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David Lamb
 Kathy Flippen
 Hazardous Waste Program
 P.O. Box 176
 Jefferson City, MO 65102

Dear David and Kathy:

Walmart proposes the following language regarding the “immediately accessible” requirement as it relates to the provision of hazardous waste codes in the PML regulations.

(IV) Have a method to identify the contents of each hazardous waste container in storage and the associated hazards.

- A. The generator must be able to immediately make accessible to facility personnel, inspectors, and emergency responders the following information for each container:

 - i. A general description of the contents; and*
 - ii. A statement or other visual indicators which call attention to the particular hazardous properties of the waste (e.g., ignitable, reactive, corrosive, or toxic); and**
- B. No later than the close of the next business day following a request from a Department inspector, the generator shall make hazardous waste codes available pursuant to 40 CFR Part 261 Subpart C and Subpart D (i.e., a maximum of 6 that are most applicable to the waste).*

We believe that extending the time to provide waste codes is reasonable and will not result in any increased risk to human health or the environment, nor will it create any unreasonable delay in response to a request for hazardous waste codes. Neither our facility personnel nor emergency responders utilize RCRA waste codes. Rather, the information required by IV(A) provides commonly understood terminology related to the risks presented by the wastes. Additionally, emergency responders typically utilize standard NFPA signage placed on the exterior of buildings or other facility-provided information to understand the nature and level of risk presented within a particular building before entering. Walmart actively communicates with local

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Authorities Having Jurisdiction (AHJ) in Missouri and provides information and displays signage as requested by the AHJs. Lastly, with respect to retail facilities such as Walmart, it is important to note that the waste items stored in the hazardous waste area are identical to the products stored on shelves in greater quantities throughout the retail facility (e.g. aerosol cans or household cleaners). Walmart believes that the Department's focus on a very small subset of products that are located in a retail facility's waste management area that pose no greater potential hazard than the more voluminous number of those same products found elsewhere in the facility is misguided in its efforts to protect emergency responders. Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward F. Downey". The signature is fluid and cursive, with a large initial "E" and "F".

Edward F. Downey

EFD/lea