipment because that number is superseded.

I hope you find these responses helpful. If you have further questions, contact Rhonda Minnick of my staff on 703-308-8771.

Sincerely,

James R. Berlow
Director
Hazardous Waste Minimization and
Management Division

FROM: Paul W. Martin

DATE: 10/29/15

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