

<u>SUBJECT</u>		<u>DATE</u>
1320.	Treated Hazardous Waste Used as Dust Suppressant	FEB 28, 2019
1321.	Decharacterized RCRA Waste - Manifesting and LDR Reporting	ENCORE MAR 7, 2019
1322.	Decharacterized Hazardous Waste Listed Solely for Non-Toxic Characteristics	ENCORE MAR 14, 2019
1323.	Decharacterized Wastes, ≤90-Day Accumulation Time Limits and LDR Storage Prohibition	ENCORE MAR 21, 2019
1324.	Decharacterized Wastes and the LDR Dilution Prohibition	ENCORE MAR 28, 2019
1325.	PCB Decontamination Standard with No Decontamination Performed	ENCORE APR 4, 2019
1326.	PCB Manifest Relief a.k.a., When is a PCB Manifest Not Required?	ENCORE APR 11, 2019
1327.	PCB Manifest Relief a.k.a., When is a PCB Manifest Not Required? – The Sequel	ENCORE APR 18, 2019
1328.	PCB Concentrations and Micrograms per Centimeters Squared (µg/cm ²)	ENCORE APR 25, 2019
1329.	Operating Record vs. Operating Log	ENCORE MAY 2, 2019
1330.	Operating Records Not Referenced in the “Operating Record” Regulations	ENCORE MAY 9, 2019
1331.	Washington State Used Oil and Mixtures with Other Materials	ENCORE MAY 16, 2019
1332.	Used Oil Filter Regulation – The Feds vs. Washington State	ENCORE MAY 23, 2019
1333.	Printed Circuit Board Recycling – Shredded vs. Whole	ENCORE MAY 30, 2019
1334.	Universal Waste Alkaline Batteries and Self-Transportation	ENCORE JUN 6, 2019

DISCLAIMER - “Two Minute Training” (“2MT”) is a peer-to-peer communication, presented to share the benefit of the author’s work experience with other professionals, who can independently evaluate his analysis. 2MT does not necessarily reflect the opinions, conclusions or policies of the author’s past or current employers or the US Department of Energy. The author’s employers do not take any responsibility for the accuracy of its conclusions. 2MT is not intended to be used as authoritative guidance or direction by any person or entity. Anyone transmitting or reproducing it is prohibited from modifying its content, this disclaimer, or other text, or republishing it independent of its original source.

TWO MINUTE TRAINING

TO: CH2M HILL PLATEAU REMEDIATION COMPANY

FROM: PAUL W. MARTIN, RCRA Subject Matter Expert
CHPRC Environmental Protection, Hanford, WA

SUBJECT: UNIVERSAL WASTE ALKALINE BATTERIES AND SELF-TRANSPORTATION

DATE: JUNE 6, 2019

<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 Laura Cusack John Dent Lorna Dittmer Eric Erpenbeck Stuart Hildreth Mike Jennings Stephanie Johansen Sasa Kosjerina Melvin Lakes Richard Lipinski Stuart Mortensen Dave Richards Phil Sheely Connie Simiele Jeff Westcott	Jeff Bramson Bob Bullock Frank Carleo Bill Cox Noah Cruz Jeanne Elkins Jonathan Fullmer Ted Hopkins Tad Karschnia Barry Lawrence Jim Leary Diane Leist Mitch Marrott Stewart McMahan Brian Mitcheltree Anthony Nagel Linda Petersen Fred Ruck Sean Sexton Dave Shea Ray Swenson Kat Thompson Wayne Toebe Eric Trotta Daniel Turlington Dave Watson	Brett Barnes Michael Carlson Mike Demiter Kip George Jerry Cammann Jeff Ehlis Garin Erickson Panfilo Gonzalez Jr. Dashia Huff Mark Kamberg Jon McKibben Saul Martinez Matt Mills Carly Nelson Michelle Oates Eric Pennala Jon Perry Christina Robison Christian Seavoy David Shaw John Skoglie Lana Strickling Greg Sullivan	(TBD) <u>DOE RL, ORP, WIPP</u> Mary Beth Burandt Duane Carter Al Farabee Tony McKarns	Bill Bachmann Dean Baker Scott Baker Lucinda Borneman Paul Crane Tina Crane Ron Del Mar John Dorian Mark Ellefson Darrin Faulk Tom Gilmore Rob Gregory James Hamilton Andy Hobbs Ryan Johnson Megan Lerchen Charles (Mike) Lowery Michael Madison Terri Mars Cary Martin Grant McCalmant Steve Metzger Tony Miskho Tom Moon Chuck Mulkey Kirk Peterson	Jean Quigley Dan Saueressig Merrie Schilperoort Joelle Moss Glen Triner Greg Varljen Julie Waddoups Jay Warwick Ted Wooley

DISCLAIMER - "Two Minute Training" ("2MT") is a peer-to-peer communication, presented to share the benefit of the author's work experience with other professionals, who can independently evaluate his analysis. 2MT does not necessarily reflect the opinions, conclusions or policies of the author's past or current employers or the US Department of Energy. The author's employers do not take any responsibility for the accuracy of its conclusions. 2MT is not intended to be used as authoritative guidance or direction by any person or entity. Anyone transmitting or reproducing it is prohibited from modifying its content, this disclaimer, or other text, or republishing it independent of its original source.

TWO MINUTE TRAINING

SUBJECT: Universal Waste Alkaline Batteries and Self-Transportation

Q: A Washington State customer has a 5-gallon bucket of alkaline batteries (1.5 volts up to 9 volts; WA state regulated solid corrosive [WSC2] dangerous waste). The batteries are universal waste and have been in accumulation for almost one year. Instead of hiring a transporter to take a bucket of batteries to the recycler, the customer would like to deliver the universal waste alkaline batteries to the recycler via a company or personal vehicle. Can the customer self-transport universal waste alkaline batteries to the recycler?

A: Per [WAC 173-303-573\(25\)\(b\)](#) [[40 CFR 273.38\(b\)](#)], if a large quantity handler of universal waste self-transport universal waste off-site, the handler becomes a universal waste transporter and must comply with the universal waste transporter requirements at WAC 173-303-573(28) – (34) [[40 CFR 273.50 - .56](#)]. For the customer, this means that the self-transportation must comply with the Department of Transportation (DOT) regulations as applicable.

A review of DOT [49 CFR 172.101](#), Hazardous Materials Table (HMT), indicates that the most appropriate shipping description for alkaline batteries is “Batteries, Dry, Sealed, N.O.S.”. Then according to the HMT at [49 CFR 172.102\(c\)\(1\)](#), special provision “134”, subparagraph (d), “Used or spent battery exception” it states:

“Used or spent dry batteries of both non-rechargeable and rechargeable designs, with a marked rating up to 9-volt that are combined in the same package and transported by highway or rail for recycling, reconditioning, or disposal are not subject to this special provision or any other requirement of the HMR” [DOT 49 CFR Hazardous Material Regulations].

Since the customer’s universal waste alkaline batteries are not subject to DOT, self-transportation to the recycler is relatively easy, i.e., do not store the universal waste batteries at a transfer facility for more than 10 days; immediately contain all releases of universal wastes; and deliver the universal waste to a universal waste handler, destination facility or foreign destination. If the universal waste batteries had been subject to DOT, e.g., alkaline batteries greater than 9 volts or lithium ion batteries, then a plethora of DOT regulations would apply that would most likely make self-transportation less appealing.

SUMMARY:

- A universal waste handler may self-transport universal waste to an approved destination.
- A universal waste self-transporter is subject to applicable DOT requirements.
- Universal waste alkaline batteries rated at ≤ 9 volts are not subject to DOT and self-transport is easy.

Excerpts from WAC 173-303-573, 49 CFR 172.101 and 49 CFR 172.102 are attached to the e-mail. If you have any questions, contact me at [Paul W. Martin@rl.gov](mailto:Paul.W.Martin@rl.gov) or at (509) 376-6620.

FROM: Paul W. Martin

DATE: 6/6/19

FILE: 2MT\2019\060619.rtf

PG: 1

DISCLAIMER - “Two Minute Training” (“2MT”) is a peer-to-peer communication, presented to share the benefit of the author’s work experience with other professionals, who can independently evaluate his analysis. 2MT does not necessarily reflect the opinions, conclusions or policies of the author’s past or current employers or the US Department of Energy. The author’s employers do not take any responsibility for the accuracy of its conclusions. 2MT is not intended to be used as authoritative guidance or direction by any person or entity. Anyone transmitting or reproducing it is prohibited from modifying its content, this disclaimer, or other text, or republishing it independent of its original source.

TWO MINUTE TRAINING – ATTACHMENT

SUBJECT: Universal Waste Alkaline Batteries and Self-Transportation

WAC 173-303-573 Standards for universal waste management.

(25) Off-site shipments.

- (b) If a large quantity handler of universal waste self-transport universal waste off site, the handler becomes a universal waste transporter for those self-transportation activities and must comply with the transporter requirements of subsections (28) through (34) of this section while transporting the universal waste.

(28) Applicability -- Universal waste transporters.

Subsections (28) through (34) of this section apply to universal waste transporters (as defined in WAC 173-303-040).

(29) Prohibitions.

A universal waste transporter is:

- (a) Prohibited from disposing of universal waste; and
- (b) Prohibited from diluting or treating universal waste, except by responding to releases as provided in subsection (32) of this section.

(30) Waste management.

- (a) A universal waste transporter must comply with all applicable U.S. Department of Transportation regulations in 49 C.F.R. Part 171 through 180 for transport of any universal waste that meets the definition of hazardous material in 49 C.F.R. 171.8. For purposes of the Department of Transportation regulations, a material is considered a dangerous waste if it is subject to the Hazardous Waste Manifest Requirements of the U.S. Environmental Protection Agency specified in WAC 173-303-180. Because universal waste does not require a dangerous waste manifest, it is not considered hazardous waste under the Department of Transportation regulations.
- (b) Some universal waste materials are regulated by the Department of Transportation as hazardous materials because they meet the criteria for one or more hazard classes specified in 49 C.F.R. 173.2. As universal waste shipments do not require a manifest under WAC 173-303-180, they may not be described by the DOT proper shipping name "hazardous waste, (I) or (S), n.o.s.," nor may the hazardous material's proper shipping name be modified by adding the word "waste."

FROM: Paul W. Martin

DATE: 6/6/19

FILE: 2MT\2019\060619.rtf

PG: 2

DISCLAIMER - "Two Minute Training" ("2MT") is a peer-to-peer communication, presented to share the benefit of the author's work experience with other professionals, who can independently evaluate his analysis. 2MT does not necessarily reflect the opinions, conclusions or policies of the author's past or current employers or the US Department of Energy. The author's employers do not take any responsibility for the accuracy of its conclusions. 2MT is not intended to be used as authoritative guidance or direction by any person or entity. Anyone transmitting or reproducing it is prohibited from modifying its content, this disclaimer, or other text, or republishing it independent of its original source.

TWO MINUTE TRAINING – ATTACHMENT

SUBJECT: Universal Waste Alkaline Batteries and Self-Transportation

(31) Storage time limits.

- (a) A universal waste transporter may only store the universal waste at a universal waste transfer facility for ten days or less.
- (b) If a universal waste transporter stores universal waste for more than ten days, the transporter becomes a universal waste handler and must comply with the applicable requirements for small or large quantity handlers (subsections (6) through (27) of this section) while storing the universal waste.

(32) Response to releases.

- (a) A universal waste transporter must immediately contain all releases of universal wastes and other residues from universal wastes.
- (b) A universal waste transporter must determine whether any material resulting from the release is dangerous waste, and if so, it is subject to all applicable requirements of this chapter. If the waste is determined to be a dangerous waste, the transporter is subject to WAC 173-303-145 and 173-303-170 through 173-303-230.

(33) Off-site shipments.

- (a) A universal waste transporter is prohibited from transporting the universal waste to a place other than a universal waste handler, a destination facility, or a foreign destination.
- (b) If the universal waste being shipped off site meets the Department of Transportation's definition of hazardous materials under 49 C.F.R. 171.8, the shipment must be properly described on a shipping paper in accordance with the applicable Department of Transportation regulations under 49 C.F.R. Part 172.

(34) Exports.

A universal waste transporter transporting a shipment of universal waste to a foreign destination is subject to the requirements of 40 C.F.R. Part 262, Subpart H which is incorporated by reference at WAC 173-303-230.

TWO MINUTE TRAINING – ATTACHMENT

SUBJECT: Universal Waste Alkaline Batteries and Self-Transportation

49 CFR §172.101 Hazardous Materials Table (*Excerpt*)

S y m b o l s	Hazardous materials descriptions and proper shipping names	Hazard class or Division	ID Numbers	PG	Label Codes	Special provisions (§172.102)	(8)	
							Packaging (§173.***)	
							Exceptions	Non- bulk
1	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)
	Batteries, dry, sealed, n.o.s.					130		

49 CFR 172.102(c) Tables of special provisions.

(1) Numeric Provisions

130 “Batteries, dry, sealed, n.o.s.,” commonly referred to as dry batteries, are hermetically sealed and generally utilize metals (other than lead) and/or carbon as electrodes. These batteries are typically used for portable power applications. The rechargeable (and some non-rechargeable) types have gelled alkaline electrolytes (rather than acidic) making it difficult for them to generate hydrogen or oxygen when overcharged and therefore, differentiating them from non-spillable batteries. Dry batteries specifically covered by another entry in the §172.101 Table must be transported in accordance with the requirements applicable to that entry. For example, nickel-metal hydride batteries transported by vessel in certain quantities are covered by another entry (*see* Batteries, nickel-metal hydride, UN3496). Dry batteries not specifically covered by another entry in the §172.101 Table are covered by this entry (*i.e.*, Batteries, dry, sealed, n.o.s.) and are not subject to requirements of this subchapter except for the following:

(d) *Used or spent battery exception.* Used or spent dry batteries of both non-rechargeable and rechargeable designs, with a marked rating up to 9-volt that are combined in the same package and transported by highway or rail for recycling, reconditioning, or disposal are not subject to this special provision or any other requirement of the HMR [DOT 49 CFR Hazardous Material Regulations]. Note that batteries utilizing different chemistries (*i.e.*, those battery chemistries specifically covered by another entry in the §172.101 Table) as well as dry batteries with a marked rating greater than 9-volt may not be combined with used or spent batteries in the same package. Note also that this exception does not apply to batteries that have been reconditioned for reuse.

FROM: Paul W. Martin

DATE: 6/6/19

FILE: 2MT\2019\060619.rtf

PG: 4

DISCLAIMER - “Two Minute Training” (“2MT”) is a peer-to-peer communication, presented to share the benefit of the author’s work experience with other professionals, who can independently evaluate his analysis. 2MT does not necessarily reflect the opinions, conclusions or policies of the author’s past or current employers or the US Department of Energy. The author’s employers do not take any responsibility for the accuracy of its conclusions. 2MT is not intended to be used as authoritative guidance or direction by any person or entity. Anyone transmitting or reproducing it is prohibited from modifying its content, this disclaimer, or other text, or republishing it independent of its original source.