

September 20, 2018

Rob Rieck
Department of Ecology, Headquarters
P.O. Box 47600
300 Desmond Drive
Olympia, WA 98504-7600

Dear Mr. Rieck:

Washington State University Tri-Cities has reviewed the proposed changes to the Dangerous Waste Regulations, Washington Administrative Code (WAC) 173-303, and respectfully requests consideration of the following comments:

1. 173-303-040: Ecology has revised the definition of "Point of Generation" which includes "both date and place." Please clarify how this may impact labeling of accumulation containers for waste streams which accumulate at a low rate. For example, an academic laboratory setting, analytical equipment may be operated which drains its waste to a satellite accumulation container. The waste stream may have a consistent composition, but generate only a few milliliters per day, and the receiving container may take several days, or even longer, to fill. Previous guidance has indicated that satellite accumulation containers should not be labeled until filled. Does the new definition of "point of generation" alter that interpretation?
2. 173-303-171(1)(e)(ix)(B), 173-303-174(f), and several other locations: Ecology proposes to revise container labeling requirements so that the words "Dangerous Waste" and the hazards must be legible from a distance of 25 feet, or lettering is a minimum of ½" in height. We (and multiple other commenters) previously expressed concerns regarding the impracticality of this for small containers often used in our laboratories. Ecology's response on this issue following the draft proposal indicated that small containers should be placed into 1-gallon bins and labeled as described above, or that the academic lab rule can be used as an alternative.

We continue to have concerns with this requirement, and are unsatisfied by the response provided. Since we must continue to manage non-lab wastes under the Dangerous Waste Rules, adopting a separate handling and management process for certain wastes is inefficient and impractical, so the academic lab rule is not a viable alternative. Nor do we find it reasonable to place vials in oversized containers.

Understand, our concern does not refer exclusively to vials produced by analytical equipment, but may also include expired or unwanted small containers of chemical products, which are produced on a regular basis. If each of these were placed in a 1-gallon container to allow them to be labeled, there would be dozens of such containers

in multiple labs, and hundreds in our central accumulation areas prior to each shipment.

Additionally, in many cases, the text on the dangerous waste label would be several times larger than the text (and even the pictograms) that appear on the original container label. This would create the perverse situation in which the container of a pure product remaining on the shelf in a lab would be labeled less clearly than a dilute waste solution of the same material which may be far less harmful.

As indicated in previous comments, small containers are often placed in storage cabinets, particularly once they arrive in a central accumulation area. Even if placed in a labeled oversized exterior container, these will not be visible behind the cabinet doors. However, the cabinets themselves are typically marked "Flammable" or "Corrosive by the manufacturer, in large letters. Combined with signage identifying the cabinet, or the room in which the cabinet is located, as part of a dangerous waste accumulation area, this would seem to provide indication of the hazard as required.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Tomren", with a long horizontal flourish extending to the right.

Scott Tomren
Environmental Health & Safety Supervisor
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