

<u>SUBJECT</u>		<u>DATE</u>
1253. Used Oil Filter Regulation – The Feds vs. Washington State	ENCORE	NOV 16, 2017
1254. PCB Radioactive Wastes and Exception Reporting	ENCORE	NOV 21, 2017
1255. Satellite Accumulation Requirements and Container Inspections	ENCORE	NOV 30, 2017
1256. Disposing of PCB Ballasts with PCB Potting Material	ENCORE	DEC 7, 2017
1257. Fluorescent Light Ballasts and PCB Annual Reporting		DEC 14, 2017
1258. 'Twas the Night Before Christmas – The Twenty-Fifth Annual Edition		DEC 21, 2017
1259. The Purpose of Keeping Containers Closed Except When Adding or Removing Wastes	ENCORE	DEC 28, 2017
1260. Satellite Accumulation and Product Vessel Cleanouts	ENCORE	JAN 4, 2018
1261. Conservative Declaration that Material is a Hazardous Waste	ENCORE	JAN 11, 2018
1262. Defining Criteria for Household Waste Exclusion	ENCORE	JAN 18, 2018
1263. The Household Waste Exclusion and Renovation Debris	ENCORE	JAN 25, 2018
1264. The Household Waste Exclusion and Renovation Debris – Part II	ENCORE	FEB 1, 2018
1265. The Mixtures Rule – Washington State vs. The Feds	ENCORE	FEB 8, 2018
1266. Spent Lead-Acid Batteries and Secondary Containment	ENCORE	FEB 15, 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: SPENT LEAD-ACID BATTERIES AND SECONDARY CONTAINMENT

DATE: FEBRUARY 15, 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: Spent Lead-Acid Batteries and Secondary Containment

Q: A customer is collecting spent lead-acid batteries (SLABs) which will eventually be shipped offsite to a reclaiming facility, i.e., a battery cracker, who recovers the acid, lead plates and plastic housing. The SLABs are being collected per the spent lead-acid battery exemption at [WAC 173-303-520 \[40 CFR Part 266 Subpart G\]](#). The customer's SLABs are placed in a plywood box that is suitable for shipping; however, the customer is concerned that the SLAB collection box must be in secondary containment due to the SLABs containing liquid electrolyte, i.e., sulfuric acid and distilled water. Is the customer required to collect SLABs containing free liquids in an area with secondary containment?

A: According to WAC 173-303-520, "Special Requirements for reclaiming spent lead acid battery wastes", persons who generate, transport or collect spent batteries are not subject to generator, transporter, interim status, permitted status, land disposal restrictions, or permitting requirements. The primary requirements applicable to SLAB generators, transporters and collectors are to determine if the SLABs are solid waste (yes since spent) and then, if dangerous/hazardous wastes (yes for lead – D008, and acid – D002). Washington State also requires notification for spills to the environment that threaten human health or the environment. As for secondary containment, there are no references to "containment" or references to [WAC 173-303-630\(7\) \[40 CFR Part 264.175\]](#) which includes the secondary containment requirements for containers.

EPA's goal was to encourage recycling of SLABs and, as stated in the April 4, 1983, Federal Register, "because excessive (and unnecessary) regulatory burden is likely to result if Subtitle C [*RCRA Hazardous Waste*] standards are extended back to cover activities before storage by reclaimers". Hence about the only requirements applicable to generators and collectors of SLABs is to designate the batteries as dangerous/hazardous waste which encourages recycling.

On the other hand, the use of secondary containment could be a best management practice to avoid potential spills to the environment.

SUMMARY:

- Generators, transporters and collectors of SLABs are not subject to the majority of requirements in WAC 173-303 [*40 CFR 260 - 265 and 266 - 279*].
- The primary requirements applicable to these SLABs are dangerous/hazardous waste designation and notification of spills that threaten human health and the environment.
- Secondary containment is not required but could be applied as a best management practice.

Excerpts from WAC 173-303-520 are attached. If you have any questions, please contact me at Paul_W_Martin@rl.gov or at (509) 376-6620.

FROM: Paul W. Martin

DATE: 2/15/18

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TWO MINUTE TRAINING - ATTACHMENT

SUBJECT: Spent Lead-Acid Batteries and Secondary Containment

WAC 173-303-520 Special requirements for reclaiming spent lead acid battery wastes.

This section applies to persons who reclaim (including regeneration) spent lead-acid batteries that are recyclable materials ("spent batteries"). (Also, see WAC 173-303-120(3).)

(1) Persons who generate, transport, or collect spent batteries, who regenerate spent batteries, or who store spent batteries but do not reclaim them (other than spent batteries that are to be regenerated) are subject only to the requirements of WAC 173-303-016 through 173-303-161 except for 173-303-060, and WAC 173-303-960 if such spent batteries are going to a battery reclaimer. Persons who reclaim spent batteries through regeneration (such as by electrolyte replacement) are not subject to 40 C.F.R. Part 268, which is incorporated by reference at WAC 173-303-140 (2)(a).

(2) Owners and operators of battery reclaiming facilities that store spent lead acid batteries prior to reclaiming (other than spent batteries that are to be regenerated) them are subject to the following requirements:

(a) For all reclaimers, the applicable storage provisions of:

- (i) WAC 173-303-280 (2) and (3);
- (ii) WAC 173-303-282;
- (iii) WAC 173-303-283;
- (iv) WAC 173-303-290;
- (v) WAC 173-303-310 through 173-303-360;
- (vi) WAC 173-303-380;
- (vii) WAC 173-303-390 (2) and (3);
- (viii) WAC 173-303-395; and
- (ix) WAC 173-303-800 through 173-303-840.

(b) For reclaimers with interim status permits, the applicable storage provisions of WAC 173-303-400 including Subparts F through L of 40 C.F.R. Part 265;

(c) For reclaimers with final facility permits, the applicable storage provisions of:

- (i) WAC 173-303-600 through 173-303-650; and
- (ii) WAC 173-303-660.

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WAC 173-303 – Dangerous Waste Regulations (Specific excerpts applicable to spent lead-acid batteries)

- Section 016. Identifying solid waste.
 - Section 017. Recycling processes involving solid waste.
 - Section 020. Applicability.
 - Section 030. Abbreviations.
 - Section 040. Definitions.
 - Section 045. References to EPA's hazardous waste and permit regulations.
 - Section 050. Department of ecology cleanup authority.
 - ~~Section 060. Notification and identification numbers.~~ (Not applicable to SLABs)
 - Section 070. Designation of dangerous waste.
 - Section 071. Excluded categories of waste.
 - Section 072. Procedures and bases for exempting and excluding wastes.
 - Section 073. Conditional exclusion of special wastes.
 - Section 075. Certification of designation.
 - Section 077. Requirements for universal waste.
 - Section 080. Dangerous waste lists.
 - Section 081. Discarded chemical products.
 - Section 082. Dangerous waste sources.
 - Section 083. Deletion of certain dangerous waste codes following equipment cleaning and...
 - Section 090. Dangerous waste characteristics.
 - Section 100. Dangerous waste criteria.
 - Section 102. Reserved.
 - Section 104. State-specific dangerous waste numbers.
 - Section 110. Sampling, testing methods, and analytes.
 - Section 120. Recycled, reclaimed, and recovered wastes.
 - Section 140. Land disposal restrictions.
 - Section 141. Treatment, storage, or disposal of dangerous waste.
 - Section 145. Spills and discharges into the environment.
 - Section 150. Division, dilution, and accumulation.
 - Section 160. Containers.
 - Section 161. Overpacked containers (labpacks).
- Section 960. Special powers and authorities of the department. (*Applicable to reclaimers only.*)