#### DATE SUBJECT 1056. PCB Reporting and Recordkeeping Relief **ENCORE** JAN 12, 2014 JAN 16, 2014 Commercial Chemical Products and Unused Batteries 1057. **ENCORE** 1058. PCB Annual Records Retention Timeframes JAN 31, 2014 1059. Satellite Accumulation within a <90-day Accumulation Area FEB 7, 2014 1060. PCB Certificate of Disposal Relief **ENCORE** FEB 13, 2014 Used Oil and Weekly Inspections 1061. FEB 20, 2014 1062. Bags and RCRA Container Definition FEB 27, 2014 1063. Product Storage Tank Residues and Hazardous Waste Regulations **ENCORE** MAR 6, 2014 Spent Lead-Acid Batteries and Accumulation Time Limits 1064. MAR 13, 2014 1065. Land Disposal Restrictions and Dates of Accumulation MAR 23, 2014 1066. Universal Waste Accumulation Time Limits and the One Year Rule MAR 29, 2014 1067. PCB Manifest Discrepancy Reports and Estimated Waste Weights APR 6, 2014 1068. PCB Wastes, Independent Transporters and Confirmation of Receipt APR 10, 2014 1069. Paint Wastes and The Applicability of the F001-F005 Listings to Ingredients **ENCORE** APR 20, 2014 APR 24, 2014 1070. Other Paint Wastes and the Applicability of the F001-F005 Listings **ENCORE** 1071. Multiple Characteristic Hazardous Waste Codes and Underlying Hazardous Constituents MAY 1, 2014 TSCA "No PCBs" versus "Non-PCBs" versus "Nondetectable PCBs" 1072. **ENCORE** MAY 8, 2014 1073. Purpose of Keeping a Hazardous Waste Container Closed **ENCORE** MAY 15, 2014 PCB Containers and Multiple Removed From Service Dates 1074. MAY 22, 2014 Satellite Accumulation and RCRA Personnel Training 1075. MAY 29, 2014 1076. Transporter Signatures on Hazardous Waste Manifest and Multiple Drivers JUN 5, 2014 1077. Universal Waste and Nonhazardous Batteries JUN 12, 2014 1078. Universal Waste and Incandescent Bulbs JUN 19, 2014 The PCB Mark and the Fields "Also Contact" and "Tel No" 1079. **ENCORE** JUN 29, 2014 1080. Halon Fire Extinguishers - Banned or Not Banned? **ENCORE** JUL 5, 2014 Cabinets as RCRA Containers 1081. **ENCORE** JUL 13, 2014 1082. LDR Storage Prohibitions and Treated Wastes **ENCORE** JUL 17, 2014 LDR Treatment Standards and F001 "Chlorinated Fluorocarbons" 1083. **ENCORE** JUL 24, 2014 1084. RCRA Regulatory Status of Chlorinated Fluorocarbons Used as Refrigerants **ENCORE** JUL 31, 2014 Universal Wastes, Manifesting and DOT Shipping Names 1085. AUG 7, 2014 1086. CERCLA Hazardous Substances – A Brief Definition AUG 14, 2014 1087. CERCLA Hazardous Substances - The Petroleum Exclusion AUG 21, 2014 1088. PCB Concentration Assumptions for Use vs. PCB Disposal **ENCORE** AUG 28, 2014 SEP 4, 2014 1089. Universal Waste and Basis for the One Year Accumulation Time Limit SEP 11, 2014 1090. Product Spills and Waste Determinations **ENCORE** 1091. PCB Concentrations and 10,000 PPM SEP 18, 2014 1092. PCB Concentrations and 1.000 PPM SEP 25, 2014 1093. Universal Waste Alkaline Batteries and Self-Transportation OCT 2, 2014

## TWO MINUTE TRAINING

TO: CH2M HILL PLATEAU REMEDIATION COMPANY

**FROM:** PAUL W. MARTIN, Senior Environmental Compliance Officer

CHPRC Environmental Protection, Hanford, WA

**SUBJECT:** UNIVERSAL WASTE ALKALINE BATTERIES AND SELF-TRANSPORTATION

**DATE:** *OCTOBER* 2, 2014

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CHPRC Projects	CH PRC - Env.	MSA	<b>Hanford Laboratories</b>	Other Hanford	Other Hanford
	<b>Protection</b>			Contractors	Contractors
Richard Austin		Jerry Cammann	Alan Campbell		
Tania Bates	Brett Barnes	Jeff Ehlis	Grant McCalmant	Bill Bachmann	Glen Triner
Ty Blackford	Ron Brunke	Garin Erickson		Dean Baker	Greg Varljen
Bob Cathel	Bill Cox	Lori Fritz	DOE RL, ORP, WIPP	Scott Baker	Julie Waddoups
Rene Catlow	Lorna Dittmer	Panfilo Gonzales Jr.		Lucinda Borneman	Kyle Webster
Richard Clinton	Rick Engelmann	Darlene Hagel	Mary Beth Burandt	Paul Crane	Ted Wooley
Larry Cole	Jim Leary	Dashia Huff	Cliff Clark	Tina Crane	-
John Dent	Dale McKenney	Mark Kamberg	Mike Collins	Greta Davis	
Brian Dixon	Rick Oldham	Edwin Lamm	Tony McKarns	Jeff DeLine	
Eric Erpenbeck	Linda Petersen	Candice Marple	Ellen Mattlin	Ron Del Mar	
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Stuart Hildreth	Jennie Seaver	Matt Mills	Scott Stubblebine	Mark Ellefson	
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Stephanie Johansen	Lee Tuott	Jennifer Ollero		Joe Fritts	
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Dave Richards		Christina Zerby		Richard Lipinski	
Phil Sheely				Charles (Mike) Lowery	
Connie Simiele				Michael Madison	
Roni Swan				Terri Mars	
Michael Waters				Cary Martin	
Jeff Westcott				Steve Metzger	
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				Tom Moon	
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				Dan Saueressig	
				Merrie Schilperoort	
				Joelle Stamm	

### 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; state regulated solid corrosive [WSC2] dangerous waste) that has been managed as universal waste for almost one year. As opposed to hiring a transporter to take one bucket of batteries to the recycler, the customer would like to just deliver the universal waste alkaline batteries to the recycler via a company or personal vehicle. Is the customer allowed to 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-transports 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 basically means 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 special provision "134" at 49 CFR 172.102(c)(1), 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., don't 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  $\leq 9$  volts are not subject to DOT and self-transport is easy.

Excerpts from WAC 173-303-573 and 49 CFR 172.101 and 49 CFR 172.102 are attached to the e-mail. If you have any questions, please contact me at "Paul\_W\_Martin@rl.gov" or at (509) 376-6620.

#### TWO MINUTE TRAINING - ATTACHMENT

**SUBJECT:** Universal Waste 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-transports 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, (l) or (s), n.o.s.," nor may the hazardous material's proper shipping name be modified by adding the word "waste."

### TWO MINUTE TRAINING - ATTACHMENT

# **SUBJECT:** Universal Waste 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 other than to those OECD countries specified in 40 C.F.R. 262.58 (a)(1) (in which case the handler is subject to the requirements of 40 C.F.R. part 262, subpart H which is incorporated by reference at WAC 173-303-230) may not accept a shipment if the transporter knows the shipment does not conform to the EPA Acknowledgment of Consent. In addition the transporter must ensure that:

- (a) A copy of the EPA Acknowledgment of Consent accompanies the shipment; and
- (b) The shipment is delivered to the facility designated by the person initiating the shipment.

# TWO MINUTE TRAINING - ATTACHMENT

**SUBJECT:** Universal Waste Batteries and Self-Transportation

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

S y m b	Hazardous materials descriptions and proper	Hazard class or Division	ID Numbers	PG	Label Codes	Special provisions (§172.102)	(8)  Packaging (§173.***)	
o l s	shipping names						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

"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.