

<u>SUBJECT</u>		<u>DATE</u>
1188. RCRA Empty Containers vs. TSCA PCB Decontaminated Containers - Scenario II	ENCORE	AUG 11, 2016
1189. RCRA Empty Containers vs. TSCA PCB Decontaminated Containers - Scenario III	ENCORE	AUG 18, 2016
1190. Product Spills and Waste Determinations	ENCORE	AUG 25, 2016
1191. Product Spills, Waste Determinations, and LDR	ENCORE	SEP 1, 2016
1192. Regulatory Status of Caustic Rinse Waters Contaminated with Trace Solvents	ENCORE	SEP 8, 2016
1193. Regulatory Status of Sand Blast Grit Contaminated with Trace Listed Solvents	ENCORE	SEP 15, 2016
1194. Hazardous Waste "F" Listings and Trace Contamination	ENCORE	SEP 22, 2016
1195. Hazardous Waste "F" Listings and Trace Contamination – Again!	ENCORE	SEP 29, 2016
1196. Hazardous Waste Determinations and Phase Separation		OCT 6, 2016
1197. Asbestos and DOT Relief	ENCORE	OCT 13, 2016
1198. PCB Containers and Concentration of PCBs	ENCORE	OCT 20, 2016
1199. PCB Analytical Waste Disposal Requirements	ENCORE	OCT 27, 2016
1200. PCB Analytical Waste Disposal Requirements – Water vs. Organic Liquids and Non-aqueous Inorganic Liquids		NOV 3, 2016
1201. Listed Waste Codes and Pre-RCRA Wastes	ENCORE	NOV 10, 2016
1202. Purpose of the ≤90-day Hazardous Waste Accumulation Exemption		NOV 17, 2016
1203. Used Oil Eligibility for Turkey and Ham Oils	ENCORE	NOV 23, 2016
1204. PCB Reporting and Recordkeeping Relief	ENCORE	DEC 1, 2016
1205. Defining Criteria for Household Waste Exclusion	ENCORE	DEC 8, 2016
1206. The Household Waste Exclusion and Renovation Debris	ENCORE	DEC 15, 2016
1207. 'Twas the Night before Christmas – The Twenty-Fourth Annual Edition		DEC 24, 2016
1208. The Household Waste Exclusion and Renovation Debris – Part II	ENCORE	DEC 29, 2016
1209. Absorbent Additions and Treatment		JAN 5, 2017
1210. Frozen RCRA Wastewater - DOT Liquid or Solid When Manifested?	ENCORE	JAN 12, 2017
1211. DOT Marking Specifications for the "UN", "NA" and "ID" Markings		JAN 19, 2017
1212. Satellite Accumulation within a ≤90-day Accumulation Area	ENCORE	JAN 26, 2017
1213. Washington State-Only Dangerous Waste Markings – Accumulation vs. Pre-Transport	ENCORE	FEB 2, 2017
1214. RCRA Empty Tanker Trailers and Listed Waste Codes	ENCORE	FEB 9, 2017
1215. RCRA Empty vs. DOT Empty	ENCORE	FEB 16, 2017
1216. RCRA Empty vs. DOT Empty II	ENCORE	FEB 23, 2017
1217. Multiple Characteristic Hazardous Waste Codes and Underlying Hazardous Constituents	ENCORE	MAR 2, 2017
1218. Multiple Characteristic and Listed Hazardous Waste Codes and the "in lieu of" LDR Principle	ENCORE	MAR 9, 2017
1219. LDR Storage Prohibitions and the One-Year Rule	ENCORE	MAR 16, 2017
1220. LDR Storage Prohibitions and Treated Wastes	ENCORE	MAR 23, 2017
1221. LDR Storage Prohibitions and Treated Hazardous Debris or Contaminated Soil		MAR 30, 2017
1222. LDR Requirements for Universal Wastes		APR 6, 2017

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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 REQUIREMENTS FOR UNIVERSAL WASTES

DATE: APRIL 6, 2017

<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>
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TWO MINUTE TRAINING

SUBJECT: LDR Requirements for Universal Wastes

- Q:** Continuing with the Land Disposal Restrictions (LDR) theme of the last few weeks, what about a customer who is managing universal wastes per WAC 173-303-573 [40 CFR Part 273] as a universal waste handler, rather than managing standard hazardous waste as generator? Do LDR notification requirements apply to universal waste handlers? And while on this topic, do LDR notifications apply to universal waste transporters and universal waste destination facilities?
- A:** A review of WAC 173-303-573, “Standards for universal waste management”, indicates that a large quantity handler of universal waste - similar to a large quantity generator of hazardous waste - must send a written notification to the EPA or applicable State and receive an EPA identification number. This is not an LDR notification and WAC 173-303-573 makes no references to the LDR requirements in 40 CFR Part 268 in terms of universal waste handlers or universal waste transporters. However, for universal waste destination facilities, WAC 173-303-573(35)(a) references WAC 173-303-140 which then references 40 CFR 268. This means that once a universal waste destination facility recycles the universal waste, the recycled material is now a product, but any hazardous waste residues are subject to LDR notifications when the hazardous waste is sent offsite for treatment, storage or disposal.

A review of 40 CFR 268.1(f) confirms that universal waste handlers and universal waste transporters are specifically exempt from 40 CFR 268.7 (“Testing, tracking, and recordkeeping requirements for generators, treaters, and disposal facilities”) which addresses LDR notifications. The Federal regulation goes on to state that these universal waste handlers are instead subject to regulation as universal wastes per 40 CFR Part 273 which is equivalent to WAC 173-303-573.

Since the customer is managing universal wastes as a universal waste handler, and Part 268.1(f) specifically exempts universal waste handlers from LDR notifications, an LDR form is not required.

SUMMARY:

- In general, hazardous wastes are subject to LDR notifications concerning whether LDR treatment standards are required or have been achieved.
- Universal waste handlers and universal waste transporters are not subject to LDR notifications.
- Universal waste destination facilities are subject to LDR notifications.

40 CFR 268.1(f) and an EPA Monthly Hotline Report ([RO 13783](#)) concerning universal waste 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: 040617

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TWO MINUTE TRAINING - ATTACHMENT

SUBJECT: LDR Requirements for Universal Wastes

40 CFR 268.1 Applicability

(f) Universal waste handlers and universal waste transporters (as defined in 40 CFR 260.10) are exempt from 40 CFR 268.7 and 268.50 for the hazardous wastes listed below. These handlers are subject to regulation under 40 CFR part 273.

- (1) Batteries as described in 40 CFR 273.2;
- (2) Pesticides as described in §273.3 of this chapter; **[FYI - pesticides are not universal waste in WA state.]**
- (3) Mercury-containing equipment as described in §273.4 of this chapter; and
- (4) Lamps as described in 40 CFR 273.5.

9593.1996(02)

MONTHLY HOTLINE REPORT

May 1996

1. Frequently Asked Questions on the Universal Waste Regulations

Which hazardous wastes are covered under the universal waste regulations in 40 CFR Part 273?

Currently, the three specific wastes covered under Part 273 are hazardous waste batteries (e.g., nickel-cadmium and lead-acid batteries), hazardous waste pesticides, and hazardous waste mercury-containing thermostats (§273.1). Part 273, Subpart G, contains provisions to allow for other wastes to be added to the universal waste regulations through a petitioning process. As such, new wastes, such as mercury lamps, may be added in the future.

Are universal waste handlers required to manage spent lead-acid batteries under 40 CFR Part 266, Subpart G, or under Part 273?

Handlers may actually choose the management standards with which they will comply. That is, they may either manage their batteries under the standards provided in Subpart G of Part 266 for spent lead-acid batteries that are being reclaimed, or they may comply with the universal waste regulations in Part 273 (60 FR 25505; May 11, 1995).

What are the notification requirements for Large Quantity Handlers of Universal Waste (LQHUU) and Small Quantity Handlers of Universal Waste (SQHUW)?

The universal waste regulations specify two distinct forms of notification for handlers of universal waste: a one-time written notification of universal waste management activity, and the acquisition of an EPA identification number. SQHUWs are not required to notify EPA of their universal waste activity, nor are they required to obtain an EPA identification number (§273.12). LQHUUWs, however, must submit the one-time written notification and must also obtain an EPA identification number (§273.32). Renotification is not required for a LQHUU who has previously notified EPA of universal waste management activities and who has already received an EPA identification number (60 FR 25521; May 11, 1995).

Do the universal waste regulations contain a provision similar to the generator satellite accumulation provisions in §262.34(c)?

There is no specific provision under Part 273 for satellite accumulation. However, the universal waste regulations do not limit the location, or number of locations, at which a handler may accumulate universal wastes. Thus, a handler may accumulate universal wastes at or near the point of generation and may do so, in general, for up to one year. (60 FR 25527; May 11, 1995).

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