

<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
1267. Spent Lead-Acid Batteries and Accumulation Time Limits	ENCORE	FEB 23, 2018
1268. CERCLA Hazardous Substances – A Brief Definition	ENCORE	MAR 1, 2018
1269. Radioactively Contaminated Lead-Acid Batteries and Hazardous Debris	ENCORE	MAR 8, 2018
1270. RCRA Treatment and the Two-Part Definition	ENCORE	MAR 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:** RCRA TREATMENT AND THE TWO-PART DEFINITION

**DATE:** MARCH 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:** RCRA Treatment and the Two-Part Definition

**Q:** A customer has hazardous debris in the form of a fairly large piece of equipment. To secure the bulky equipment in the shipping container, the customer would like to pour a shallow layer of grout in the bottom of the waste container to ensure that the waste equipment does not shift during transportation, i.e., it is not a form of macroencapsulation. Since the RCRA definition of treatment includes wording about making waste “safer to transport”, is this grouting activity considered RCRA treatment?

**A:** [WAC 173-303-040](#), “Definitions” [[40 CFR 260.10](#)] defines “treatment” as:

*“The physical, chemical, or biological processing of dangerous waste to make such wastes nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume, with the exception of compacting, repackaging, and sorting as allowed under [WAC 173-303-400\(2\)](#) and [WAC 173-303-600\(3\)](#).”*

As clarified in an Office of Solid Waste and Emergency Response (OSWER) Directive [[9432.05\(84\)](#)], dated November 6, 1984, EPA stated that the definition of treatment is made up of two parts:

1. The change in the waste’s character affected by treatment, and;
2. The purpose of the change. Purposes include: to neutralize, to recover energy or material resources, to render such waste non-hazardous, safer to transport, store or dispose; amenable for recovery, amenable for storage, or reduced in volume.

Since the definition of treatment includes two parts, the customer’s grouting activity would have to change the physical, chemical or biological character of the waste and be for the purpose of making the waste safer to transport. The grout will make the equipment safer to transport but will not change the physical, chemical, or biological character of the waste, i.e., the hazardous debris is just as hazardous before and after the grouting so no change in waste character has occurred; therefore, no RCRA treatment has occurred.

As an example, an EPA guidance letter dated November 26, 1984 ([RO 12335](#)) clarified that if a generator dissolved plastic bags containing cyanide waste, treatment had not occurred. The purpose of dissolving the bags was to facilitate disposal and this did change the physical character of the waste from bagged waste to loose, powder waste. However, dissolving the plastic bags did not make the wastes nonhazardous, less hazardous, or safer to transport or safer dispose, etc., so both parts of the definition of treatment were not met and hence treatment did not occur.

Therefore, the customer could grout the hazardous debris equipment to secure the waste container and no RCRA treatment would occur. The two parts of RCRA treatment would not be met since the waste’s character would not be changed, even though the waste will be safer to transport.

### SUMMARY:

- The RCRA definition of treatment includes two parts: a change in the waste character and the purpose of the change.
- If both parts of the definition are met, then RCRA treatment has occurred.
- If one or both parts of the definition are not met, RCRA treatment has not occurred.

The EPA guidance letters dated November 6, 1984, and November 26, 1984 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:** 3/15/18

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## TWO MINUTE TRAINING - ATTACHMENT

**SUBJECT:** RCRA Treatment and the Two-Part Definition

Part 260 Subpart B – Definitions

DOC: 9432.05(84)

Key Words: Treatment

Regulations: 40 CFR 260.10

Subject: Definition of Treatment as Defined in 40 CFR 260.10 Subpart B – Definitions

Addressee: James Scarbrough, Chief, Residuals Management Branch, Region IV

Originator: John H. Skinner, Director, Office of Solid Waste

Source Doc: #9432.05(84)

Date: 11-6-84

**Summary:**

The definition of treatment is made up of two parts:

- 1) The change in the waste's characters affected by treatment.
- 2) The purpose of the change. Purposes include: to neutralize, to recover energy or material resources, to render such waste non-hazardous, safer to transport, store or dispose; amenable for recovery, amenable for storage, or reduced in volume.

To be considered treatment, facility processes must serve one of the purposes listed in No. 2 above when changing the waste's character.

## TWO MINUTE TRAINING - ATTACHMENT

**SUBJECT:** RCRA Treatment and the Two-Part Definition

PPC 9432.1984(05)

TREATMENT AS DEFINED IN 40 CFR 260.10 SUBPART B

NOV 26 1984

MEMORANDUM

**SUBJECT:** Definition of Treatment; Application to

Great Lakes Carbon Corp.

**FROM:** John H. Skinner, Director  
Office of Solid Waste (WH-562)

**TO:** James Scarbrough, Chief  
Residuals Management Branch  
EPA Region IV

We have reviewed and interpreted the definition of treatment as defined in 40 CFR 260.10, Subpart B - Definitions. The definition is made up of two parts: the change in the waste's character effected by treatment and the purpose of the change. Based on this definition, the process proposed by Great Lakes Carbon Corporation (GLCC) does not constitute treatment. GLCC's plan to add water to the cyanide contained in dissolvable plastic bags will change the physical character of the cyanide waste. However, the purpose of this change is to facilitate disposal. The change will not make the waste safer to dispose. None of those purposes listed in the definition, that is to neutralize; to recover energy or material resources; to render such waste non-hazardous or less hazardous safer to transport, store, or dispose; or amenable for recovery, amenable for storage, or reduced in volume, apply to the process proposed by GLCC.

If you have any questions, please contact Mr. Thomas Baugh of the Waste Treatment Branch at FTS 382-2550.es Carbon Corp.

**FROM:** Paul W. Martin

**DATE:** 3/15/18

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