

| <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 |
| 1271. Who Wants to be a Generator!!! | ENCORE | MAR 22, 2018 |
| 1272. Who Wants to be a Generator Part 2!!! | ENCORE | MAR 29, 2018 |
| 1273. "No Smoking" Signs and Tobacco-Free Facilities | | APR 5, 2018 |
| 1274. Aqueous Solutions and the Characteristic of Corrosivity | ENCORE | APR 12, 2018 |
| 1275. Aqueous Solutions and the Characteristic of Ignitability | ENCORE | APR 19, 2018 |
| 1276. PCB Bulk Product Wastes and the One Year Disposal Requirement | ENCORE | APR 26, 2018 |
| 1277. PCB Radioactive Wastes and Exception Reporting | ENCORE | MAY 3, 2018 |
| 1278. TSCA/PCB Determinations for Fluorescent Light Ballasts via the Manufacture Date | ENCORE | MAY 10, 2018 |
| 1279. RCRA Liquids, Free Liquids, and Releasable Liquids | ENCORE | MAY 17, 2018 |
| 1280. Satellite Accumulation Areas and the Three-Day Time Limit for Excess Accumulation | | MAY 24, 2018 |
| 1281. Satellite Accumulation of Aerosol Cans and Determining the 55-Gallon Limit | ENCORE | MAY 31, 2018 |
| 1282. Universal Waste and Basis for the One Year Accumulation Time Limit | ENCORE | JUN 7, 2018 |
| 1283. F001 Degreaser versus F002 Solvent | ENCORE | JUN 14, 2018 |
| 1284. Hazardous Waste Determinations and Phase Separation | ENCORE | JUN 20, 2018 |
| 1285. PCB Certificates of Disposal and Manifesting Between Related Facilities | | JUN 28, 2018 |
| 1286. PCB Concentrations and 10,000 PPM | ENCORE | JUL 5, 2018 |
| 1287. PCB Concentrations and 1,000 PPM | ENCORE | JUL 12, 2018 |
| 1288. Satellite Accumulation Containers and the Date of Accumulation Marking | | JUL 19, 2018 |
| 1289. Satellite Accumulation Requirements in Washington State | ENCORE | JUL 26, 2018 |
| 1290. Satellite Accumulation Areas and Under the Control of the Operator | | AUG 2, 2018 |
| 1291. Exceptions to Free Liquids in Landfills Prohibition | ENCORE | AUG 9, 2018 |
| 1292. Ampules and the Exception to Free Liquid in Landfills Prohibition | | AUG 16, 2018 |
| 1293. Overpacks vs. Salvage Drums | ENCORE | AUG 23, 2018 |
| 1294. Universal Wastes - Recycling versus Disposal | ENCORE | AUG 30, 2018 |
| 1295. Universal Waste, One-Year Accumulation. and Multiple Handlers | ENCORE | SEP 6, 2018 |
| 1296. Universal Waste, One-Year Accumulation, and Multiple Handlers at One Facility | | SEP 13, 2018 |

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, ONE-YEAR ACCUMULATION, AND MULTIPLE HANDLERS AT ONE FACILITY

DATE: SEPTEMBER 13, 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 Eric Erpenbeck Stuart Hildreth Mike Jennings Stephanie Johansen Sasa Kosjerina 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 Jim Leary Anthony Nagel 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 |

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, One-Year Accumulation, and Multiple Handlers at One Facility

Q: Last week's Two Minute Training (2MT) stated that a universal waste (UW) handler may accumulate UW for no longer than one year and that when the UW is sent to another UW handler, the subsequent UW handler could also accumulate for no longer than one year, i.e., each subsequent UW handler could accumulate UW for up to one year since each location is regulated as a separate handler. But what if a facility had multiple UW handlers on one site? Could UW from multiple onsite UW handlers be sent to an onsite consolidation location, i.e., another separate UW handler, and the consolidation location accumulate the UW for up to one year?

A: Funny you should ask!

Per an EPA guidance memo dated February 1, 1997, ([RO 14081](#)), EPA clarified:

"The definition of a universal waste handler includes facilities that receive universal waste from other handlers (273.6). A facility is allowed to consolidate and/or collect universal waste, provided the waste is sent on to other handlers, recyclers, or treatment/disposal facilities (60 FR 25500; May 11, 1995). Moreover, if the facility has several locations at which universal wastes are consolidated and/or collected, each location would be regulated as a separate handler."

And to clarify the above, the May 11, 1995, Federal Register and page 25500 stated:

There are two types of handlers of universal waste. The first type of handler is a person who generates, or creates, universal waste. This is a person who uses batteries, pesticides, or thermostats and who eventually decides that they are no longer usable and thus are waste. Contractors or repair people who decide that batteries or thermostats are no longer usable and remove them from service also generate universal waste, and thus are handlers of universal waste. The second type of handler is a person who receives universal waste from generators or other handlers, consolidates the waste, and then sends it on to other handlers, recyclers, or treatment/disposal facilities. Universal waste handlers accumulate universal waste, but do not treat, recycle, or dispose of the waste. Each separate location (e.g., generating location or collecting location) is considered a separate universal waste handler. Thus, if one company has several locations at which universal waste is generated or collected, each location is a separate handler.

In terms of the one-year accumulation requirement, the highlighted wording means that each separate UW handler, even subsequent UW handlers located on the same site, could accumulate UW for up to one year. This also means that if an onsite UW handler sends universal waste to an onsite consolidation location, since the onsite consolidation location is also a separate UW handler, the consolidation location would also be able to accumulate UW for up to one year.

And this makes sense, since the UW regulations were promulgated to streamline management of UW, to facilitate environmentally-sound collection, and to increase the proper recycling of UW. As EPA stated in the May 11, 1995, Federal Register on page 25492:

"The current RCRA regulations have been a major impediment to national collection and recycling campaigns for these wastes. This rule will greatly ease the regulatory burden on retail stores and others that wish to collect or generate these wastes. It should greatly facilitate programs developed to reduce the quantity of these wastes going to municipal solid waste landfills or combustors. It will, also, assure that the wastes subject to this system will go to appropriate treatment or recycling facilities pursuant to the full hazardous waste regulatory controls."

Interpreting the one-year UW accumulation requirement as an absolute limitation - similar to the ≤90-day accumulation limit - is one of the impediments and burdens the UW rules were intended to ease.

SUMMARY:

- In general, UW may be accumulated for no longer than 1 year from the date of generation or receipt from another UW handler.
- A facility/company can have multiple, separate UW handlers.
- According to EPA, even if the UW handlers are onsite, each subsequent handler of UW has up to one year of accumulation.

The February 1, 1997, EPA guidance memo and an excerpt from the May 11, 1995, Federal Register is 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: 9/13/18

FILE: 2MT\2018\091318.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, One-Year Accumulation, and Multiple Handlers at One Facility

February 1, 1997
EPA 530-R-97-005b
NTIS SUB-9224-97-002

Universal Waste Consolidation Point Regulation

The universal waste management standards of 40 CFR Part 273 outline the streamlined provisions for handlers, transporters, and destination facilities that manage universal wastes. Section 273.6 defines a universal waste as hazardous batteries, pesticides, and thermostats. A handler, defined as a generator of universal waste (i.e., any person, by site, whose act or process produces hazardous waste or whose act first causes waste to become subject to regulation) is allowed to accumulate waste on site for up to one year. If a facility is not a generator of universal waste, yet is receiving universal waste and functioning as a consolidation and/or collection point, would the facility be regulated under the universal waste regulations?

Yes, the facility would be regulated under the universal waste regulations if it is consolidating and/or collecting universal waste from generators or other handlers. The definition of a universal waste handler includes facilities that receive universal waste from other handlers (273.6). A facility is allowed to consolidate and/or collect universal waste, provided the waste is sent on to other handlers, recyclers, or treatment/disposal facilities (60 FR 25500; May 11, 1995). **Moreover, if the facility has several locations at which universal wastes are consolidated and/or collected, each location would be regulated as a separate handler.** Additional RCRA requirements may apply if the facility is handling other types of hazardous waste (i.e., non-universal waste).
RO 14081

25492 Federal Register / Vol. 60, No. 91 / Thursday, May 11, 1995 / Rules and Regulations

Universal Waste Rule (Hazardous Waste Management System; Modification of the Hazardous Waste Recycling Regulatory Program)

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: On February 11, 1993, the Environmental Protection Agency proposed new streamlined hazardous waste management regulations governing the collection and management of certain widely generated wastes (batteries, pesticides and thermostats) known as universal wastes (58 FR 9346). Additional information was noticed for comment on June 20, 1994 (59 FR 31568). Today's final rule promulgates streamlined universal waste management regulations which are very similar to the February 11, 1993 proposal.

The new streamlined hazardous waste management regulations promulgated today govern the collection and management of certain widely generated wastes identified as universal wastes. This final rule will greatly facilitate the environmentally-sound collection and increase the proper recycling or treatment of hazardous waste nickel cadmium and other batteries, certain hazardous waste pesticides, and mercury-containing thermostats. **The current RCRA regulations have been a major impediment to national collection and recycling campaigns for these wastes. This rule will greatly ease the regulatory burden on retail stores and others that wish to collect or generate these wastes. It should greatly facilitate programs developed to reduce the quantity of these wastes going to municipal solid waste landfills or combustors. It will, also, assure that the wastes subject to this system will go to appropriate treatment or recycling facilities pursuant to the full hazardous waste regulatory controls.** It also will serve as a prototype system to which EPA may add other similar wastes in the future. A petition process is also included through which additional wastes could be added to the universal waste regulations in the future. These regulations are set forth in 40 CFR part 273.

<https://www.gpo.gov/fdsys/pkg/FR-1995-05-11/pdf/95-11143.pdf>

FROM: Paul W. Martin

DATE: 9/13/18

FILE: 2MT\2018\091318.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.