

Zappe, Steve, NMENV

From: Fesmire, Courtland - DOE [Court.Fesmire@wipp.ws]
Sent: Thursday, February 17, 2011 1:51 PM
To: Zappe, Steve, NMENV
Cc: Site Documents - DOE; Greenwood, Trey
Subject: FW: WA state codes

Number 3

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From: Greenwood, Trey
Sent: Wednesday, February 16, 2011 2:44 PM
To: Fesmire, Courtland - DOE
Subject: FW: WA state codes

Court,

We received this email from the Hanford waste group when we started asking at Mr. Zappe's request.

Trey Greenwood
Technical Specialists
Acceptable Knowledge

From: Miskho, Anthony G
Sent: Thursday, February 10, 2011 2:48 PM
To: Bisping, Scott W
Cc: Austin, Richard L; Miskho, Anthony G; Aljure, Gustavo A; Flyckt, Don L
Subject: WA state codes

Hi Scott:

Per our conversation, here is my understanding of how the regulations work for assignment of state waste codes. If the TRU Project needs an official company position on this matter, Gus Aljure, the CHPRC RCRA SME, needs to be involved since I am no longer in that function for the company.

As we discussed, the waste designation issues are addressed by application of the -070(3)(a)(i)-(iv) steps below. Additional Designation Required under -070(5) does not apply to the waste destined for WIPP.

As far as waste code assignment vs LDRs, the waste code assignment process is independent of LDR applicability. There is no change to the waste code assignment process by virtue that the waste is destined for WIPP. I included more codes than we discussed, but I did not think the issue you had dealt with State-only F003 or WPCB.

Here are the State Waste Codes (regulations are quoted below):

State-only F003 (state-only listed waste using a federal code): Would be assigned, when applicable under WAC 173-303-070(3)(a)(ii)

WPCB (state-only listed waste PCBs): would be assigned, when applicable, under WAC 173-303-070(3)

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(ii)

WSC2 (state-only corrosive): Would be assigned, when applicable, under WAC 173-303-070(3)(a)(iii)
WT02/WT01 (state-only toxicity) and WP01/WP02/WP03 (state-only persistence): Would be assigned, when applicable, under
WAC 173-303-070(3)(a)(iv).

Here are two examples:

- (1) A waste gets a federal "F" code under WAC 173-303-070(3)(a)(ii). The next step, (iii) says that WSC2 would not be assigned, since the "F" code was assigned, and that WSC2 is not associated with federal land disposal restrictions.
- (2) A waste does not get any listed waste codes under (i) and (ii). In this case, (iii) says that WSC2 would be assigned.

Let me know if we need to provide more examples as you determine the details of the issue.

Tony

W&FM Project manager

Here are the WAC 173-303-citations:

WAC 173-303-070(3) (the core waste designation procedures in WAC 173-303)

(3) Designation procedures.

(a) To determine whether or not a solid waste is designated as a dangerous waste a person must:

(i) First, determine if the waste is a listed discarded chemical product, WAC 173-303-081;

(ii) Second, determine if the waste is a listed dangerous waste source, WAC 173-303-082;

(iii) Third, if the waste is not listed in WAC 173-303-081 or 173-303-082, or for the purposes of compliance with the federal land disposal restrictions as adopted by reference in WAC 173-303-140, determine if the waste exhibits any dangerous waste characteristics, WAC 173-303-090; and

(iv) Fourth, if the waste is not listed in WAC 173-303-081 or 173-303-082, and does not exhibit a characteristic in WAC 173-303-090, determine if the waste meets any dangerous waste criteria, WAC 173-303-100.

WAC 173-303-070(5) (Not applicable to WIPP shipments)

(5) Additional designation required. A generator must manage dangerous waste under the most stringent management standards that apply. The following subsections describe how waste that has been designated as DW under the dangerous waste lists, WAC 173-303-080 through 173-303-082, or characteristics, WAC 173-303-090, or in the case of (c) of this subsection, under the lists, characteristics, or criteria, must be further designated under the dangerous waste criteria, WAC 173-303-100. This further designation under the criteria is necessary because it may change how the waste must be managed. Additional designation is required when:

(a) The waste is designated as DW with a QEL of 220 pounds and the generator otherwise qualifies as a small quantity generator. In this case, a generator must determine if their DW is also designated as a toxic EHW, WAC 173-303-100, with a QEL of 2.2 pounds; or

(b) The waste is designated as DW and the waste is to be discharged to a POTW operating under WAC 173-303-802(4) (Permits by rule). In this case, a generator must determine if the waste is also an EHW under WAC 173-303-100; or

(c) The waste is designated as a state-only DW and the waste is to be:

(i) Burned for energy recovery, as used oil, under the provisions of WAC 173-303-515; or

(ii) Land disposed within the state. In this case, a generator must determine if the waste is also an EHW under WAC 173-303-100.