Mark Ellefson

The Pacific Northwest National Laboratory (PNNL) objects to the proposed requirements for size and legibility of the "dangerous waste" and major risk labeling on containers [WAC 173-303-174(1)(f)(i) and (ii), 200(7), 630(3)(a) and (b) and various other citations]. Our concerns relate particularly to labeling of small waste containers. As a large research institution, PNNL generates several thousand containers of dangerous waste from laboratory research each year, the majority being 4 liters or less in size. Use of small accumulation containers is necessary to segregate incompatible wastes and to comply with fire code requirements. In almost all situations it not possible to configure labels that meet Ecology's proposed size and readability requirements for these small waste accumulation containers.

We maintain that the proposed label size requirement is both unnecessary and will impose significant cost and operational impacts in laboratory settings. We understand that it may be a trivial matter to place large labels on drums or tanks, but that is not the case for laboratories.

The label size requirements are unnecessary in research laboratories for two primary reasons. First, it is almost never the case that waste accumulation containers are even visible from 25 feet. Research laboratories are designed with casework and storage cabinets that typically allow a line of sight to waste accumulation containers of only a few feet. Second, Ecology's stated purpose for large labels is to warn the public, staff and emergency responders of the hazards they might encounter. In our research laboratories (and we conjecture most other laboratory institutions as well) the public is not allowed free access. Even PNNL staff are granted access only after receiving training regarding the hazards present in the laboratory. Similarly, central accumulation areas and TSD facilities are posted with signs warning unauthorized personnel to keep out. These controls make the public and staff warning function moot. In terms of warning emergency responders, waste accumulation containers represent only a small fraction of the chemical hazards present in the laboratory. The laboratory's inventory of chemical reagents is generally much larger in volume and present more significant hazards than waste accumulation containers in an emergency situation. Laboratories utilize inventory databases and room postings to communicate hazard information for staff and emergency responders; labeling small containers with large warnings will not provide new or better information in an emergency response situation.

Ecology's proposed label size and legibility requirements will have significant cost and operational impacts that outweigh any perceived benefits. In the responsiveness summary to the preliminary draft rules, Ecology proposed placing small containers in larger containers in order to meet the label size requirements. The cost of purchasing several thousand larger, chemically-compatible containers every year is very significant. Of equal importance, these larger containers will occupy much-needed space in laboratories with limited storage capacity. Ecology stated in the responsiveness summary that these larger containers will take "minimal space;" we maintain that using containers of sufficient size to accommodate labels that are visible from 25 feet (particularly for waste that has several major risks) will have significant storage impacts.

In the responsiveness summary to the preliminary draft rule, Ecology also suggested the use of the alternative requirements for academic laboratories. Please note that PNNL and many other research laboratories are not eligible for this relief.

In summary, PNNL requests that Ecology not adopt the proposed container label size and legibility

requirements as written. Our preference is that Ecology adopt the language EPA adopted in the Federal Generator Improvements Rule. As an alternative, Ecology could exempt containers that are 20 liters or less in volume from the size and legibility requirement.