

Risk Labels Required for Dangerous Waste Containers

Dangerous waste may be accumulated on site without a permit for up to 90 days for large quantity generators (LQGs) or up to 180 days for medium quantity generators (MQGs) provided certain conditions are met. One such condition is that the accumulation containers be properly labeled.

Each accumulation container must be clearly labeled or marked with the words “Dangerous Waste” or “Hazardous Waste” and the date waste was first put into the container. In addition, each container must have a label or sign on it that identifies the major risk(s) associated with the waste. Satellite accumulation containers and tanks are also subject to the risk labeling requirement.

The purpose of this focus sheet is to provide guidance on adequate risk labeling and does not replace any dangerous waste regulation regarding risk labeling. For details about accumulating dangerous waste and risk labeling see the Dangerous Waste Regulations, Chapter 173-303-200.

State-only dangerous wastes vs. federal hazardous wastes

Washington law uses the term *dangerous waste*. Federal law uses the term *hazardous waste*. Washington’s definition of dangerous waste includes some wastes that are not included in the federal definition (state-only dangerous waste).

While being accumulated on-site all “dangerous waste,” (including federal RCRA¹ hazardous waste and state-only dangerous waste) is subject to the risk labeling requirements. Keep in mind this is an *on-site* requirement only. Labeling containers for transporting dangerous waste is different and addressed later in this document.

¹ Resource Conservation and Recovery Act

Why It Matters

Washington’s Dangerous Waste Regulations require proper labeling of containers used to accumulate dangerous waste. Proper labeling – including risk labels – protects workers and alerts people to the hazards associated with a particular waste. Is it toxic or flammable? Does it contain ingredients known to cause cancer?

Inadequate labeling is THE most common violation found during compliance inspections. Avoid violating the regulations by labeling your containers properly. This guidance will tell you how. And, help yourself to free labels that can be downloaded from our Web site.

For more information on container labeling:

- [Label Dangerous Waste](http://www.ecy.wa.gov/programs/hwtr/manage_waste/labeling.html) at http://www.ecy.wa.gov/programs/hwtr/manage_waste/labeling.html.
- [Accumulating dangerous waste on site](http://apps.leg.wa.gov/WAC/default.aspx?cite=173-303-200) at <http://apps.leg.wa.gov/WAC/default.aspx?cite=173-303-200>.
- [Preparing waste for transport](http://apps.leg.wa.gov/WAC/default.aspx?cite=173-303-190) at <http://apps.leg.wa.gov/WAC/default.aspx?cite=173-303-190>

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Special accommodations

If you need this document in a format for the visually impaired, call the Hazardous Waste and Toxics Reduction Program at 360-407-6700. Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

Examples of appropriate risk labels

Under the dangerous waste regulations, there is no set list or required number of risk labels for accumulation containers on site. Each major risk associated with the waste must be identified on the container. A container labeled “Toxic” could also be labeled “Flammable.” Risks a waste may exhibit can include one or more of the following:

- ◆ Toxic
- ◆ Poison
- ◆ Ignitable
- ◆ Flammable
- ◆ Carcinogenic (causes cancer)
- ◆ Reactive (volatile or unstable)
- ◆ Explosive
- ◆ Corrosive or solid corrosive
- ◆ Contains nano-particles

“Persistence” is a dangerous waste criteria describing the longevity of a chemical compound in the environment. Persistent constituents are either halogenated organic compounds (HOC) or polycyclic aromatic hydrocarbons (PAH) (see the Dangerous Waste Regulations, WAC 173-303-040). However, “persistence” is not a “risk” a container should be labeled with. In the case of a persistent dangerous waste, the more common risk label associated with regulated PAH chemical constituents is “Carcinogenic” not “Persistent,” although other risks may also apply such as, “Mutagenic”² and “Teratogenic”³. Common risk labels associated with regulated HOC chemical constituents may be “Toxic” or “Reactive.”

Risk labeling systems

An acceptable risk labeling system must clearly and quickly identify the risk(s) associated with the contained waste and be easily seen and understood by employees, emergency response personnel, and the public. It must also comply with all local, state, and federal regulations. For example, the U.S. Department of Transportation (DOT) and the International Fire Code labels are acceptable for use in most cases.

Another option is the OSHA Global Harmonization System (GHS) hazard labels and pictograms. GHS labels will be required on chemical products by December 2015, but are not required on containers of dangerous waste. GHS pictograms can serve as risk labels when used with a risk word or words, as described above. GHS pictograms alone are not enough, as they do not adequately and clearly describe the possible risks.

Unacceptable risk labeling systems

The U.S. DOT has a “Class 9” risk label for shipping purposes. This label would not adequately identify risk(s) associated with the waste inside the container and should not be used.

Other unacceptable examples include a simple color dot or a color-coded container, even with a nearby sign explaining the color code. The color code is meaningless to the public, time-consuming to emergency response personnel, and could possibly confuse employees. The sign could also be destroyed, obscured or moved and the color code system fails. The risk label must be affixed to or written directly on the container.

² Mutagenic refers to the risk of a change in the genetic material, usually DNA, of an organism that may increase the frequency of mutation above the natural background level for that species.

³ Teratogenic refers to the risk of disturbing the growth and development of an embryo or fetus, causing birth defects.

Labeling containers for transport

The dangerous waste regulations (WAC 173-303-190(2)) require that a container to be transported must be labeled according to the [U.S. DOT labeling requirements](#) (see also [49 CFR Part 172](#)). Risk labels that could be confused with or conflict with U.S. DOT labeling standards must be removed prior to transporting containers. GHS labels are an exception to this rule, and can be left on containers during shipment.

Label size

There is no size limit or requirement for risk labels. But they need to be clearly visible and legible so that individuals can recognize, avoid, and properly respond to the risk(s) from a safe distance.