



Benton – Franklin -Walla Walla Local Emergency Planning Committee

**Tri-County LEPC Meeting
September 4th, 2018
Franklin County ECC
1011 E. Ainsworth St., Pasco, WA 99301**

MEETING AGENDA

- I. Call to Order
- II. Introductions
- III. Approval of Franklin County Board Minutes from March 06, 2018 meeting
- IV. New Business
 - a. 2018 Washington State LEPC/Tribal Conference
 - b. Reported Spills / Leaks – Remember to make your required calls to EPA, local fire and the LEPC:
 - Benton County
 - Franklin County
 - Walla Walla County
 - c. Changes in Washington State's dangerous waste rules - Angela Stenhouse
 - d. CSM Saunders Presentation
- V. Unfinished Business
 - a. Hazard Mitigation Plan (HMP) process
 - Benton County
 - Franklin County
 - Walla Walla County
- VI. Round table
- VII. ESF10 10 Hazardous Materials Response Plan – Walla Walla County
- VIII. Next Meeting **Franklin County
December 4th, 2018 @ FCEM ECC
1011 E. Ainsworth St., Pasco, WA 99301
Benton County – TBD
Walla Walla County - TBD**
- IX. Adjournment



Benton, Franklin & Walla Walla Counties LEPC
September 4, 2018 @ 10:00am
Franklin County ECC
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Name (please print)	Organization	County - BC/FC/WW
Craig Hill	BBSI	BC
JOHN SHERMAN	TIDEWATER	FC
Manny Soto	lineage logistics	FC
Justin Rabette	Lords	R
Jacquie Cook	FCM	FC
Bek. Hammas	Kaallec	
Eli Elisondo	Christensen Inc.	BC/FC
Blake Cunningham	Syngenta	FC
Mary Ramos	Energy Northwest	CGS/ENW
Jim Jessoe	WWCEM	WW
P.D. Purcell	WWCEM	WW
Dan Eslinger	Pasco Processing	



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Name (please print)	Organization	County - BC/FC/WW
Sean Davis	FCEM	FC
Chris Lee	FCRM	FC
Fred Hamann	DOC WSP	WW
DEAN SMITH	DOC WSP	WW
Tony Searts	Lamb Weston	Be/FC
Kirstin Egerton	Lamb Weston	FC
Angela Skenhouse	Coube Environmental Safety Training	Grant.
Sandra Cervantes	Lamb Weston	FC
Deanna Davis	BCFM	BC
Mylan Muhlestein	SCBIA	FC
Lori Ferris	BCFM	BC
Jeff Moore	Milne Food	



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Name (please print)	Organization	County - BC/FC/WW
KR CATHE	STATE EMD	WA EMD
Mike Ault	US Ecology WA	WA - Ecology
Bill Friend	Henningsen Cold Storage	BC



Coulee

Environmental Safety Training

Proposed 2018 Changes to Dangerous Waste Regulations

- 2018 Ecology will amend WAC 173-303 to reflect the changes EPA made to the hazardous waste rules in 2016
 - Hazardous Waste Generator Improvement Rule
- Federal changes went into effect May 30, 2017
- It has been a 13 year long process undertaken by the ORCR



- Some changes made the rules more stringent while other changes reduced or simplified regulation
- Ecology will have to adopt the more stringent rules by July 1, 2018
- It has the option to pick up the less stringent or equally stringent rules



- More stringent federal rules:
 - SQG re-notification
 - Identifying hazardous waste being accumulated and labeling
 - Biennial reporting for whole year, not just months the generator was an LQG
 - Stricter definition of legitimate recycling
 - Quick reference guide for contingency plans
- Less stringent federal rules:
 - VSQG consolidation
 - Episodic generation
 - Waiver from 50-ft rule



Ecology's take on the more stringent federal rules:

- Identifying hazardous waste being accumulated and labeling – container hazard labeling already in WAC 173-303
- Biennial reporting for whole year, not just months the generator was an LQG – Already in WAC 173-303
- Stricter definition of legitimate recycling – Ecology adopted and added WAC 173-303-019 Legitimacy criteria for the recycling of materials
- Quick reference guide for contingency plans - Ecology has added this requirement to WAC 173-303-201



• Ecology's take on less stringent federal rules:

- VSQG consolidation

- Allows LQGs to accept dangerous waste from SQGs who are under the same control
- Must label containers according to regulations
- LQG must notify Ecology of the SQG shipments
- Manage waste the same as its LQG waste
- Maintain records of the shipments
- Must consolidate SQG waste on annual report



• Less stringent federal rules:

- SQG & VSQG episodic generation
 - Allows one planned and one unplanned episodic event each year.
 - Planned event includes tank cleanouts, short-term project, and removal of excess chemical inventory
 - Unplanned event is one that is not plan or not expect to occur, including production process upsets, product recalls, accidental spill, or “acts of nature,” such as a tornado, hurricane, earthquake, or flood



WAC 173-303-173:

- MQG & SQG can have one episodic event each year
- For planned event must give Hazardous Waste & Toxics Reduction Program 30 days notice
- For unplanned event must notify within 72 hours
- Containers must be labeled as “Episodic Hazardous Waste” or “Episodic Dangerous Waste”
- Must have a site ID number
- Must complete episodic event and ship off waste associated with it within 45 days*



• Less stringent federal rules:

- Waiver from 50-foot rule – Ecology is keeping WAC 173-303-630(8)(a) & (b) states flammable and reactive wastes must be stored according to NFPA or as required by state and local fire codes if more stringent.





• Other federal regulations that are going to be incorporated into the Dangerous Waste Rules:

- Definition of Solid Waste: Revisions to Solid Waste Variances and to the Definition of Legitimacy
- Conditional Exclusions for Solvent-Contaminated Wipes
- Revisions to the Export Provisions of the Cathode Ray Tube (CRT) Rule
- Hazardous Waste Export-Import Revisions
- Hazardous Waste Electronic Manifest Rule



- WAC 173-303-019 Legitimacy criteria for recycling of hazardous secondary materials.
- Defines how generator can demonstrate they are recycling dangerous waste legitimately
 - Contributes valuable ingredient to a product or intermediate or is a substitute for a commercial product
 - Recycling must produce a valuable product or intermediate:
 - Used as an ingredient or product intermediate
 - Substitutes for a commercial product
 - Sold to a third party
 - The hazardous secondary material is treated as a valuable commodity
 - The product is comparable to another commercially available product



- WAC 173-303-071(3)(rr) Solvent-contaminated wipes that are sent for cleaning and reuse
- 173-303-071(3)(ss) Solvent-contaminated wipes, except for wipes that are dangerous waste due to the presence of trichloroethylene, that are sent for disposal



- WAC 173-303-071(3)(rr)
- Towel sent for cleaning and reuse are not considered solid waste
- Accumulated and stored in containers labeled “Excluded Solvent-Contaminated Wipes”
- When container is full, no longer having towels added, or in transit the lid must be closed sufficiently to prevent leaks or emissions
- No free liquid
- 180 day accumulation time for all generators
- Must maintain records of towel management



- WAC 173-303-071(3)(ss)
- Accumulated and stored in containers labeled “Excluded Solvent-Contaminated Wipes”
- When container is full, no longer having wipes added, or in transit the lid must be closed sufficiently to prevent leaks or emissions
- No free liquid
- 180 day accumulation time for all generators
- Must maintain records of towel management
- The solvent-contaminated wipes are sent for disposal to a dangerous waste landfill regulated under WAC 173-303; or
- A dangerous waste combustor, boiler, or industrial furnace regulated under 40 C.F.R. parts 264, 265, or 266 subpart H.



Other changes of interest

- Lettering on containers must be at least ½ inch high and visible from 25ft
- LQGs that have underground tank storage of dangerous waste must have above ground postings
 - Legible from 50ft
 - Conveys the hazards associated with the waste
- Individual sections describing the conditions SQGs, MQGs, and LQGs must meet to operate without obtaining a permit
- Section for satellite accumulation area rules



- Electronic Hazardous Waste Manifests
- Became available June 27, 2018
- Generators can still use paper manifests
- TSDFs will submit all manifests to EPA through the e-Manifest system
- E-manifests will be fee based and depend on if a paper or e-Manifest is used.



Chapter 173-303 WAC Dangerous Waste Regulations

- http://www.ecy.wa.gov/programs/hwtr/laws_rules/DW_Regs/1603docs.html
- angela.stenhouse@wasteandsafety.com



Revisions to the Export Provisions of the Cathode Ray Tube (CTR) Rule June 26, 2014 – Vol. 79 FR 36220	040 <ul style="list-style-type: none"> • “CRT transporter” • “CRT exporter” 071(3)(nn)
EPA SUMMARY: The Environmental Protection Agency (EPA or the Agency) is revising certain export provisions of the cathode ray tube (CRT) final rule published on July 28, 2006. The revisions will allow the Agency to better track exports of CRTs for reuse and recycling in order to ensure safe management of these materials.	
Differences in the Draft State Rule: There are no differences in the state rule.	

Table 2. State-initiated Rule Amendments

Citation WAC 173-303	Suggested change	Reason for change
040 “electronic signature”	Add electronic signature definition, referencing RCW 19.034.020.	Provides a clear definition of electronic signature.
040 “enforceable document”, 610(3)(a)(ix), 610(3)(b)(ii)(D), 610(8)(b)(iv), 610(8)(d)(ii)(D), 620(1)(d)(i).	Change internal reference from 645(1)(e) to 645(1)(f).	The reference to 645(1)(e) is incorrect because the rule allowance for alternative requirements for groundwater monitoring and corrective action was moved from 645(1)(e) to 645(1)(f) during the 2014 rulemaking.
045	Revise 40 CFR incorporation date.	This date is updated each time dangerous waste rules are revised.
071(3)(k)(i)	Align our exclusion with RCRA PCB exclusion by narrowing it to only include PCB dielectric fluid and electric equipment containing such fluid, as regulated under 40 CFR part 761.	Our current exclusion excludes more materials than EPA, making the state less stringent. Existing 071(3)(k) excludes any PCB materials regulated under 40 CFR part 761.60. This means our exclusion could also exclude contaminated hydraulic equipment and several other items listed in 761.60.
071(3)(nn)	Delete state-only drug exclusion.	The new pharmaceutical waste rule eliminates the need for the state-only drug exclusion.
110(3)(a)	Revise the SW-846 reference to include Update V to the Third Edition.	EPA updated SW-846 to Update V of the Third Edition.

Citation WAC 173-303	Suggested change	Reason for change
120(5)	Revise to read (5) Used oil that is recycled and is also a dangerous waste solely because it exhibits a dangerous waste characteristic or criteria is not subject to the requirements of this chapter except for <u>applicable requirements of WAC 173-303-515 and the requirements of 40 C.F.R. Part 279, which is incorporated by reference at WAC 173-303-515.</u>	Current wording of 120(5) is incorrect because it does not include requirements and prohibitions of 515. Adding the reference to 515 will remove the conflict between 120(5) and 515.
140(2)(a)	Revise to read: The word "EPA" (in 40 C.F.R.) means "Ecology" at 40 C.F.R. 268.44(m) <u>and at 268.45(a).</u>	268.45 is incorporated by reference at 140(2)(a), but is not currently modified in the state rules to replace "EPA" with "Ecology". This implies that Ecology does not have authority to determine if hazardous debris must be treated prior to disposal. This change gives Ecology full legal ability to make this determination.
235(1)(l)	Change internal reference WAC 173-303-201(2)(c) to WAC 173-303-201(2)(c)(iii).	The current citation refers to all MQG requirements in lieu of a contingency plan and emergency procedures. 235(l) says the MQG trained professional must be knowledgeable about normal operations and emergency procedures. This specific requirement is 201(2)(c)(iii).
235(1)(m)	Change internal reference WAC 173-303-070(2) to WAC 173-303-070.	Referring to all of section 070 more closely matches the analogous RCRA citation at 40 CFR 261.3 for determining if a solid waste is a dangerous waste.
235(12)(c)	Change internal reference WAC 173-303-200(1)(b)(i) to WAC 173-303-200(1)(b)	The current citation only refers to generator container accumulation requirements. The proposed citation includes containers, tanks, drip pads and containment buildings, which will be equivalent to RCRA.
235(15)(b)(v)	Change internal reference WAC 173-303-070(7) to WAC 173-303-070(3).	070(3) more closely matches the analogous RCRA citation at 40 CFR 262.11 for determining if a solid waste is a dangerous waste.
235(16)(b)	Change internal reference WAC 173-303-070(2) to WAC 173-303-070.	Referring to all subsections of 070 more closely matches the analogous RCRA citation at 40 CFR 261.3 for determining if a solid waste is a dangerous waste.

Citation WAC 173-303	Suggested change	Reason for change
235(17(a))	Change internal reference WAC 173-303-200(d) to WAC 173-303-200(2).	Correct typo.
320(2)(d)	Revise to read: (d) The owner or operator must keep a <u>written or electronic</u> inspection log or summary, including at least the date and time of the inspection, the printed name and the handwritten <u>or electronic</u> signature of the inspector, a notation of the observations made, an account of spills or discharges in accordance with WAC <u>173-303-145</u> , and the date and nature of any repairs or remedial actions taken.	Many facilities already have capacity to use electronic signatures, and this change allows electronic signatures and logs for general inspections.
505(1)(b)(i)	Add "...as modified at WAC 173-303-140(2)(e)." to the end of the last sentence.	This change informs the reader that 40 CFR 268.7(b)(6) is modified by WAC 173-303-140(2)(e).
573(35)	Revise to read: "The owner or operator of a destination facility (as defined in WAC <u>173-303-040</u>) is subject to all applicable requirements of WAC <u>173-303-140</u> and <u>173-303-141</u> , <u>173-303-280</u> through <u>173-303-525</u> , <u>173-303-600</u> through <u>173-303-695</u> , <u>173-303-800</u> through <u>173-303-840</u> , and the notification requirement at WAC <u>173-303-060</u> , <u>or</u> (b) The owner or operator of a destination facility that recycles a particular universal waste without storing that universal waste before it is recycled must comply with WAC <u>173-303-120</u> (4)(c)."	The use of a colon at the end of (35)(a) is incorrect grammar and makes it unclear when (b) applies. Use of a comma and the word "or" clarifies that 120(4)(c) immediate recyclers also may qualify as universal waste destination facilities and do not have to be a permitted TSD.
610(8)(b)(iv)	Change reference from 173-303-620(8)(d) to 173-303-620(1)(d)	Internal reference correction.
630(6)	Revise to read: "The owner or operator must keep a <u>written or electronic</u> inspection log including at least the date and time of the inspection, the printed name and the handwritten <u>or electronic</u> signature of the inspector, a notation of the observations made and the date and nature of any repairs or remedial actions taken."	Many facilities already have capacity to use electronic signatures and logs. This change allows electronic signatures and logs for container area inspections.
640 (6)(b)(ii)	Revise to read: "Data gathered from monitoring any <u>and</u> leak detection equipment (e.g., pressure or temperature gauges, monitoring wells) to ensure that the tank system is being operated according to its design; and..."	The word "any" is a typo and should be "and," which will match RCRA. This change will clarify that both monitoring equipment <i>and</i> leak detection equipment need to be inspected at least once each day.

Citation WAC 173-303	Suggested change	Reason for change
640(6)(d)	Revise to read: "...The owner or operator must keep a <u>written or electronic</u> inspection log including at least the date and time of the inspection, the printed name and the <u>handwritten or electronic</u> signature of the inspector, a notation of the observations made and the date and nature of any repairs or remedial actions taken."	Many facilities already have capacity to use electronic signatures and logs, and this change allows electronic signatures and logs for tank inspections.
64610(4)	Change internal reference from RCW 70.105D.020(7) to RCW 70.105D.020(13)	Internal reference correction.
9904 F037	Change the word "wastewater" to "waters" in the second paragraph.	Revised to match RCRA.