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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 EMPTY CONTAINERS VS. TSCA PCB DECONTAMINATED CONTAINERS - SCENARIO III

**DATE:** JUNE 25, 2020

<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 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 Danielle Collins Bill Cox Jeanne Elkins Ryan Fisher Jonathan Fullmer Barry Lawrence Diane Leist Mitch Marrott Stewart McMahand Brian Mitcheltree Anthony Nagel Linda Petersen Sean Sexton Dave Shea 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 Skogle 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 Rob Gregory James Hamilton Andy Hobbs Ryan Johnson Megan Lerchen Mike Lowery Michael Madison Terri Mars Cary Martin Grant McCalmbert Steve Metzger Tony Miskho Tom Moon Chuck Mulkey Kirk Peterson	Dan Saueressig Joelle Moss Glen Triner Greg Varljen Julie Waddoups Jay Warwick Ted Wooley

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## TWO MINUTE TRAINING

**SUBJECT:** RCRA Empty Containers vs. TSCA PCB Decontaminated Containers - Scenario III

**Q:** OK - one last scenario...really. The last two weeks' 2MTs discussed requirements for rendering reusable, a drained 55-gallon waste drum that had contained a RCRA listed hazardous waste (non-acute one week, and acute the next week); and a TSCA PCB regulated waste (PCB concentration  $\geq 50$  ppm and  $< 500$  ppm one week, and  $\geq 500$  pm the next week). What if the customer does not want to reuse the drum as before, but instead wants to dispose of the drum in a local nonhazardous waste landfill (Subtitle D)? What must the customer do to render a drum disposable in a Subtitle D landfill, per RCRA and TSCA requirements?

**A:** In terms of RCRA, the customer must still render the drum RCRA empty. If the waste was an acutely hazardous waste, the container could be rinsed at least three times with an appropriate cleaner or solvent ([WAC 173-303-160\(2\)\(b\)](#) [[40 CFR 261.7](#)]). The volume of solvent used for each rinsing must be 10% or more of the container's capacity or of sufficient quantity to decontaminate the container thoroughly.

If the waste was not an acutely hazardous waste, then the container must be emptied as much as possible and contain no more than 1 inch of residues, or no more than 3% by weight of residues. Once the RCRA empty criteria is achieved for acute or non-acutely hazardous wastes, the residues remaining in the RCRA empty container are no longer subject to RCRA [[WAC 173-303-160\(3\)](#)]. Regardless of reuse, or disposal in a Subtitle D landfill, the container must be RCRA empty.

Note that the rinsate from a listed hazardous or dangerous waste remains a regulated listed waste. The rinsate from a characteristic hazardous or dangerous waste remains a regulated characteristic waste, if the rinsate exhibits any characteristic or WA State criteria for hazardous/dangerous waste.

In terms of TSCA, if the PCB concentrations of the waste were  $< 500$  ppm, per [40 CFR 761.60\(c\)\(2\)](#) the drum can be drained and disposed as municipal solid wastes, i.e., disposed in a Subtitle D landfill. The drained liquid would require disposal in a TSCA compliant high efficiency boiler or incinerator as required at [40 CFR 761.60\(a\)](#). Note that no rinsing or decontamination is required to meet the criteria of "drained".

If the PCB concentrations of the waste were  $\geq 500$  ppm, the drum would have to be decontaminated per [40 CFR 761.79\(c\)\(1\)](#), i.e., triple rinsed, as opposed to merely drained. Per [40 CFR 761.79\(a\)\(4\)](#), materials decontaminated for PCBs are unregulated for disposal. This means that the PCB waste drum could be disposed in a Subtitle D facility once decontaminated.

Note that if the PCB waste drum ( $\geq 500$  ppm) was not decontaminated and only drained, the drained drum would require disposal in a TSCA approved incinerator or landfill, i.e., not a Subtitle D landfill.

### SUMMARY:

- RCRA hazardous waste containers must be RCRA empty when disposed in a Subtitle D landfill.
- PCB contaminated waste containers ( $\geq 50$  and  $< 500$  ppm) must be drained when disposed in a Subtitle D landfill.
- PCB waste containers ( $\geq 500$  ppm) must be decontaminated when disposed in a Subtitle D landfill.

Excerpts from [WAC 173-303-160](#), [40 CFR 761.60](#) and [761.79](#) 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:** 6/25/2020

**FILE:** 2MT\2020\062520.rtf

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## TWO MINUTE TRAINING – ATTACHMENT

**SUBJECT:** RCRA Empty Containers vs. TSCA PCB Decontaminated Containers - Scenario III

**WAC 173-303-160 Containers.**

(2) A container or inner liner is "empty" when:

(a) All wastes in it have been taken out that can be removed using practices commonly employed to remove materials from that type of container or inner liner (for example, pouring, pumping, aspirating, etc.) and:

- (i) No more than one inch of waste remains at the bottom of the container or inner liner; or
- (ii) No more than 3 percent by weight of the total capacity of the container remains in the container or inner liner if the container is less than or equal to 119 gallons in size; or
- (iii) No more than 0.3 percent by weight of the total capacity of the container remains in the container or inner liner if the container is greater than 119 gallons in size.

A container that held compressed gas is empty when the pressure inside the container equals or nearly equals atmospheric pressure; and

(b) If the container or inner liner held acutely hazardous waste, as defined in WAC 173-303-040, toxic EHW as defined in WAC 173-303-100 or pesticides bearing the danger or warning label, the container or inner liner has been rinsed at least three times with an appropriate cleaner or solvent. The volume of cleaner or solvent used for each rinsing must be ten percent or more of the container's or inner liner's capacity or of sufficient quantity to thoroughly decontaminate the container. In lieu of rinsing for containers that might be damaged or made unusable by rinsing with liquids (for example, fiber or cardboard containers without inner liners), an empty container may be vacuum cleaned, struck, with the open end of the container up, three times (for example, on the ground, with a hammer or hand) to remove or loosen particles from the inner walls and corners, and vacuum cleaned again. Equipment used for the vacuum cleaning of residues from containers or inner liners must be decontaminated before discarding, in accordance with procedures approved by the department. A container or inner liner is also considered "empty" if the container or inner liner has been cleaned by another method that has been shown in the scientific literature, or by tests conducted by the generator, to achieve equivalent removal.

Any rinsate or vacuumed residue that results from the cleaning of containers or inner liners must, whenever possible, be reused in a manner consistent with the original intended purpose of the substance in the container or inner liner. In the case of a farmer, if the rinsate is a pesticide residue then the rinsate must be managed or reused in a manner consistent with the application instructions on the pesticide label. On-site disposal or burial of pesticide residues is prohibited. Otherwise, the rinsate must be checked against the designation requirements (WAC 173-303-070 through 173-303-100) and, if designated, managed according to the requirements of this chapter.

(c) In the case of a container, the inner liner, that prevented the container from contact with the commercial chemical product or manufacturing chemical, has been removed.

(3)

(a) Any residues remaining in containers or inner liners that are "empty" as described in subsection (2) of this section will not be subject to the requirements of this chapter, and will not be considered as accumulated wastes for the purposes of calculating waste quantities.

(b) Any dangerous waste in either: A container that is not empty, or an inner liner removed from a container that is not empty (as defined in subsection (2) of this section) is subject to the requirements of this chapter.

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## TWO MINUTE TRAINING – ATTACHMENT

**SUBJECT:** RCRA Empty Containers vs. TSCA PCB Decontaminated Containers - Scenario III

### 40 CFR 761.60 Disposal requirements.

(a) PCB liquids. PCB liquids at concentrations  $\geq 50$  ppm must be disposed of in an incinerator which complies with §761.70, except that PCB liquids at concentrations  $\geq 50$  ppm and  $< 500$  ppm may be disposed of as follows:

- (1) For mineral oil dielectric fluid, in a high efficiency boiler according to §761.71(a).
- (2) For liquids other than mineral oil dielectric fluid, in a high efficiency boiler according to §761.71(b).

(c) PCB Containers.

(1) Unless decontaminated in compliance with §761.79 or as provided in paragraph (c)(2) of this section, a PCB container with PCB concentrations at 500 ppm or greater shall be disposed of:

- (i) In an incinerator which complies with §761.70, or
- (ii) In a chemical waste landfill that complies with §761.75; provided that if there are PCBs in a liquid state, the PCB Container shall first be drained and the PCB liquid disposed of in accordance with paragraph (a) of this section.

(2) Any PCB Container used to contain only PCBs at a concentration less than 500 ppm shall be disposed of as municipal solid wastes; provided that if the PCBs are in a liquid state, the PCB Container shall first be drained and the PCB liquid shall be disposed of in accordance with paragraph (a) of this section.

(3) Prior to disposal, a PCB container with PCB concentrations at 50 ppm or greater shall be stored in a unit which complies with §761.65.

### 40 CFR 761.79 Decontamination standards and procedures.

(a) Applicability. This section establishes decontamination standards and procedures for removing PCBs, which are regulated for disposal, from water, organic liquids, non-porous surfaces (including scrap metal from disassembled electrical equipment), concrete, and non-porous surfaces covered with a porous surface, such as paint or coating on metal.

(4) Materials from which PCBs have been removed by decontamination in accordance with this section, not including decontamination waste and residuals under paragraph (g) of this section, are unregulated for disposal under subpart D of this part.