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United States Environmental Protection Agency
Washington, D.C. 20460
Office of Solid Waste and Emergency Response

October 7, 1993

Mr. Mark Bell
1001 Fannin Street
Suite 2050
Houston, Texas 77002-6778

Mr. Mark Bell:

Thank you for your letter of February 3, 1993, in which you requested clarification on the amount, type, and frequency of hazardous waste training for persons working in and around facilities where hazardous waste is handled. We apologize for the delay in our response.

The type of information you request is best provided based on a site-specific assessment of each situation. This assessment can be made by the authorized State agency (or, if the State is not authorized, the EPA Regional office) that implements the hazardous waste program in the State in which the facility is located. Also note that under Section 3009 of RCRA (42 U.S.C. Section 6929), States retain authority to promulgate regulatory requirements that are more stringent than federal regulatory requirements.

In general, EPA requires generators of more than 1,000 kilograms per month (kg/mo) of hazardous waste (or more than 1 kg/mo of acutely hazardous waste) who accumulate waste on site, to comply with the same personnel training requirements as treatment, storage, and disposal facilities (40 CFR 262.34 and 265.16). The generator's training program must be "designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems..." (40 CFR 265.16(a)(2)).

These requirements are intended to ensure that personnel are adequately prepared to properly handle the types of hazardous wastes that are managed at the facility and to respond to any

emergencies that are likely to arise.

The regulations at 40 CFR part 262, 264 and 265, do not specifically address some of the scenarios you present. We have provided information from Federal Register preamble discussions and EPA guidance documents listed below to assist you in developing appropriate training programs. We recommend however, that determinations on information such as this be obtained from your State (or appropriate Regional office).

Additional information on personnel training for persons who work with hazardous waste can be found in:

RCRA Personnel Training Guidance Manual, U.S. EPA, September 1980, EPA FW-915. Order from: National Technical Information Service (703)487-4650, Order number PB87-193 348. Cost: \$27.00.

Permit Applicant's Guidance Manual For the General Facility Standards of 40 CFR 264, U.S. EPA, September 1980, EPA FW 915. Order from: National Technical Information Service (703)487-4650, Order number PB87-151 064. Cost: \$44.50.

You also may find the following Federal Register notice preamble discussions to be helpful:

49 FR 49570 December 20, 1984;
51 FR 10164 March 24, 1986; and,
45 FR 33182 May 19, 1980.

Generally, 40 CFR Part 262.34(d)(5)(iii) provides that "The generator must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operation and emergencies." Thus, if a person is handling hazardous waste, he or she should have had training in proper waste handling and emergency procedures appropriate to the types of waste handled, the management methods used, and the hazards presented by the waste type and waste management method. In addition "there must be at least one employee either on the premises or on call...with the responsibility for coordinating all emergency response measures..." (40 CFR 262.34(d)(5)(i)). This may apply when wastes are taken from

a satellite accumulation area to a 90-day storage area and to persons who will be responsible for managing the waste (e.g., persons managing wastes in drums and tanks.)

If you have further questions about training needs, contact your authorized State agency (or, if the State is not authorized, the EPA Regional office) that implements the hazardous waste program in the State in which the facility is located. If you have questions about this letter, contact Ann Codrington of my staff at (202) 260-8551.

Sincerely,
Jeffrey D. Denit
Acting Director,
Office of Solid Waste