

<u>SUBJECT</u>			<u>DATE</u>
1254.	Used Oil Filter Regulation – The Feds vs. Washington State	ENCORE	NOV 16, 2017
1255.	PCB Radioactive Wastes and Exception Reporting	ENCORE	NOV 21, 2017
1256.	Satellite Accumulation Requirements and Container Inspections	ENCORE	NOV 30, 2017
1257.	Disposing of PCB Ballasts with PCB Potting Material	ENCORE	DEC 7, 2017
1258.	Fluorescent Light Ballasts and PCB Annual Reporting		DEC 14, 2017
1259.	'Twas the Night Before Christmas – The Twenty-Fifth Annual Edition		DEC 21, 2017
1260.	The Purpose of Keeping Containers Closed Except When Adding or Removing Wastes	ENCORE	DEC 28, 2017
1261.	Satellite Accumulation and Product Vessel Cleanouts	ENCORE	JAN 4, 2018
1262.	Conservative Declaration that Material is a Hazardous Waste	ENCORE	JAN 11, 2018

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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: CONSERVATIVE DECLARATION THAT MATERIAL IS A HAZARDOUS WASTE

DATE: JANUARY 11, 2018

<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 Rene Catlow Richard Clinton Larry Cole John Dent Lorna Dittmer Brian Dixon Eric Erpenbeck Stuart Hildreth Mike Jennings Stephanie Johansen Melvin Lakes Richard Lipinski Jim McGrogan Stuart Mortensen Dave Richards Phil Sheely Connie Simiele Jennie Stults Jeff Westcott Jeff Widney	Bob Bullock Bill Cox Laura Cusack Sasa Kosjerina Jim Leary Anthony Nagel Robert Nielson Linda Petersen Fred Ruck Ray Swenson Wayne Toebe Daniel Turlington Dave Watson	Brett Barnes Jerry Cammann Jeff Ehlis Garin Erickson Panfilo Gonzalez Jr. Dashia Huff Mark Kamberg Jon McKibben Saul Martinez Jon Perry Christina Robison Lana Strickling Lou Upton	(TBD) <u>DOE RL, ORP, WIPP</u> Mary Beth Burandt Duane Carter Cliff Clark Tony McKarns Ellen Mattlin Scott Stubblebine	Bill Bachmann Dean Baker Scott Baker Lucinda Borneman Paul Crane Tina Crane Ron Del Mar John Dorian Mark Ellefson Tom Gilmore Rob Gregory Gene Grohs James Hamilton Andy Hobbs Ryan Johnson Megan Lerchen Charles (Mike) Lowery Michael Madison Terri Mars Cary Martin Grant McCalmant Steve Metzger Tony Miskho Matt Mills Tom Moon Chuck Mulkey Kirk Peterson	Jean Quigley Dan Saueressig Merrie Schilperoort Joelle Moss Glen Triner Greg Varljen Julie Waddoups Jay Warwick Ted Wooley

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TWO MINUTE TRAINING

SUBJECT: Conservative Declaration that Material is a Hazardous Waste

Q: A non-Washington customer has a wastestream that meets the definition of a Department of Transportation (DOT) Hazard Class 8, corrosive solid. As a precaution, the customer wants to declare the waste as a RCRA D002 corrosive hazardous waste. The customer is aware that the Federal definition of D002 at 40 CFR 261.22 does not include solids. Can the customer apply, as a precaution, the RCRA D002 hazardous waste code to a waste that does not meet the corrosive characteristic definition?

A: In [June 1, 1990, Federal Register \(Part 1\) / \(Part 2\)](#) on page 22549 EPA stated:

"The Agency (EPA) received many comments regarding non-liquid wastes that are corrosive and the applicability of treatment technologies for aqueous and liquid corrosive wastes to treat non-liquid corrosive wastes. The proposal did not specifically address corrosive solids because there is not a definition of corrosive solids in 261.22 at this time. Until the Agency amends 261.22 to include a definition for corrosive solids and promulgates a treatment technology, generators must prudently handle wastes with regard to known hazards. Although not required under current regulations, many generators of corrosive solids prefer to classify these wastes as D002 corrosives and choose waste management and disposal protocols accordingly in an added effort to protect the environment."

Therefore the customer could apply the D002 hazardous waste code to a DOT corrosive solid as added protection to the environment. However, all "waste management and disposal protocols" must be applied accordingly. This means that the DOT corrosive solid would have to be managed – stored, treated and disposed - as though it were actually a D002 waste, which in turn means that the land disposal restrictions (LDR) would apply. The DOT corrosive solid would have to meet the LDR treatment standard of DEACT (deactivation - removal of the corrosive characteristic) and meet any applicable underlying hazardous constituent (UHC) standards. Should the customer's DOT corrosive solid contain UHC constituents that exceed the treatment standards at [40 CFR 268.48](#), the corrosive solid would have to meet the appropriate LDR treatment standards - accordingly.

Note that according to Washington Administrative Code (WAC) 173-303-090(6)(a)(iii) and (b)(ii) a solid or semisolid can be a Washington State-Only Dangerous Waste with the waste code of WSC2 (solid corrosive). Therefore if the above customer resided in Washington State, their DOT corrosive solid could designate as a WSC2 dangerous waste. However, even if the Washington State customer's waste did not designate as a hazardous or dangerous waste, the Washington customer could also conservatively declare their waste as a dangerous waste per the Federal Register.

SUMMARY:

- According to EPA, a generator can classify a DOT corrosive solid as a D002 hazardous waste.
- This conservative declaration is allowed by EPA as added protection to the environment.
- All waste management and disposal protocols (such as LDR) would apply - accordingly.

40 CFR 261.22 and WAC 173-303-090(6) 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.

FROM: Paul W. Martin

DATE: 1/11/18

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TWO MINUTE TRAINING - ATTACHMENT

SUBJECT: Conservative Declaration that Material is a Hazardous Waste

40 CFR 261.22 Characteristic of corrosivity

(a) A solid waste exhibits the characteristic of corrosivity if a representative sample of the waste has either of the following properties:

(1) It is aqueous and has a pH less than or equal to 2 or greater than or equal to 12.5, as determined by a pH meter using Method 9040C in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846, as incorporated by reference in §260.11 of this chapter.

(2) It is a liquid and corrodes steel (SAE 1020) at a rate greater than 6.35 mm (0.250 inch) per year at a test temperature of 55 °C (130 °F) as determined by Method 1110A in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846, and as incorporated by reference in §260.11 of this chapter.

(b) A solid waste that exhibits the characteristic of corrosivity has the EPA Hazardous Waste Number of D002.

WAC 173-303-090 Dangerous waste characteristics.

(6) Characteristic of corrosivity.

(a) A solid waste exhibits the characteristic of corrosivity if a representative sample of the waste has any one or more of the following properties:

(i) It is aqueous and has a pH less than or equal to 2, or greater than or equal to 12.5, as determined by a pH meter using Method 9040C in "*Test Methods for Evaluating Solid Waste, Physical/Chemical Methods*," EPA Publication SW-846, as incorporated by reference in WAC 173-303-110 (3)(a);

(ii) It is liquid and corrodes steel (SAE 1020) at a rate greater than 0.250 inch (6.35 mm) per year at a test temperature of 55 degrees C (130 degrees F) as determined by the test method specified in NACE (National Association of Corrosion Engineers) Standard TM0169-2000 as standardized in "*Test Methods for Evaluating Solid Waste, Physical/Chemical Methods*," (Method 1110A) EPA Publication SW-846, as incorporated by reference in WAC 173-303-110 (3)(a); or

(iii) It is solid or semisolid which, upon testing using Method 9045D in "*Test Methods for Evaluating Solid Waste, Physical/Chemical Methods*" (SW 846), results in a pH less than or equal to 2, or greater than or equal to 12.5.

(b) A solid waste that exhibits the characteristic of corrosivity because:

(i) It has either of the properties described in (a)(i) or (ii) of this subsection will be designated DW, and assigned the dangerous waste number of D002;

(ii) It only has the property described in (a)(iii) of this subsection will be designated DW, and assigned the dangerous waste number of WSC2.

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