

<u>SUBJECT</u>		<u>DATE</u>
1394. RCRA Empty vs. DOT Empty	ENCORE	JUL 30, 2020
1395. RCRA Empty vs. DOT Empty II	ENCORE	AUG 6, 2020
1396. Empty Containers and the "Empty" Label	ENCORE	AUG 13, 2020
1397. Exceptions to Free Liquids in Landfills Prohibition	ENCORE	AUG 20, 2020
1398. Dust Suppression in Landfills with Nonhazardous Liquids	ENCORE	AUG 27, 2020
1399. Treated Hazardous Wastes Used as Dust Suppressant	ENCORE	SEP 3, 2020
1400. Regulatory Status of Used Oil Mixed with Diesel Fuel	ENCORE	SEP 10, 2020
1401. RCRA Liquids, Free Liquids, and Releasable Liquids	ENCORE	SEP 17, 2020
1402. Available Regulatory Relief from Underlying Hazardous Constituent (UHC) Requirements	ENCORE	SEP 24, 2020
1403. Smoke Detector Disposal and the NRC	ENCORE	OCT 1, 2020
1404. DOT Shipping of Damaged, Defective, or Recalled Lithium Batteries	ENCORE	OCT 8, 2020
1405. Conservative Declaration that Material is a Hazardous Waste	ENCORE	OCT 15, 2020
1406. Manifest Exception Report Submittal Timeframes – RCRA vs. TSCA	ENCORE	OCT 22, 2020
1407. Characteristic Ignitable, Corrosive or Reactive Debris and Macroencapsulation	ENCORE	OCT 29, 2020
1408. RCRA Satellite Accumulation Areas and Applicability of Personnel Training		NOV 5, 2020
1409. The Hazardous Waste Generator Improvements Rule and Designation of Nonhazardous Waste		NOV 12, 2020
1410. RCRA Aisle Space Requirements and Washington State vs., EPA		NOV 19, 2020
1411. The Definition of Good Housekeeping	ENCORE	NOV 24, 2020
1412. Absorbent Additions and Treatment	ENCORE	DEC 3, 2020

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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:** ABSORBENT ADDITIONS AND TREATMENT

**DATE:** DECEMBER 3, 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>
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## TWO MINUTE TRAINING

**SUBJECT:** Absorbent Additions and Treatment

**Q:** A generator at a permitted Treatment, Storage and/or Disposal Facility (TSDF) has three containers of hazardous wastes that include small amounts of liquid. One waste container was just generated; another waste container was just repackaged; and the other waste container has been in storage in its original container. The customer wants to add absorbent to the waste containers to address the small amounts of liquid. Considering the above three container scenarios, when is a treatment permit required for the absorbent addition?

**A:** [WAC 173-303-600\(3\)\(k\)](#) [[40 CFR 264.1\(g\)\(10\)](#)], and [WAC 173-303-400\(2\)\(c\)\(vi\)](#) [[40 CFR 265.1\(c\)\(13\)](#)], state that the following is not applicable to the final facility standards or interim status standards:

*“The addition, by a generator, of absorbent material to waste in a container, or of waste to absorbent material in a container, provided that these actions occur at the time the waste is first placed in containers or, in the case of repackaging of previously containerized waste into new containers, at the time the waste is first placed into the new containers and the generator complies with WAC 173-303-200 (1)(b) and 173-303-395 (1)(a) and (b)...”*

As stated in the [February 25, 1982, Federal Register](#) on page 8305:

*“The Agency does not believe that these treatment practices [absorbent addition], when employed at the time hazardous wastes have been first placed in containers, pose a substantial hazard to human health or the environment.”*

*“However, the Agency is not convinced that these treatment practices, when employed at a time after hazardous waste have been placed in containers, pose no substantial hazard. This is because such container must be opened in order to employ these practices.”*

Concerning the three waste containers, the treatment permit exemption would apply to the waste that was just generated, and to the waste that was just repackaged to a new container. The addition of absorbent under these two scenarios occurred at the time the waste was first placed in the container or when repackaged to a new container and therefore a treatment permit is not required.

The treatment permit exemption would not apply to the waste that had been in storage in its original container. If the generator added absorbent later, EPA contends that this is treatment requiring a permit or some other mechanism like treatment by generator, if applicable.

### SUMMARY:

- The addition of absorbent to hazardous waste containers can be exempt from treatment permits.
- If absorbent is added to a container when waste is first added to a container, or when the waste is repackaged into a new container, the treatment permit exemption is applicable.
- If absorbent is added to the container at a later date, the treatment permit exemption is not applicable.

Nothing is 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:** 12/3/2020

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