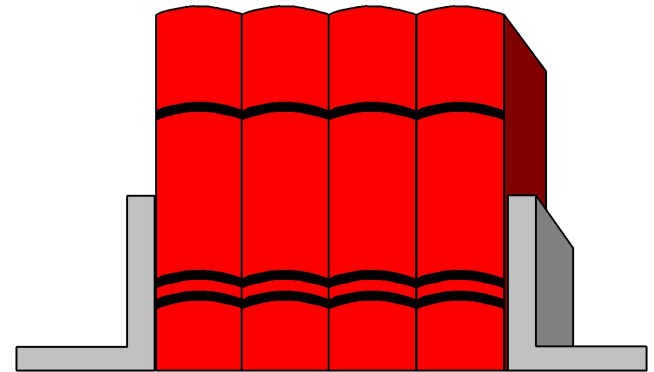


Hazardous Waste Management Standards In California- An Overview Training

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Senior Environmental Scientist (Retired)

MODULES

1. Introduction
2. Hazardous waste classification
3. Hazardous waste generator standards
4. Hazardous waste transportation
5. Hazardous Waste Treatment & Tiered Permitting Requirements
6. Recycling
7. Universal Waste Rules
8. Inspection & Enforcement
9. New Rules
10. Resources



Agenda

9:00 - 9:05	Introduction
9:05 – 9:15	Hazardous waste classification
9:15 – 9:35	Generator standards
9:35 - 9:50	Break
9:50 – 10:00	Transportation
10:00 – 10:40	Tiered Permitting
10:40 – 11:00	Recycling Exclusions & Exemption
11:00 – 11:10	Break
11:10 – 11:25	Universal Waste
11:25 - 11:35	Inspection & Enforcement
11:35 – 11:45	New Rules
11:45 – 11:50	Summary
11:50 - 12:00	Questions & Answers

Learning Objectives

- 1) Understand the basic hazardous waste classification
- 2) Know HW generators requirements and special requirements for recyclers and onsite treaters
- 3) Determine if a waste is eligible for Tiered Permitting
- 4) Understand how to manage Universal Wastes
- 5) Understand the inspection & enforcement concepts
- 6) Apply information to your workplace
- 7) Know where to go for more information

◆ ***This is Not an attempt to cover everything***

DISCLAIMER:

The information provided in this training is not intended as a substitute for applicable laws and regulations. As requirements change, the course material will be updated, however it is always recommended that you refer to the relevant federal Resource Conservation and Recovery Act and California Hazardous Waste Control Law laws and regulations when making any determination about a waste.

Hazardous Waste Laws & Regulations

- **Federal Requirements**

Law: Chapter 42, United States Code
(Resource Conservation and Recovery Act or RCRA)
<http://uscode.house.gov/usc.htm>

Regulations: Title 40, Code of Federal Regulations
(40 CFR) Parts 260 to 299
<http://www.epa.gov/epahome/cfr40toc.htm>

Hazardous Waste Laws & Regulations-cont'd

•STATE :

California Health and Safety Code (HSC): Statute passed by the Legislature. Section references start with 25XXX. HW found in Division 20, Chapter 6.5 (www.leginfo.ca.gov/calaw.html)

Title 22, California Code of Regulations (22 CCR): Regulations adopted by DTSC. Section references start with 66xxx or 67xxx (www.calregs.com)

Title 27, California Code of Regulations (27 CCR)

Section references start with 15XXX

Includes Unified Program Information Standards, with:

- Unified Program Consolidated Form
- Unified Program Data Dictionary

Who Regulates Hazardous Waste?

- U.S. Environmental Protection Agency (EPA)



Resource Conservation and Recovery Act (RCRA)

- Title 40, Code of Federal Regulations

- California Environmental Protection Agency (Cal/EPA), Dept. of Toxic Substances Control (DTSC)



- Hazardous Waste Control Law

- Health & Safety Code and Title 22, Cal. Code Regs

- Certified Unified Program Agency "CUPA"

- Unified Program

Health & Safety Code, Chapter 6.11 and Title 27, Cal. Code Regs.

Federal Or State Requirements - Which Do I Use?

- Federally “authorized” state.
- All hazardous waste requirements in 40 CFR apply in California.
- Most newly adopted federal regulations do not apply in California until adopted; thus, some apply in CA but enforced by the Fed EPA
- DTSC can enforce federal regulations under our authorization until California adopts them [HSC 25159.5(b)].

Title 22 California Code of Regulations (CCR); Division 4.5. Environmental Health Standards for the Management of Hazardous Waste

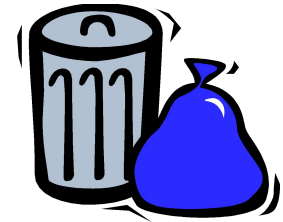
- Chapter 10 – General Scope and Definitions
- Chapter 11 - Identification and Listing of Hazardous Wastes
- Chapter 12 - Standards Applicable to Generators of Hazardous Waste
- Chapter 13 - Standards Applicable to Transporters of Hazardous Waste
- Chapter 14 - Requirements for Permitted Facilities
- Chapter 15 - Requirements for Interim Status Facilities
- Chapter 16 - Requirements for Recyclable Wastes
- Chapter 18 - Land Disposal Restrictions
- Chapter 22 - Enforcement, Inspections, and Informant Rewards
- Chapter 23 – Standards for Universal Waste Management
- Chapter 31. Waste Minimization

Hazardous Waste Identification

- Online training
- <https://dtsc.ca.gov/california-hazardous-waste-classification-training/>
- This course will familiarize you with the hazardous waste classification requirements in California's laws and regulations. Once completed, you will have the information and resources to tell whether a waste is a hazardous waste and to assure its proper management (e.g., storage, transport, treatment, disposal).
- A certificate of completion for this online training course is available upon passing the final exam. DTSC is unable to provide backdated certificates of completion.

In The Beginning

- The first thing you have to know:

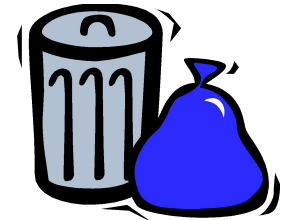


IS IT A WASTE?

Waste Classification Requirements

- Two sets of standards in CA
 - **Federal requirements**
 - **State requirements**
- Important Note: Unlike the federal requirements, in California both statutes and regulations contain specific requirements

Is It A Waste?



- You have to answer this before you can manage it
All other waste management requirements hinge upon this one decision.
- A material that has been used or has otherwise served its intended purpose and, for whatever reason (contaminated, spent, or intent) can or will no longer be used for its intended purpose.

State Definition Of Waste

HS&C § 25124

“Waste” means any solid, liquid, semisolid, or contained gaseous **discarded material** that is not excluded by this chapter or by regulations adopted pursuant to this chapter

CCR§ 66261.2

“Waste” means any **discarded material** of any form (for example, liquid, semi-solid, solid or gaseous) that is not excluded by section 66261.4(a) or section 66261.4(e) or that is not excluded by Health and Safety Code section 25143.2(b) or Health and Safety Code section 25143.2(d).

State Definition Of Waste

Discarded means:

1. Relinquished- by being any of the following:

A) Disposed of. (B) Burned or incinerated.

(C) Accumulated, stored, or treated, but not recycled, before, or in lieu of, being relinquished by being disposed of, burned, or incinerated.

2. Recycled, or accumulated, stored, or treated before recycling, except as provided in Section 25143.2.

State Definition Of Waste-cont'd

- **inherently waste-like** when it is recycled [RCRA waste codes F020, F021, F022, F023, F026 and F028 (contain dioxins), secondary materials fed to a halogen acid furnace
- **misabeled or inadequately labeled** (unless within 10 days to re-label)
- packaged in **deteriorated or damaged** containers (unless repackaged in 96 hours)

Are There Any Waste Exclusions?

- Materials that are not discarded **§25124(c)**

Intermediate manufacturing process streams; Coolants, lubricants or cutting fluids that are filtered to extend their useful life.

Are There Any Waste Exclusions (§66261.4)?

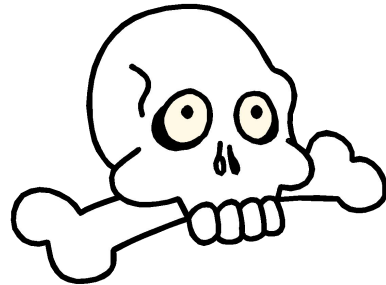
- Materials that are not wastes:

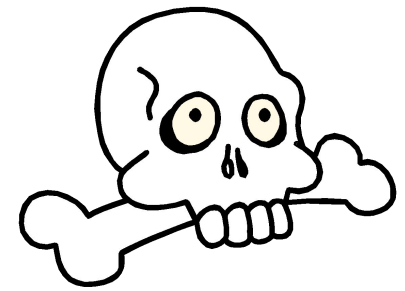
- 1) Industrial wastewater discharges under National Pollutant Discharge Elimination System permitting program
- 2) Source, special nuclear or by-product material as defined by the federal Atomic Energy Act
- 3) Spent sulfuric acid used to produce virgin sulfuric acid
- 4) Pulping liquors
- 5) Secondary materials reclamation in enclosed tanks
- 6) Excluded Recyclable Materials **§25143.2(b) & (d)**

The next step

- Once it is a waste, the next step is to determine:

IS IT HAZARDOUS?





The next step

- Once a waste, the next step is to determine:

IS IT HAZARDOUS?

Use generator

“Knowledge” of waste, and/or

Process(es) that produced waste or

Laboratory testing.

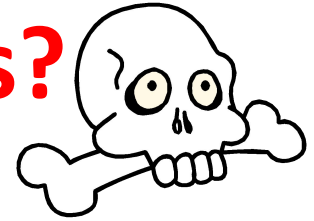
WHAT “HAZARDOUS” IS?

- Broadly defined as a waste or combination of wastes, which, because of its quantity, concentration, physical, or chemical characteristics, may either:
 - 1) Cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible illness; **or**
 - 2) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise mismanaged.

What is a Hazardous Waste?

- Hazardous waste is a waste with properties that make it potentially dangerous or harmful to human health or the environment.
- The universe of hazardous wastes is large and diverse. Hazardous wastes can be liquids, solids, or contained gases. They can be the by-products of manufacturing processes, discarded used materials, or discarded unused commercial products, such as cleaning fluids (solvents) or pesticides.
- In California the individual generating the waste must determine if the waste generated meets the criteria of hazardous waste as defined in [22 CCR section 66261.3](#). The hazardous waste is classified as either being subject to RCRA, found in 40 CFR, or it is subject to HSC and 22 CCR.

What Makes A Waste Hazardous?



1. Is not excluded from classification as a waste
2. Exhibits a characteristic in Article 3 (*TRIC*)
3. Is listed in Articles 4 or 4.1
4. Is listed in or contains constituents listed in Appendix X, unless the waste is determined to be non-hazardous
5. Is a mixture of a waste and a hazardous waste

[22 CCR §66261.3]

http://www.dtsc.ca.gov/HazardousWaste/upload/HWMP_DefiningHW1.pdf

Listed Wastes

- **RCRA Listed Wastes:** EPA has listed roughly 500 specific chemicals that consider hazardous to human health or the environment.
- In California, there are five types of listed wastes. These five listed wastes are organized into four categories:

The F-list, non-specific source wastes (Section 66261.31):

- This list identifies wastes from many common manufacturing and industrial processes, such as solvents that have been used for cleaning or degreasing. Since the processes producing these wastes occur in many different industry sectors, the F-listed wastes are known as wastes from non-specific sources. Non-specific, means they don't come from one specific industry or one specific industrial or manufacturing process. The F-list appears in the hazardous waste regulations in [22 CCR section 66261.31](#).
- Examples: Spent solvents (F001-F005), Spent cyanide plating bath solutions from electroplating (F007)

Listed Wastes –cont'd

The K-list, source-specific wastes

- This list includes certain wastes from specific industries, such as petroleum refining or pesticide manufacturing.
- Also, certain sludges and wastewaters from treatment and production processes in these specific industries are examples of source-specific wastes.
- The K-list appears in the hazardous waste regulations in [22 CCR section 66261.32](#).

Listed Wastes-cont'd

The P-list and the U-list, discarded commercial chemical products (Section 66261.33(e) and (f):

Specific commercial chemical products that have not been used, but that will be (or have been) discarded. Industrial chemicals, pesticides, and pharmaceuticals are example of commercial chemical products that appear on these lists and become hazardous waste when discarded.

Listed Wastes-cont'd

- **California Listed Wastes:** *Declared to be regulated by the legislature or DTSC*
- **M listings (M-listed Wastes (discarded mercury-containing products)):**
 - The list, found in [22 CCR section 66261.50](#), includes the following mercury (Hg) containing wastes:
 - M001: Mercury light switches in cars and cars that contain such switches prior to crushing, baling, shredding, or shearing
 - M002: Other mercury switches in products, including appliances
 - M003: Mercury-containing lamps and products with lamps except LCDs with Mercury back lighting
 - M004: Mercury-added novelties

F Listing Table Example

Industry and EPA hazardous waste no.	Hazardous waste	Hazard code
F004	The following spent non-halogenated solvents: cresols and cresylic acid, and nitrobenzene; all spent solvent mixtures/blends containing, before use, a total of ten per cent or more (by volume) of one or more of the above non-halogenated solvents or their mixtures/blends; and still bottoms solvents and spent solvent	(T)
F005	The following spent non-halogenated solvents: methyl ethyl ketone, carbon tetrachloride, benzene, 2-ethoxyethanol, solvent mixtures/blends containing, before use, ten per cent or more (by volume) of one or more of the above non-halogenated solvents or their mixtures/blends; and still bottoms solvents and spent solvents	

K Listing Table Example

Industry and EPA hazardous waste no.	Hazardous waste	Hazard code
Wood preservation K001	Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use creosote and/or pentachlorophenol.	(T)
Inorganic pigments K002.....	Wastewater treatment sludge from the production of chrome yellow and orange pigments	(T)
K003.....	Wastewater treatment sludge from the production of molybdate orange pigments	(T)
K004.....	Wastewater treatment sludge from the production of zinc yellow pigments	(T)

Characteristic Hazardous Wastes

- Wastes may be hazardous wastes if they exhibit any of the four characteristics of a hazardous waste (ignitability, corrosivity, reactivity, and toxicity) as defined in [22 CCR sections 66261.21 through 66261.24](#).
- These four characteristics are:
 - Ignitability (D001)
 - Corrosivity (D002)
 - Reactivity (D003)
 - Toxicity (D004-D043)

Characteristic Wastes

- **Ignitability** 22 CCR §66261.21

- Liquid with a flashpoint $\leq 140^{\circ}\text{F}$ (60°C) or
- Non-liquid solid under STP causes fire through friction, absorption of moisture, or spontaneous chemical changes and, when ignited, burns persistently

- **Corrosivity** 22 CCR §66261.22

- Measured by pH [Aqueous solution with a pH ≤ 2 or ≥ 12.5 ; Not aqueous and, when mixed with an equal weight of water, has pH ≤ 2 or ≥ 12.5].
- Measured by rate of steel corrosion

Characteristic Wastes-cont'd

- **Reactivity** 22 CCR §66261.23

- Reactive wastes readily explode or undergo violent reactions
- Unstable, reacts violently with water, generates toxic gas with water, can detonate at STP.
- Forbidden explosives (49 CFR §173.51), Class A explosives (49 CFR §173.51), or Class B explosives (49 CFR §173.88)

- **Toxicity** 22 CCR §66261.24

- A waste is a toxic hazardous waste if it is identified as being toxic by any one (or more) of the eight subsections of this characteristic.
http://www.dtsc.ca.gov/LawsRegsPolicies/Title22/upload/OEARA_REG_Title22_Ch11_Art3.pdf

Toxicity Overview



- 1) **TCLP- Toxicity Characteristic Leach Procedure** produces a leachate that consists of any constituents above the thresholds listed in Table I in 22 CCR 66261.24(a)(1).

- 2) **WET- Waste Extraction Test**
Gives you TTLC and STLC (*Total Threshold Limit Concentration and Soluble Threshold Limit Concentration*)

- 3) **Acute Oral Toxicity** [LD50 less than 2,500 mg/kg]

- 4) **Acute Dermal Toxicity** [LC50 less than 4,300 mg/kg]

- 5) **Acute Inhalation Toxicity** [LC50 less than 10,000 mg/kg]

Toxicity Overview-cont'd

- 6) **Fish Bioassay** -Aquatically toxic if it produces an LC50 less than 500 mg/L when tested using the "Static Acute Bioassay Procedures for Hazardous Waste Samples

- 7) **Carcinogenic Substances (Prop. 65 list of chemicals)** a waste is identified as being toxic if it contains any of the specified carcinogens at a concentration of greater than or equal to 0.001 percent by weight.
http://www.oehha.ca.gov/prop65/prop65_list/Newlist.html

- 8) **Experience or Testing**

Used Oil

- In California, waste oil and materials that contain or are contaminated with waste oil are usually regulated as hazardous wastes if they meet the definition of “used oil” in [HSC section 25250.1](#), which reads as any oil that has been refined from crude oil, or any synthetic oil, that has been used and, as a result of use, or as a consequence of extended storage, or spillage, has been contaminated with physical or chemical impurities.
- In addition, used oil means a material that is subject to regulation as used oil under [Part 279](#) (commencing with section 279.1) of Subchapter I of Chapter 1 of 40 CFR.

Basics of Haz Waste Chemistry

- Its really not that **TRICKy**
- **T**oxic—
 - Metals
 - Kills fish
 - Short- or Long-term human harm
- **R**eactive -- water reactive, explosive, deadly gas generator (Cyanide)
- **I**gnitable -- Can flash to fire
- **C**orrosive -- $\text{pH} \leq 2$ or ≥ 12.5



Before you proceed on tests...

- Try to determine if the waste being generated by a process is:
 - Regular or routine?
 - Cyclical (reoccurring or repeated) or random?
 - Will the concentrations vary over time?
- This can aid the generator in using knowledge of the waste over the long run.

Test Methods

- Sampling and analysis of materials and wastes, for hazardous waste identification purposes, utilize U.S. EPA's publication: "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," SW-846, commonly referred to just as "SW-846."
- In California the test methods referenced in [22 CCR section 66261.20](#) are [SW-846, 3rd Edition](#).
- There are additional updated editions of [U.S. EPA's SW-846](#), however you should check with current state laws and regulations to verify the edition number before using them.

Wastes That Are Not Hazardous Wastes

- Infectious wastes (animal carcasses)
- Wastes excluded under 40 CFR §261.4 and they do not exhibit the characteristics of non-RCRA hazardous waste
- Used oil re-refining still bottoms used in asphalt products
- Used CFCs that are reclaimed and
- Mining wastes **§66261.4(b)(1-5)**
- Ash, fly ash, flue gas emission control residues from biomass **§ 25143.5**
- Debris contaminated with petroleum or any of its fraction **§ 25143.12:**

Hazardous wastes which are exempted from certain regulations:

- Materials in product or raw material storage tanks are exempt until removed (within 90 days of ceasing operation) [§66261.4 \(c\)](#)
- Samples - subject to regulation as a waste after use as a sample ceases [§66261.4 \(d\)](#)
- Treatability study samples for generator and labs [§66261.4 \(e\) & \(f\)](#)
- Controlled substances under specified conditions and management requirements [§66261.4 \(g\)](#)
- CRT panel glass when disposed in Class 2 or class 3 landfill, if certain conditions and management requirements are met [§66261.4 \(h\)](#)
- *Treated Wood* waste-exclusively from electric, gas or telephone service. Must be disposed in a landfill that is authorized to accept treated wood wastes [§25143.1.5:](#)

How To Determine If You Have A Hazardous Waste?

[22 CCR §66262.11]

- Self-classify:

- Analytical testing
- Generator knowledge of materials and processes
- Safety Data Sheet information
- Emergency Response Guide
- DOT Guide (49 CFR)
- Information provided by Trade Association, Organization

- DTSC concurrence/re-classification [66260.200]

Who Makes A Waste Determination?

- The Generator (**§66262.11**):
 - "Any person, by site, whose act or process produces hazardous waste or whose act first cause a hazardous waste to become subject to regulation" [**§66260.10**].
- Regulatory Agency (HSC §25185.6) - to furnish and transmit any existing information on HW.

Determining Generator Status

- Need to calculate twice:

(1) Once under federal, and (2) Again under California

- Key to sizes:*

1 drum =55 gallons=440 lbs=200 kgs

LQG	≥ 1,000 kg hazardous waste and/or > 1 kg acutely hazardous waste and/or > 1 kg extremely hazardous waste during any calendar month
SQG	< 1,000 kg hazardous waste and/or ≤ 1 kg acutely hazardous waste and/or extremely hazardous waste during any calendar month
VSQG (previously CESQG)	≤ 100 kg hazardous waste and/or ≤ 1 kg acutely hazardous waste and/or extremely hazardous waste during any calendar month – this is a category defined by EPA and not recognized in California

Categories of Hazardous Wastes

22 CCR Article 5

- RCRA Hazardous Wastes
- Non-RCRA Hazardous Wastes
- Acutely and Extremely Hazardous Wastes
 - Acutely HW in 261.33(e) P listed waste
 - Extremely HW are listed with an * in Appendix X (66261.110 and .113)
- Special Wastes
- Other - Universal Wastes

HW Classification

- Non-RCRA - these wastes are not subject to federal requirements but instead are regulated at the state level.
-
- NOTE: It is important to understand how to appropriately determine and properly classify wastes, as there are substantial differences in the management standards applicable to different types of wastes.

Who cares about which category my waste fits into?

Category Dictates:

- Land disposal restrictions/treatment standards
- Fees
 - Generator, Disposal
- Hazardous waste management requirements
 - Universal Waste management
- DTSC discretionary authority
 - Variances, tiered permitting

Am I A Hazardous Waste Generator?

- YES, if your business activities produce any amount of any waste that is defined as hazardous waste in the California Code of Regulations.
- As a generator of hazardous waste, you are required to comply with certain regulatory standards.
- No limit of the liability of any facility for any past, present, or future discharge of hazardous wastes.

Hazardous Waste Generator Requirements

http://www.dtsc.ca.gov/HazardousWaste/upload/HWM_FS_Generator_Requirements.pdf

What Are the Requirements As A Hazardous Waste Generator ?

22 CCR SECTIONS 66262.10- 66262.42

- ✓ Waste Determination
- ✓ Classify Generator Status
- ✓ Obtain an EPA ID Number
- ✓ Comply with accumulation time limit
- ✓ Comply with container management standards
- ✓ Comply with tank standards, if applicable
- ✓ Prepare for emergencies
- ✓ Provide trainings
- ✓ Comply with shipping standards
- ✓ Maintain and update records
- ✓ Prepare and submit the required reports
- ✓ Comply with Closure standards
- ✓ Pay the state/local fees

Waste Determination

Don't throw any waste into the Trash unless you have confirmed and demonstrated that it is NOT a hazardous waste.



That includes Household Hazardous Wastes.

- <http://www.calrecycle.ca.gov/LEA/Training/WasteClass/Yep.htm>
- http://www.dtsc.ca.gov/HazardousWaste/upload/HWMP_DefiningHW11.pdf
- http://ccelearn.csus.edu/wasteclass/intro/intro_01.html

Waste Determination

- Is the generator's responsibility, not inspectors.
- Non-Hazardous Waste determination can be challenged and a generator, transporter, and TSD facility can be prosecuted for illegal disposal if it turns out to be a hazardous waste.

Making a Waste Determination

(§66262.11)

- A “Generator” must determine whether the waste they generate is a hazardous waste by use of knowledge and/or testing.
- Documentation must be kept for at least 3 years from the date that waste was last sent for disposal
- Waste determination records may include:
 - Safety Data Sheets
 - Laboratory analytical reports
 - Process diagrams
 - Material toxicity data
 - Calculations

Identification (ID) Numbers (§66262.12)

- Federal (RCRA) VSQG, SQG and LQG must obtain an EPA ID from USEPA.
- CA – NonRCRA (except facilities that only generate less than 100 kg of silver-only hazardous waste per month) must obtain a state ID from DTSC.
- Each facility, as defined in 22 CCR §66260.10, may have only one ID number.
- EPA IDs are site-specific and owner-specific.

[Hazardous Waste \(Main Page\)](#)[Generators](#)[Transporters](#)[Facilities \(TSDFs\)](#)[CUPAs](#)[Household Hazardous Waste](#)

Hazardous Waste ID Numbers

DTSC issues ID numbers to generators, transporters and disposal facilities. This includes EPA ID numbers, and State ID numbers for non-RCRA hazardous waste. Temporary ID numbers are issued to people or businesses who do not typically generate hazardous waste. These ID numbers are valid for 90 days. Permanent ID numbers are issued to people or businesses who routinely generate hazardous wastes.

There is no fee to obtain an ID number.

HOW DO I OBTAIN A HAZARDOUS WASTE ID NUMBER?

If you know which type (Temporary or Permanent) of number you need, click on one of the following buttons. Below these buttons, you will find some additional information on who needs a hazardous waste ID number. If you do not know which category of number you need, read the rest of this web page for more information.

[GO TO THE TEMPORARY
ID NUMBER PAGE](#)

[GO TO THE PERMANENT
ID NUMBER PAGE](#)



Related Links

- [ID Number FAQs](#)
- [Forms](#)
- [Laws and Regulations](#)
- [Look up a HW ID](#)
- [Manifests](#)
- [Annual Verification](#)
- [US EPA Website](#)
- [Emergency ID Numbers](#)

**Hazardous
Waste ID Help
800-618-6942**



WHO NEEDS A HAZARDOUS WASTE ID NUMBER?

Anyone who generates, transports, offers for transport, treats, stores, or disposes of hazardous waste (All are collectively called "handlers".) generally must have an ID number, which is used to identify the hazardous waste handler, and to track the hazardous waste from the point of origin to its final disposal



- ◊ [Hazardous Waste \(Main Page\)](#)
- ◊ [Generators](#)
- ◊ [Transporters](#)
- ◊ [Facilities \(TSDFs\)](#)
- ◊ [CUPAs](#)
- ◊ [Household Hazardous Waste](#)

Temporary Hazardous Waste ID Numbers

Temporary ID numbers are issued to people or businesses who do not normally handle hazardous waste. These ID numbers are valid for 90 days. There are two categories of temporary ID numbers. These are provisional EPA ID numbers, and temporary State ID numbers. If you need a permanent ID number, please [click here](#).

I handle:

Greater than 100 kg of RCRA hazardous waste and/or one kg of acutely hazardous waste per calendar month

All Others

**I NEED A TEMPORARY
EPA ID NUMBER**

**I NEED A TEMPORARY
STATE ID NUMBER**

TEMPORARY (PROVISIONAL) EPA ID NUMBERS

DTSC issues temporary EPA ID numbers, that are called provisional numbers. To obtain a provisional EPA ID number, you must fill out a [US EPA Form 8700-12](#). The form includes instructions on each section of the form. Original signatures (also called "wet" signatures) are required on the Form 8700-12. Photocopies are not accepted. Please mail the Form 8700-12 to:

California Department of Toxic Substances Control
Attn: RCRA Notifications

Related Links

- [Hazardous Waste ID Numbers](#)
- [ID Number FAQs](#)
- [Forms](#)
- [Laws and Regulations](#)
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**Hazardous
Waste ID Help
800-618-6942**





TEMPORARY STATE ID NUMBER ISSUANCE WEBSITE

Welcome to the California Department of Toxic Substances Control's Temporary State ID Number Issuance System.

In the State of California all people or businesses who generate hazardous waste must obtain a hazardous waste ID number before shipping hazardous waste to a recycler or disposal facility.

This is our online system to obtain a temporary State ID number. Temporary ID numbers are only good for 90 days. You cannot obtain an EPA provisional (federal temporary) ID number through this online system. For hazardous waste ID numbers other than temporary State ID numbers, please go to our [Hazardous Waste ID Numbers webpage](#).

A State ID number may be used if a person generates no more than 100 kg of RCRA hazardous waste on a monthly basis, and any amount of a non-RCRA hazardous waste. One hundred (100) kg is 220 pounds, which is about 27 gallons of liquid, by volume. California-only waste is commonly known as non-RCRA waste.

Temporary State ID numbers are site-specific and owner-specific. Prior to applying for a temporary State ID number, you **must** determine if an active temporary or permanent ID number exists for the generator at the address where the hazardous waste is being generated. Information on existing ID numbers is available at our [Hazardous Waste Tracking System \(HWTS\)](#). Click on the report titled "Search for a Company". If an active number exists for the generator at that address, do not apply for another number. State temporary ID numbers are issued to a person or business that does not routinely generate hazardous waste. Some examples of non-routine (not ongoing) activities include:

- asbestos abatement;
- removing underground tanks;
- and removing hazardous waste that was abandoned in a leased building.

For more information on ID Numbers, please go to our [Hazardous Waste ID Numbers webpage](#).

If you have any questions, please contact our Telephone Information Center at (800) 618-6942. When you hear the voice router message, please press 1 and then 6 to speak with our staff.

EMAIL VALIDATION PROCESS



◊ [Hazardous Waste \(Main Page\)](#)

◊ [Generators](#)

◊ [Transporters](#)

◊ [Facilities \(TSDFs\)](#)

◊ [CUPAs](#)

◊ [Household Hazardous Waste](#)

➔ Permanent Hazardous Waste ID Numbers

Permanent ID numbers are issued to people or businesses who routinely generate or handle hazardous wastes. There are two categories of ID numbers. These are EPA ID numbers, and State ID numbers.

I handle:

Greater than 100 kg of RCRA hazardous waste and/or one kg of acutely hazardous waste per calendar month

All Others

I NEED A PERMANENT
EPA ID NUMBER

I NEED A PERMANENT
STATE ID NUMBER

PERMANENT EPA ID NUMBERS

DTSC issues permanent EPA ID numbers for handlers of RCRA hazardous waste. If you or your business generates more than 100 kg of RCRA hazardous waste and/or more than one kg of acutely hazardous waste, then you need to obtain an EPA ID number. To obtain an EPA ID number, you must fill out a [US EPA Form 8700-12](#). The form includes instructions on each section of the form. Original signatures (also called "wet" signatures) are required on the Form 8700-12. Photocopies are not accepted. Please mail the Form 8700-12 to:

California Department of Toxic Substances Control

➔ Related Links

- [Hazardous Waste ID Numbers](#)
- [ID Number FAQs](#)
- [Forms](#)
- [Laws and Regulations](#)
- [Look up a HW ID](#)
- [Manifests](#)
- [Annual Verification](#)
- [US EPA Website](#)
- [Emergency ID Numbers](#)

**Hazardous
Waste ID Help
800-618-6942**



Information and Instructions for Obtaining a Permanent California ID Number Or Updating Permanent ID Number Information

Do not use this form to apply for a temporary California ID number.

The Department of Toxic Substances Control's (DTSC) Form 1358 is used to apply for a new permanent California ID number, reactivate an existing permanent ID number, inactivate an existing permanent ID number or to update information on a California or federal permanent ID number. Do not use this form to apply for a California temporary ID number, a California household hazardous waste ID number or a new federal ID number. Please call (415) 495-8895 or go to <http://www.epa.gov/Region9/waste/epanums.html> to get information on federal ID numbers.

Information About California ID Numbers

DTSC issues permanent California ID numbers to generators, transporters and disposal facilities for the purpose of tracking hazardous waste. California ID numbers are site-specific and owner-specific. The ID number enables regulators to track the waste from its origin to final disposal ("cradle to grave"). A business must obtain a federal or State ID number before shipping hazardous waste to a recycler or disposal facility. An exception from the ID number requirements is for businesses that generate nothing but small amounts of silver-only waste (such as photo fixer) and are shipping it to a recycler. In addition, most businesses that generate only universal waste will not need an ID number. You may obtain detailed information about ID numbers and legal citations (California Code of Regulations and Health and Safety Code) by going to DTSC's website at www.dtsc.ca.gov/IDManifest. Information on existing ID numbers is available at www.hwts.dtsc.ca.gov. Click on Reports and then click on the report titled Search for a Company.

Use this form to apply for a California ID number if your business generates no more than 100 kg per month of a federally-regulated waste, or any amount of a California-only (non-federally)

Identification (ID) Numbers

- Can be verified at:
 - hwts.dtsc.ca.gov or http://hwts.dtsc.ca.gov/report_list.cfm (California IDs)
 - www.epa.gov/enviro/html/rcris/rcris_query_java.html (Federal IDs)
- Must be verified annually by completing and returning the annual verification questionnaire mailed out by DTSC to remain active
- Electronic Verification Questionnaire <https://evq.dtsc.ca.gov/Home.aspx>
-

What is the Difference Between Storage and Accumulation?

- Storage requires a permit or grant of authorization from DTSC
- Accumulation does not require a permit or grant of authorization as long as it meets the specified accumulation time, and the hazardous waste must be generated “onsite” or “remotely-generated”

Hazardous Waste Accumulation

22 CCR Section 66262.34 (a)-(d)

If the Generator:	Accumulation Starts:	Accumulation Time Limit is:
<p>Produces more than 1,000 kilograms (2,200 pounds) per month for all hazardous waste generated onsite.</p>	<p>The first day the generator begins accumulating any hazardous waste (Title 22, CCR, section 66262.34(b)(2)).</p>	<p>90 days (Title 22, CCR, section 66262.34(a)).</p>
<p>Produces more than 100 kilograms (220 pounds) and less than 1,000 kilograms (2,200 pounds) per month for all hazardous waste generated onsite; or, less than 1 kilogram of acutely or extremely hazardous waste. The total amount of hazardous waste accumulated at any one time can never exceed 6,000 kilograms (13,200 pounds).</p>	<p>The first day the generator begins accumulating any hazardous waste (Title 22, CCR, section 66262.34(b)(2)).</p>	<p>180 days or 270 days if the distance to the treatment or disposal facility is more than 200 miles. Any quantity of acutely or extremely hazardous waste must be removed in 90 days (Title 22, CCR, section 66262.34(d)).</p>
<p>Produces less than 100 kilograms (220 pounds) per month for all hazardous waste generated onsite; or less than 1 kilogram of acutely or extremely hazardous waste per month.</p>	<p>The day 100 kilograms (220 pounds) of hazardous waste or 1 kilogram of acutely or extremely hazardous waste is accumulated (Health and Safety Code section 25123.3 (c)).</p>	<p>180 days or 270 days if the distance to the treatment or disposal facility is more than 200 miles. Any quantity of acutely or extremely hazardous waste must be removed in 90 days (Title 22, CCR, section 66262.34(d)). There is no accumulation time limit for generators of not more than 100 kg/month that are not using the satellite accumulation area and who have not yet accumulated 100 kg (220 pounds) of hazardous waste (or one quart of extremely or acutely hazardous waste). (HSC section 25123.3 (c)).</p>

Generator Status

Quantity of Hazardous Waste Generated	California Status ^{1, 2}	Federal Status ^{1, 2, 3}
<100 kg/month (approx. 27 gallons)	CESQG or “Very Small Quantity Generator” (VSQG)	Conditionally Exempt Small Quantity Generator (CESQG) <u>40 CFR 261.540</u> CFR 261.5
100 kg to <1,000 kg/month	Small Quantity Generator (SQG) <u>22 CCR 66260.10</u>	Small Quantity Generator (SQG) <u>40 CFR 260.10</u>
1,000 kg/month or more (approx. 270 gallons)	Large Quantity Generator (LQG)	Large Quantity Generator (LQG)

1. All hazardous wastes except those specifically excluded by law or regulation (e.g. drained used oil filters, universal waste) are counted towards a generator’s status. **Counting Instructions:**

<https://www.dtsc.ca.gov/HazardousWaste/CountingHW.cfm>

2. It is possible for a generator’s status to change from month to month.

3. Only RCRA waste is counted towards a generator’s federal status.

LQG Accumulation Times {40 CFR 262.34 moved to 262.17 for LQGs }

- 90 days: no more. (§66262.34(a))
- Count both RCRA and non-RCRA waste
 - May need to separate them later for other requirements, but to determine if LQG, lump them. **Counting Instructions:**
<https://www.dtsc.ca.gov/HazardousWaste/CountingHW.cfm>
- Except....
 - Satellite accumulation areas
 - “Special” rule wastes such as auto batteries, UW, oil/fuel filters

CESSQG (VSQG) Accumulation Times (§66262.34(b)(2))

- If you generate no more than a total of 27 gallons of waste in any month, then your 90 day storage period begins when you first reach 27 gallons total waste onsite.

- Or 180 days as per 6626.34(d)(2)*

(However, it is recommended that you dispose of your waste regularly)

- 40 CFR 262.34 moved to 262.16 for SQGs

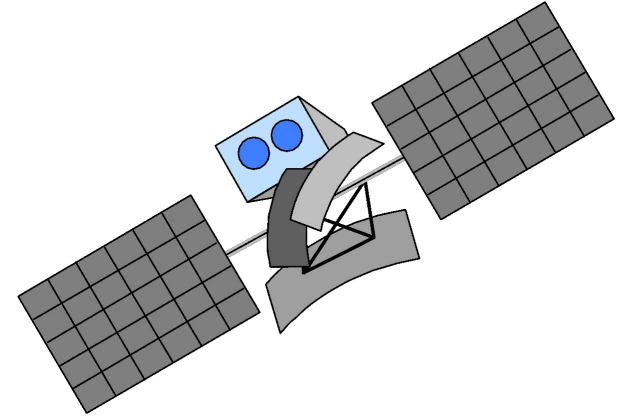
Small Quantity Generators [265.34(d) via §66262.34(d)]

- Generate no more than a total of 1,000 kilograms (about 2,200 pounds or 270 gallons of waste in any month), and
- Accumulate no more than 6,000 kilograms of all wastes on-site at any time, and
- Does not apply to Acutely Hazardous Waste or Extremely Hazardous Waste [90 day rule], and
- May store for **180 days**
- HW Generator with a used oil tank. 100 gallon will not be cylindrical tank. 4.5' diameter and 8' height =1000 gallons. If they shipped 1585 gallons (6000 kg) at any time, they are no longer a SQG. SQG <6000 kg

Accumulation Time

- Monthly amounts are not averages.
- Each month determined on its own
 - If a SQG Jan-Nov, that waste can stay up to 270 days.
 - Generate lots of waste in December with house cleaning, that waste must be sent off in 90 days.
- Different rules for satellite accumulation.

Satellite Accumulation



- Basics:

- At or near the point of generation, under control of the generator and in containers
- Can not remain on site more than 1 year from first drop or when 90/180/270 is reached, whichever comes first.
- Mark container w/ initial date of accumulation
- No more than 55 gallons per process (may use separate containers with approval of DTSC)
- Move within 3 days of reaching 55 gallons

For All HW Container Management §66262.34(a)(1)(A)

- Closed
- Labeled
- Compatible with contents
- In good condition
- Ignitable, reactive wastes 50 feet from the property line
- Incompatibles stored separately
- Inspected weekly
- Adequate aisle space

Title 22, CCR, Chapter 15, Article 9





Container management (Good Housekeeping) LQGs

- Good condition – §66265.171
- Compatible with the contents -§66265.172
- Closed, except when adding/removing - §66265.173
- Inspected weekly -§66265.174
- Ignitable, reactive wastes kept 50 feet from property line* - **§66265.176**
- Store incompatibles apart – §66265.172
- Incompatible wastes requirements- 66265.177
- Air Emission Standards* - **§66265.178**

Container management SQG/CESQGs (VSQG)

[265.170-.174/.177 via §66262.34(d)(2)]

- Hazardous waste containers must be:
 - In **good condition** (no leaks, structural defects, or severe rusting)
 - **Compatible** with the waste they contain
 - **Closed**, except when adding or removing waste
 - Opened, handled, transferred and stored in a way that will not cause them to rupture or leak
 - **Inspected** at least weekly for potential leaks or deterioration
 - **Separated from other incompatible** wastes or materials (e.g. using a dike, berm, wall, or other device)

Container Management SQGs/CESQGs (VSQG)

- Can store ignitable/reactive w/in 50 feet of property line with fire authority approval

Containers -Condition [§66265.171]

- Containers in good condition, closed, compatible with contents, inspected weekly



Containers -Closed? [§66265.173]



Open container, waste on drum, no label, no date [§66262.34(f)]





Open containers and drums full of used oil observed at northwest side of property.
This area is being used as the hazardous waste storage area.



Close-up of 55gal drum with open top and 55gal drum with open bung hole. Both drums were observed to be 100% full of used oil. Evidence of used oil spillage due to overflowing containers was observed as well.



Open container of used oil observed near the hazardous waste storage area.



Hazardous waste storage area.

Other Wastes on Drum



Containers – Dates

[§66262.34(a)(2); §66262.34 (f)(2)]

- Marked with Date of Accumulation



Maintenance and Operation (Minimize release – \$66265.31)

- Container management area must be properly maintained and operated.



Proper Maintenance and Operation



Improper Maintenance and Operation



LQG 50' Setback [§66265.176]

- 50 foot setback from property boundary for ignitable or reactive waste for LQGs





Open container full of used oil and used oil filters observed on the ground located along fence line behind hazardous waste storage area. The used oil was observed to be leaking onto the ground and the vegetation surrounding the container was observed to be saturated with used oil.



Close-up of the same container mentioned in previous slide.

Do you know where your drains go?



Adequate Aisle Space [§66265.35] and 265.35 via §66262.34 (d)(2)]

- To allow unobstructed movement of:
 - Personnel
 - Fire Protection Equipment
 - Spill Control Equipment
 - Decontamination Equipment
 - To any area of the facility for emergencies



Containers - Aisle Space 265.35 via §66262.34 (d)(2)]

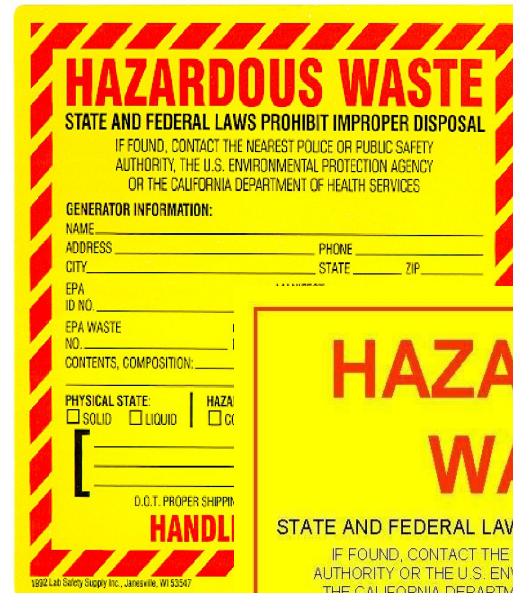
- Adequate aisle space must be maintained around containers



Container Management: Labels

22 CCR Section 66262.34(a)

1. “Hazardous Waste”
2. Name and address of generator
3. Accumulation start date
4. Composition and physical state
5. Hazardous properties
6. Manifest Tracking Number (change from Manifest Document #)



HAZARDOUS WASTE
STATE AND FEDERAL LAWS PROHIBIT IMPROPER DISPOSAL
IF FOUND, CONTACT THE NEAREST POLICE OR PUBLIC SAFETY AUTHORITY, THE U.S. ENVIRONMENTAL PROTECTION AGENCY OR THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES

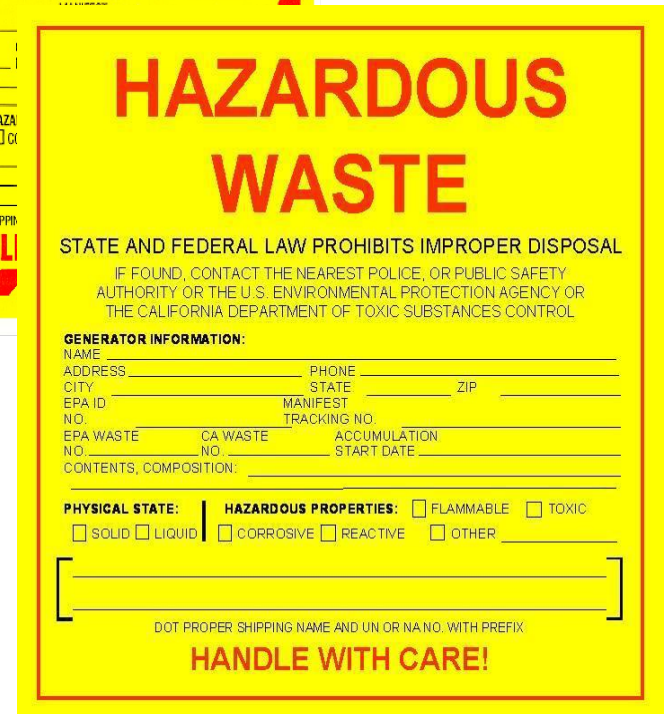
GENERATOR INFORMATION:
NAME _____
ADDRESS _____ PHONE _____
CITY _____ STATE _____ ZIP _____
EPA ID NO. _____
EPA WASTE NO. _____
CONTENTS, COMPOSITION: _____

PHYSICAL STATE: SOLID LIQUID OTHER _____

HAZARDOUS PROPERTIES: FLAMMABLE TOXIC CORROSIVE REACTIVE OTHER _____

D.O.T. PROPER SHIPPING NAME AND UN OR NA NO. WITH PREFIX
HANDLE WITH CARE!

1992 Lab Safety Supply Inc., Janesville, WI 53547



HAZARDOUS WASTE
STATE AND FEDERAL LAW PROHIBITS IMPROPER DISPOSAL
IF FOUND, CONTACT THE NEAREST POLICE, OR PUBLIC SAFETY AUTHORITY OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY OR THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL

GENERATOR INFORMATION:
NAME _____
ADDRESS _____ PHONE _____
CITY _____ STATE _____ ZIP _____
EPA ID NO. _____ MANIFEST TRACKING NO. _____
EPA WASTE NO. _____ CA WASTE NO. _____ ACCUMULATION START DATE _____
CONTENTS, COMPOSITION: _____

PHYSICAL STATE: SOLID LIQUID OTHER _____

HAZARDOUS PROPERTIES: FLAMMABLE TOXIC CORROSIVE REACTIVE OTHER _____

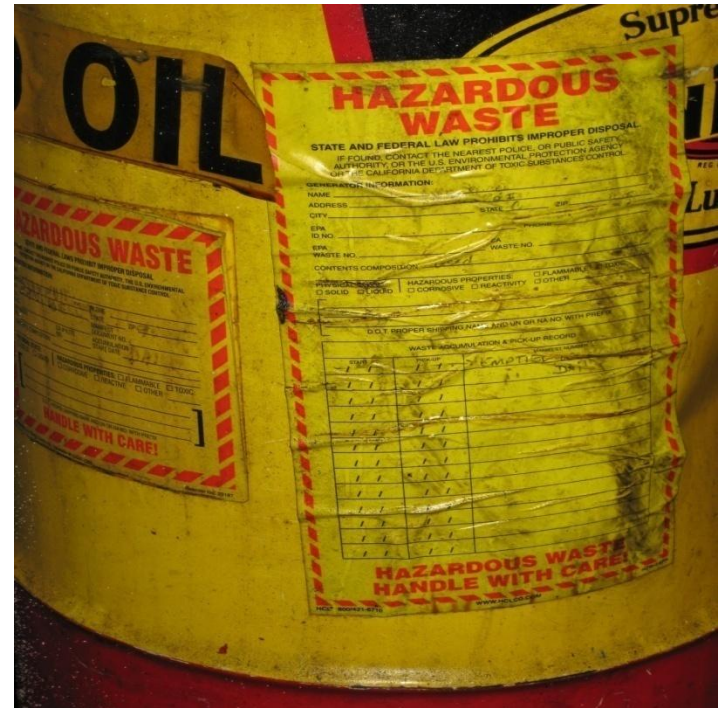
D.O.T. PROPER SHIPPING NAME AND UN OR NA NO. WITH PREFIX
HANDLE WITH CARE!

More special wastes

- Lead-Acid Batteries
 - Date the battery was generated or received.
Pallets should have DOT markings or labels
- Excluded Recyclable Materials
 - “Excluded Recyclable Materials”
- Laboratory Satellite Accumulation
 - “Hazardous Waste” + accumulation date + any other words that describe the waste

Used Oil

- The words “**USED OIL**” shall be clearly marked on:
 - Used oil **containers**
 - Used oil aboveground **tanks**
 - **Fill pipes** used to transfer used oil into an underground tank
- [§66279.21]**



Used oil and gasoline filters

[\$66266.130/HSC, §25250.22]



Types of Labeling

**EXCLUDED
RECYCLABLE MATERIAL**

HANDLE WITH CARE!

GENERATOR INFORMATION:
Name _____
Address _____ Phone _____
City _____ State _____ Zip _____
Contents _____

Hazardous Properties (Check all that apply)
 Toxic Corrosive Ignitable Reactive
 Other _____

Waste Form
 Solid Liquid Gas Sample Analysis # _____

Accumulation Start Date _____

HCL 800/421-6710 ERM-1



Empty
12/26/05

**UNIVERSAL
WASTE**

CONTENTS _____

ACCUMULATION START DATE _____

SHIPPER _____

ADDRESS _____

CITY, STATE, ZIP _____

HCL 800/421-6710 WWW.HCLCO.COM UWB-1

Empty Containers 22 CCR Section 66261.7

- **Empty containers previously holding hazardous wastes must meet the regulatory definition of empty before they are exempted from hazardous waste requirements (66261.7).**
- **“Empty”**
 - **All pourable/non-pourable material removed**
 - **If extremely hazardous, triple-rinsed**
- **If a container meets the “drip/dry” standard, the “empty” container may be managed as follows:**
- **A container of 5 gallons or smaller may be disposed in a non-hazardous landfill.**



Empty Containers-cont'd

- **A container larger than 5 gallons must be reclaimed for scrap value, reconditioned, remanufactured or refilled.**
- **Containers holding aerosols [Title 22 CCR §66261.7(m)] must be completely discharged of contents and propellant before disposed in a non-hazardous waste landfill.**
- **a container or inner liner that held an acute hazardous waste listed in Appendix D, one of the following is done:**
 - **it is triple rinsed**
 - **it is cleaned by another method identified through the literature or testing as achieving equivalent removal**
 - **the inner liner is removed.**

http://www.dtsc.ca.gov/HazardousWaste/upload/OAD_Containers_FS.pdf

Tank Standards

22 CCR , Chapter 15, Article 10 §66265.190, et. al.

- Applicability.
- Assessment of Existing Tank System's Integrity
- Design and Installation of New Tank Systems or Components.
- Containment and Detection of Releases.
- General Operating Requirements.
- Inspections.
- Response to Leaks or Spills and Disposition of Leaking or Unfit-for-Use Tank Systems.
- Closure and Post-Closure Care.
- Special Requirements for Ignitable or Reactive Wastes.
- Special Requirements for Incompatible Wastes.
- Waste Analysis and Trial Tests.
- Air Emission Standards.

Closer look at 262.34(d)(3) for tanks (SQGs): Subpart J (265.201):

- 40 CFR, §265.201 has special requirements
 - ✓ Daily inspection of overflow control, monitoring equipment data, level of waste in tank
 - ✓ Data gathered from monitoring equipment (e.g., pressure and temperature gauges) at least once each operating day
 - ✓ 2 feet freeboard on open-topped tanks and
 - ✓ Special rules for ignitable and reactive wastes
 - ✓ Weekly inspection of tank and surrounding area
 - ✓ Overflow control for continuous feed systems

SQGs (265.201(d)) for tanks with Secondary Containment:

✓ Must Inspect at Least Weekly

- SQG = accumulate between 100 and 1,000 kg/mo of hazardous waste in tanks or
- Tank systems that **have full secondary containment and**
 - Use **leak detection** equipment to alert, or
 - **Established workplace practices** to ensure leaks are promptly identified

✓ And retain records of inspections

SQGs Tank closures 265.201(f):

- ✓ Upon “closure” of the facility, remove all hazardous waste from:
 - ✓ tanks,
 - ✓ discharge control equipment, and
 - ✓ discharge confinement structures.

Additional SQGs Tank Requirements with Ignitable/Reactive Wastes 265.201(g) & (h)

- ✓ Must comply with the following special requirements for ignitable or reactive waste.
- ✓ Must comply with the following special requirements for incompatible wastes.

Tank System Documentations

- ✓ Diagram of secondary containment system
- ✓ Volume calculations.
- ✓ Statement of compatibility of waste with tank and coating.
- ✓ Certification from an independent California Registered Professional Engineer.
- ✓ Inspection logs (e.g., cathodic protection system, valves, overfill protection, throughput calculations).
- ✓ Annual integrity assessments, if tank system has no secondary containment.
- ✓ Testing and maintenance of equipment.
- ✓ Secondary containment certification
- ✓ Record of completed training of employees for tank management.
- ✓ A Contingency Plan that explains how to deal with emergencies involving tanks and their contents.

Written Inspection Schedule & Inspections [§66265.15]

- ✓ Tanks (DAILY) – required only of tanks holding hazardous waste -§66265.195
 - ✓ Looking for corrosion, releases, working condition, overflow, spill control and monitoring equipment
- ✓ Containers (WEEKLY) - required and must be inspected, but no log is required - §66265.174
- ✓ All containment should be examined too

Written Inspection Schedule & Inspections

[\$66265.15, §66265.32, §66265.33]

✓ Test and Maintain Emergency Equipment

✓ Eyewash stations

✓ Fire extinguishers

✓ Spill control equipment, etc.

Additional Documentations/Reports

- Contingency Plan
- Training Plan
- Biennial Report
- Waste Minimization Plan

Contingency Plan CCR 66265.52

- ❖ Required for ANY quantity of hazardous waste generated
- ❖ SQGs special posting
- ❖ Can be combined with Hazardous Materials Business Plan
- ❖ Should include:
 - ✓ Emergency Procedures
 - Fire, explosion, spills, floods, earthquakes
 - Coordination with emergency services
 - Internal communication
 - ✓ Emergency Equipment
 - ✓ Emergency Coordinators (2) and contact info
 - ✓ Evacuation Plan
 - ✓ Emergency plans, coordinators, equipments



Element of Contingency Plan

- ✓ Evacuation routes
- ✓ OES phone # (1-800-852-7250)
- ✓ Response to
 - ✓ Fire,
 - ✓ Explosions,
 - ✓ Releases
- ✓ Agreements with emergency responders
- ✓ Name, address, phone # of emergency contact
 - ✓ Home
 - ✓ Work
- ✓ Emergency equipment
 - ✓ List
 - ✓ Locations

SQG and CESQG rules

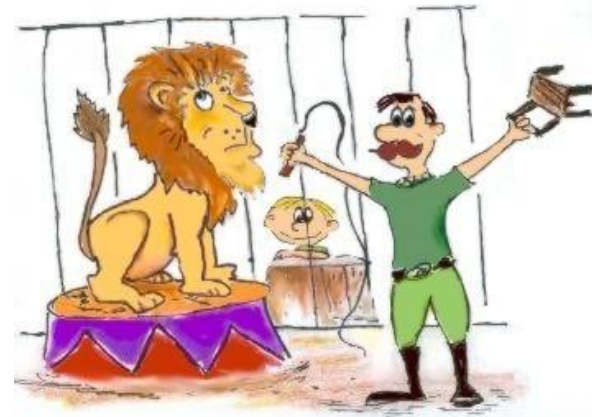
- Contingency Plan

- Post emergency number (911),
- Name of Emergency Coordinator
- Location of Emergency Equipment
- Next to the phone(s)

Training Plan [§66265.16]

- 3 Parts

- 1) Training Program - Written procedures with program elements
- 2) Initial and On-going training requirements
- 3) Recordkeeping



Training Plan CCR 66265.16:

- Conduct Classroom or On-The-Job Training (OJT)
- Directed by a Person trained in HW Management and ER procedures
- Designed to include procedures for:
 - Using, inspecting, repairing, and replacing Emergency and Monitoring Equipment
 - Key parameters for automatic waste feed cut-off system
 - Communication and alarm systems
 - Response to fires, explosions and groundwater contamination incidents
 - Shut-down of operations
- Complete training for new hires - **within 6 months**
 - **NO unsupervised work until completion of training**
- Plan needs to be relevant to the positions in which they are employed
- Special requirements for SQG & CESQG (**VSQG**).

Actual Training -

- Initial /Orientation Training on the procedures
 - HW Management Procedures
 - Contingency Plan Implementation
 - Emergency procedures, equipment, and systems
- “Annual refresher” or Continuing training
- Relevant to the employees’ job description

Record-keeping or Documentation

- Name of employee with Job Title
- Job Description associated with the Employees' Job Title
 - Requisite skills
 - Education
 - Other qualifications
 - Duties and Other Duties As Required
- Written description of relevant "Training Types"
 - Introductory
 - Continuing
 - Annual
 - Training matrix comes in handy for each job description

Training Plan-cont'd

- Under RCRA, SQGs need to train employees
 - Handling hazardous wastes during normal operations and
 - Thoroughly on emergencies procedures relevant to their job duties [40 CFR 262.16(b)(9)(iii)]
- *Documentation of training is not required, but it is a best management practice that can be used during an inspection to verify compliance.*

Training Plan – cont'd

- SQGs and CESQGs
 - **No written plan** is required.
 - Employees are to be **thoroughly familiar** with their roles in an emergency. **(interview employees)**

Biennial Report (CCR 66262.41)

- Federal requirement
- Applies to RCRA LQGs
- Due March 1, even numbered years
 - Accounting of all RCRA waste activities from 2011
 - Include generated and treated onsite and offsite recycling.
- Really a report of:
 - Type of wastes sent offsite by code
 - Quantities
 - Efforts/changes made to reduce volume and/or toxicity
 - Calendar years covered
- Submit online and print confirmation of submittal

http://www.dtsc.ca.gov/HazardousWaste/AnnualReports/Biennial_Reports.cfm

The Waste Reporting System (WRS)

The Waste Reporting System (WRS) is designed for hazardous waste generators and facilities to enter and report their hazardous waste activities for the Annual Facility Report or Biennial Hazardous Waste Report. This system offers a quick and convenient way to file your Hazardous Waste Report.

Biennial Report

Federal regulations require large quantity generators to submit a report every two years regarding the nature, quantities and disposition of hazardous waste generated at their facility. The U.S. Environmental Protection Agency refers to this as the National Biennial RCRA Hazardous Waste Report or Biennial Report.

The Biennial Report must be submitted to DTSC by March 1 of every even-numbered year (for example, a report due by March 1, 2018, would report activities from calendar year 2017). The report includes information such as:

Facility's EPA ID Number,

Facility's name and address,

Quantity and nature of hazardous waste generated, and

Whether the hazardous waste was sent for recycling, treatment, storage, or disposal

SB14/Waste Minimization

- Pollution Prevention and Hazardous Waste Source Reduction & Management Review Act- **Amended June 27, 2012**
- Formal plan and report regarding waste minimization
- For generators of >12,000 kg/year
 - Does not include such wastes as used oil, automotive fluids, universal waste
- Plan was due September 1, for the calendar year 1991 and every 4 years thereafter
- <http://www.dtsc.ca.gov/PollutionPrevention/SB14/SB14SourceReduction.cfm>

SB14/Waste Minimization

- SB 14 applies to generators who *routinely generate* >12,000 kg haz waste or >12 kg extremely hazardous waste during a calendar *year*

12,000 kg = 26,400 lbs
= 13.2 tons
= 3,165 gallons

Note: 12 kg = 26.4 lbs = 3.2 gallons

Some excluded hazardous wastes and activities
[22 CCR, 67100.2]

Compliance With SB 14 Means...

- Conduct source reduction evaluation for **calendar year 2018**
- Complete a Source Reduction Evaluation Review and Plan (Plan) **Plans and Projections for next 4 years.**
 - Checklist alternative for small businesses
- Complete a Hazardous Waste Management Performance Report (Performance Report) **accomplishments from previous 4 years.**
 - USEPA biennial generator report for small businesses
- Complete a Summary Progress Report (SPR) – due on or before September 1, at your site

Compliance With SB 14 Means...

- Report remains on-site for inspection unless requested by DTSC or EPA or CUPA

Other Waste Minimization Requirements

- **SQG** (Annual **Waste Minimization Certification** Statement on good faith efforts to reduce quantity and toxicity of HW) [T22,CCR,66262.27 (b)]
- **LQG** (Annual **Waste Minimization Certification** statement of program in place to reduce quantity and toxicity of HW) [T22,CCR,66262.27 (a)]
- **LQG** (Biennial Report certification for description of the efforts undertaken during the year to reduce the volume and toxicity of waste generated, and of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years [T22, CCR, 66262.41(b)(6) &(7)]
- **Generator uses the Consolidated manifest** – Certification that it has established a program to reduce the volume or quantity and toxicity of the hazardous waste to the degree, as determined by the generator, to be economically practicable [HSC 25160.2(b)(4)(H)]
- **Generator treats onsite under Conditional authorization (CA)**- Annual Certification [HSC 25200.3(c)(2) &25202.9]
- **Generator treats onsite Permit by Rule (PBR)**-Certification [T22, CCR, 66262.45(c)]

Recordkeeping Requirements (§66262.40)

The following must be maintained for a period of 3 years.

- 1.UHW Manifest from the date the waste was accepted by the initial transporter.
- 2.Biennial Report
- 3.Exception Report
- 4.Any test results, waste analyses, or other determinations made in accordance with §66262.11

Note: Time periods are extended automatically during the course of any enforcement action.

Closure

• Closure performance standard §66265.111

1. Minimize the need for further maintenance
2. Control, minimize or eliminate, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated rainfall or run-off, or waste decomposition products to the ground or surface waters or to the atmosphere, and
3. Comply with the closure requirements of this chapter including, but not limited to, the requirements of section 66265.197

• Disposal or decontamination of equipment, structures and soils. §66265.114

<http://www.dtsc.ca.gov/HazardousWaste/upload/closure-reqmts-gen-tpf.pdf>

Special Management Standards For Specific Hazardous Wastes

- Hazardous Waste Fuels (22CCR, Chapter 16)
- Used Oil (HSC Article 13 § 25250 et al.)
- Used Oil Filters (§ 66266.130)
- Waste Elemental Mercury (§66266.130)
- Auto Shredder Wastes (§ 25143.6)
- Prohibited Chemicals (Article 10. §25210-25210.1)
- Management of Perchlorate (Article 10.01.§25210.5-25210.7)
- Lighting Toxic Reductions (Article 10.02. § 25210.9-25210.12)
- Management of Hazardous Wastes Removed From Discarded Appliances (Article 10.1. § 25211-25214)
- Lead-Containing Jewelry (Article 10.1.1 §25214.4.3)
- Lead Plumbing Monitoring and Compliance Testing (Article 10.1.2)

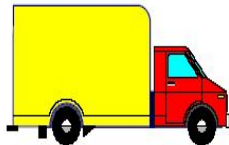
Special Management Standards For Specific Hazardous Wastes-cont'd

- Motor Vehicle Switches (Article 10.2 § 25214.5-25214.8)
- Mercury-Added Thermostats, Relays, Switches, and Measuring Devices (Article 10.2.1 § 25214.8.1-25214.8.2)
- Electronic Waste (Article 10.3 § 25214.9-25214.10.2)
- Toxics in Packaging Prevention Act (Article 10.4. § 25214.11-25214.21)
- Management of Lead Acid Batteries (Article 10.5. § 25215-25215.5 & § 66266.80-81)
- Management of Small Household Batteries (Article 10.6. § 25216-25216.3)
- Recyclable Latex Paint (Article 10.7 § 25217-25217.4)
- Universal wastes (T22, CCR, Chapter 23)

BREAK

How Should I Manage My Hazardous Waste For Proper Transportation?

- ✓ Have an EPA I.D. Number
- ✓ Package, label, and mark all containers in accordance with DOT regulations
- ✓ Use a hazardous waste transporter registered with DTSC **[916-255-4368]**
- ✓ Verify driver license class
- ✓ Ensure that your waste is delivered to a permitted facility or authorized recycler [Check the DTSC web site]
- ✓ <https://hwts.dtsc.ca.gov/transporters/>
- ✓ Use a UHW Manifest
- ✓ Provide any Land Disposal Restriction (LDR) documentations
- ✓ Submit Generator copy of manifest to DTSC. Submit TSDf signed copy if TSDf is out of state



The Haz Waste Manifest (§66262.23)

- Used for shipping all waste not eligible for consolidated manifest
- You end up with 2 copies
 - “Generator Initial” (proof of shipment)
 - “Designated Facility to Generator (proof of receipt)
- Suggest you staple together once you get the “designated facility to generator” copy
- You need to make a **legible** copy of “Generator Initial” copy and send to DTSC

Uniform Hazardous Waste Manifest

Form Approved OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number: **CAD009134438**

2. Page 1 of 2

3. Emergency Response Phone: **1-800-424-9300**

4. Manifest Tracking Number: **010832337 JJK**

5. Generator's Name and Mailing Address: **CARGILL-NEWARK
7220 CENTRAL AVE
NEWARK, CA 94580
510-709-5823**

6. Generator's Phone: **510-709-5823**

7. Transporter 1 Company Name: **Evergreen Environmental Services**

8. Transporter 2 Company Name: **21st Century Environmental Management of CA LP**

9. Designated Facility Name and Site Address: **Environmental Management of Nevada
Lands Drive East
89408**

10. Generator's/Officer's Certification: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/carcards, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the waste manifest/statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

11. Total Quantity: **015 P**

12. Unit: **P**

13. Waste Codes: **D002**

14. Special Handling Instructions and Additional Information: **Profile #16030-00, ERG#154 1X10Gwt, CAE-101 POH43159**

15. Generator's/Officer's Printed/Typed Name: **David Montelano**

16. International Shipments: Import to U.S. Export from U.S. Port of entry/exit: **4/24/13** Date leaving U.S.:

17. Transporter Acknowledgment of Receipt of Materials: Transporter 1 Printed/Typed Name: **Malcolm Smith** Signature: **Malcolm Smith** Month/Day/Year: **14/24/13** Transporter 2 Printed/Typed Name: **Jesus Garcia** Signature: **Jesus Garcia** Month/Day/Year: **05/10/13**

18a. Discrepancy Indication Space: Quantity Type Residue Partial Rejection Full Rejection

18b. Alternate Facility (or Generator): Manifest Reference Number: U.S. EPA ID Number:

18c. Signature of Alternate Facility (or Generator): Month/Day/Year:

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems):

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a: Printed/Typed Name: Signature: Month/Day/Year:

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

- ✓ Generator EPA ID Number
- ✓ Page Numbers (all pages)
- ✓ Emergency Response Telephone #
- ✓ Manifest Tracking Number
- ✓ Generator / Transporter Info & EPA #s
- ✓ HW Shipping Descriptions
- ✓ HW – Quantity & Type of Containers
- ✓ HW – Total Quantity
- ✓ HW – Unit of Measurement
- ✓ HW – Waste Codes
- ✓ Signatures / Dates by Generator & Transporter



172.205 CFR49

Hazardous Waste Manifest (Cont...)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number CAD009134438	2. Page 1 of 12	3. Emergency Response Phone 1-800-424-9300	4. Manifest Tracking Number 010832337 JJK	
5. Generator's Name and Mailing Address CARGILL-NEWARK 7220 CENTRAL AVE			Generator's Site Address (if different than mailing address)			
Generator's Phone: [Redacted]			U.S. EPA ID Number CAD082413202			
6. Transporter's Company Name Evergreen Environm			U.S. EPA ID Number CAD00210617			
7. Transporter 21 Environmental Management of CA LP			U.S. EPA ID Number LLC			
8. Facility Name 2000 NEWBORN DRIVE EAST			U.S. EPA ID Number NVD080895338			
Facility's Phone: [Redacted]						
9a. HM#	9b. U.S. DOT Description (including Proper Shipping Name and Packing Group (if any))	No.	Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
X	UN1744 WASTE BROMINE, 8.0.1, PG II (Bromine and Water)	001	PM	015	P	651 D002
2.						
3.						
4.						
14. Special Handling Instructions and Additional Information 9b1) Profile #16030-00, ERG#154 1X106#1 CAR-101 POH43159						
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.						
Generator's/Offeror's Printed/Typed Name DAVID MONTELANO			Signature <i>[Signature]</i>			
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S.			Port of entry/exit: Date leaving U.S.:			
17. Transporter Acknowledgment of Receipt of Materials						
Transporter 1 Printed/Typed Name Malcolm Smith			Signature <i>[Signature]</i>			
Transporter 2 Printed/Typed Name Jesus Garcia			Signature <i>[Signature]</i>			



Generator - Mailing Addresses

For ALL shipments mail legible copy to:

DTSC Generator Manifests

P.O. Box 400

Sacramento, CA 95812-0400

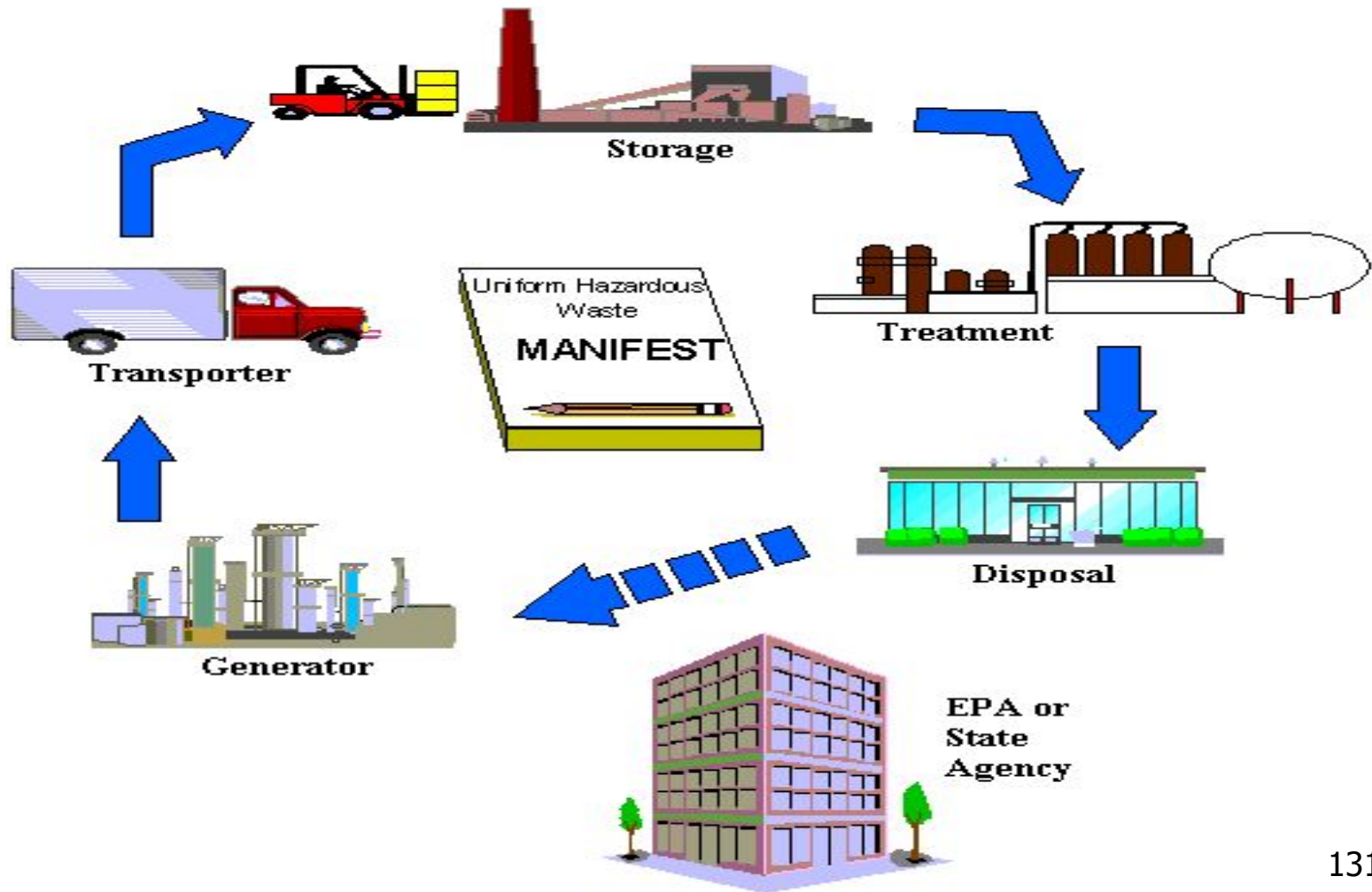
For REJECTED Shipments mail either top or second copy to:

DTSC Facility Manifests

P.O. Box 3000

Sacramento, CA 95812-3000

Manifest Distribution



UHW Manifests

- If you do not get the TSDF copy (proof of receipt) back within 30 days...
 - Contact the TSDF and determine status of waste
- If the copy is still not received..
 - For LQGs, by day 45, file ***“Exception Report”***
 - For SQGs/CESQGs by day 60, file ***“Exception Report”***

NOTE: ***“Exception Report”*** is a copy of the manifest shipped along with a cover letter explaining your efforts to get TSDF copy.

Bill of Lading & Modified Manifest

- Bill of Lading (BOL) like a manifest
 - Not as detailed (e.g., No waste codes, certifications)
 - Used for all hazardous materials (products)
 - Generally used for shipping excluded recyclable materials and lead-acid batteries, silver (headed to the refinery)
- Modified Manifest
 - Transporter picks up waste, leaves receipt for generator
 - Transporter will put their name as generator and transporter on actual manifest.

Bills of Lading

- Used for
 - Universal Waste (§66273.39)
 - Shop Rags (HSC, §25144.6)
 - Used oil and gasoline filters (headed to recycling) (§66266.130/§25250.22)
 - Auto type batteries (§66266.81)
 - Recyclable materials (ERMs) (HSC, §25143.2(f))
- No specific format

Consolidated Manifest Records

HSC, §25160.2 (for SQGs/CESQGs)

- You get a receipt showing your name, your ID #, what you shipped, how much, and to where you shipped
- The transporter will still use a Hazardous Waste Manifest (i.e. the consolidated manifest).
- The transporter is listed as the generator on consolidated manifests and is responsible for distributing, tracking, and maintaining manifest records.
- **Used for specific waste streams**, provided the waste is a non-RCRA waste (i.e. waste not regulated by Federal law) or it is not required per RCRA to be manifested (e.g. waste generated by a CESQG).

What Is A Consolidated Manifest? Per HSC 25160.2

- **Allows transporter to pick up wastes from many generators with the use of only one manifest per day per driver. (i.e., MILK-RUN)**
- **Transporter requirements:**
 - ✓ *Submit a completed notification form to DTSC and receive the acknowledgement, which must be in the vehicle when transporting hazardous waste, per Consolidated Manifest requirements.*
 - ✓ *Transporters must also submit quarterly reports to DTSC.*
 - ✓ *Transport vehicle is owned and operated by the reclaimer and the reclaimed material must be returned to the same generator. (RCRA = "tolling agreement".)*
- **Generator requirements:**
 - *<1000 kg/month CESQG (VSQG) and SQG*
 - *Reclaim their waste under a contractual, reclamation agreement*
 - *No generator volume limit for used oil and contents of oil/water separation*
- **Note:** Generators & Reclaimers Must keep copies of agreement for 3 years after contract expires and copies of shipping papers for 3 years from date of shipment

Consolidated Manifests Waste Streams

HSC, §25160.2(c)(2)

The waste streams listed below may be shipped on a consolidated manifest by the following facilities:

- Used Oil (No volume limit)
- The contents of an oil/water separator (No volume limit)
- Solids contaminated with used oil
- Brake fluid
- Antifreeze
- Antifreeze sludge
- Parts cleaning solvents, including aqueous cleaning solvents
- Hydroxide sludge contaminated solely with metals from a wastewater treatment process
- "Paint-related" wastes
- Spent photographic solutions
- Dry cleaning solvents, including perchloroethylene, naphtha, and silicone-based solvents
- Filters, lint, and sludges contaminated with dry cleaning solvent
- Asbestos-containing materials
- Inks from the printing industry
- Chemicals and lab packs from K-12 schools
- Absorbents contaminated with other wastes listed above
- Filters from dispensing pumps for diesel and gasoline fuels
- Disabled vehicle wastes

10+1 Common Manifest Errors

- 1) Incorrect, invalid or inactive generator ID number.
- 2) Incorrect, invalid or inactive transporter ID number.
- 3) Failure to verify ALL information on a pre-printed manifest at shipment.
- 4) Failure to delete entire pre-printed information for waste not shipped.
- 5) Incorrect or incomplete container, total quantity and/or unit weight information.
- 6) Incorrect or incomplete waste codes.
- 7) Failure to sign and/or date the manifest.
- 8) Incorrect or incomplete dates; past dates or future dates.
- 9) Transporter 1 signs in transporter 2 signature line.
- 10) Failure to submit a legible copy.

10+1 Common Manifest Errors

1. The generator fails to submit an Exception Report to DTSC, when a signed facility copy is not received by the generator within 45 days of the date the waste was accepted

Who's Responsible for Completing the Manifest?

All parties must:

1. Sign and date the manifest
2. Check for accuracy and consistency in volumes and/or quantities
3. Verify names are legible, printed or typed, next to the signature

LDR - Land Disposal Restriction

22 CCR Chapter 18

- Two parts
 1. Notification-- tells the TSDF that a treatment standard exists or that it is prohibited
 2. Certification-- tells the TSDF that the waste being sent meets the treatment standard
- Must be kept 3 years
- What's prohibited-liquid wastes
- For routinely generated wastes, one LDR with the initial load if no changes to the waste stream and is sent to the same TSDF

BREAK

Recycling

HSC Section 25143.2 et seq.

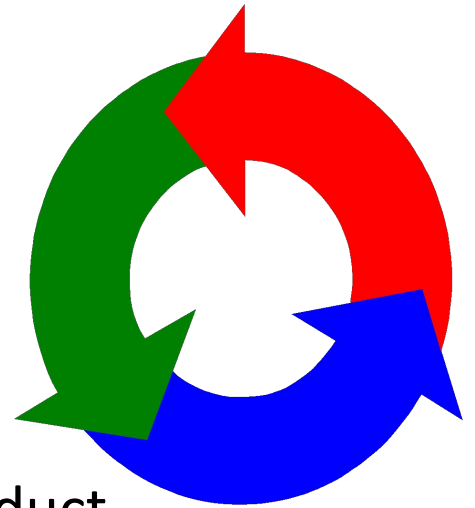
- Used, reused or reclaimed

- Reused

- an ingredient in a process to make a product
 - a substitute for a commercial product

- Reclaimed

- processed to recover a usable product or regenerated
 - Examples: distilling solvents to regenerate them, fortifying acid baths, smelting metals, breaking lead-acid batteries to separate the lead plates.



Recycling

Recycling generally takes the form of one of three exclusions or exemptions:

- **25143.2. (a)** **Recyclable materials** are subject to this chapter and the regulations adopted by the department to implement this chapter that apply to hazardous wastes, unless the department issues a variance pursuant to Section **25143**, or except as provided otherwise in subdivision **(b), (c), or (d)** or in the regulations adopted by the department pursuant to Sections 25150 and 25151.
- **25143.2(b)** **Exclusion** from definition of waste and apply to both RCRA & non-RCRA wastes
- **25143.2 (c)**- **Exemption** from permit requirement and applies to both RCRA and non-RCRA wastes
- **25143.2(d)**- **Exclusion** applies only to non-RCRA wastes

Recycling

- **HSC 25143.2 (b)**: a direct copy of the federal direct use or reuse exclusions (40 CFR 261.2(e)(i), 261.2(e)(ii), and 261.2(e)(iii)).
 - Ingredient in process without **reclamation** OR
 - Substitute for commercial product without **reclamation** OR
 - Returned to original process as feedstock without **reclamation**
- **HSC 25143(c)** contains two exemptions from facility permitting requirements [not exclusions from the definition of waste as in (b) and (d)].
 - (c)(1) applies to cokers at refineries
 - (c)(2) applies to all recyclable materials that recycled and reused onsite, provided the generator standards are met: *recycled where it was generated AND within accumulation time limits AND handled like a hazardous waste*
- **HSC 25143.2(d)**: This section contains seven exclusions from the definition of “waste.”
 - used at site which generated OR
 - ingredient in process to make a product OR
 - substitute for commercial product

Recycling

- Excluded materials from HSC 25143.2 (b) and (d) must meet conditions in 25143.9:
 - If held onsite, must label and placard with words “Excluded recyclable material”
 - Must have an up to date Contingency Plan which addresses the material
 - Stored in accordance with local ordinance regarding storage of hazardous materials

HSC 25143.2(e) says even if (b), (c) or (d) applied:

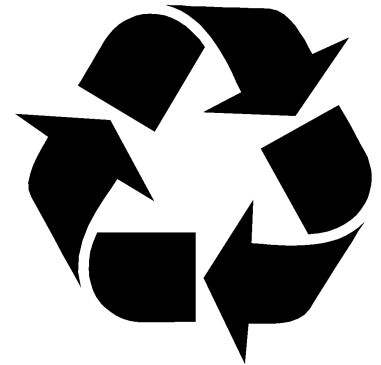
- *No disposal to land, including as an ingredient in the manufacture of fertilizer*
- *No burning for energy recovery*
- *no speculative accumulation (>1 yr, use < 75%)*

Recycling Records

- Any person managing a recyclable material under a claim to an exclusion or exemption must provide, upon request, to DTSC, U.S. EPA, or a CUPA the name, address, and telephone number of any facility managing the material, and any other information requested, related the management of the recyclable material.
- UPCF form reporting requirements to CUPAs
 - those that recycle onsite >100 kg/mo, includes description of types & constituents
 - those that accept & recycle offsite waste >100 kg/mo
- Any person claiming an exclusion or exemption must maintain adequate records to demonstrate there is a known market or disposition for the material, and that the requirements of the exclusion or exemption are met.
- Recyclable materials excluded from classification as a waste pursuant to section 25143.2 are not excluded from the definition of hazardous substances in subdivision (g) of Section 25316.

Recyclable Materials Report

- For businesses that recycle over 100 kg of waste in any month ONSITE
- Submit online on **CERS**
- Report notes
 - general description of the recycled material
 - process using the material
 - basis for claiming exemption
 - constituents of the material



What If I Want To Treat My Hazardous Waste Onsite?

Treatment: Defined in *HSC, Sections 25123.5 and 25179.2(e)*

Does it **change** the physical, chemical or biological character or composition and by that change **make it less** hazardous or non-hazardous or easier to dispose?

- **If you treat your hazardous waste at your shop (onsite treatment), you must have approval (permit or grant of authorization) from your local Certified Unified Program Agency (CUPA) or DTSC.**
- **If you are authorized and treat your hazardous waste onsite into a non-hazardous waste, it may be disposed of to the sewer upon approval of your local sewer agency.**
 - **Note: Permit/authorization is still required**

What If I Want To Treat My Hazardous Waste Onsite?

Treatment: Defined in *HSC, Sections 25123.5 and 25179.2(e)*

- Common activities:
 - Neutralization of acidic, alkaline wastewater
 - Some oil/water separators
 - Gravity separation

Permitting Tiers

1. Full Permit

Title 22, California Code of Regulations, Chapters 14 and 20

2. Standardized Permit

Health & Safety Code, Section 25201.6

3. Permit By Rule (PBR)

Title 22, California Code of Regulations, Chapter 45, Section 67450

4. Conditional Authorization (CA)

Health & Safety Code, Section 25200.3

5. Conditionally Exempt (CE)

Health & Safety Code, Sections 25200.1.5, 25201.14, and 25144.6(c)

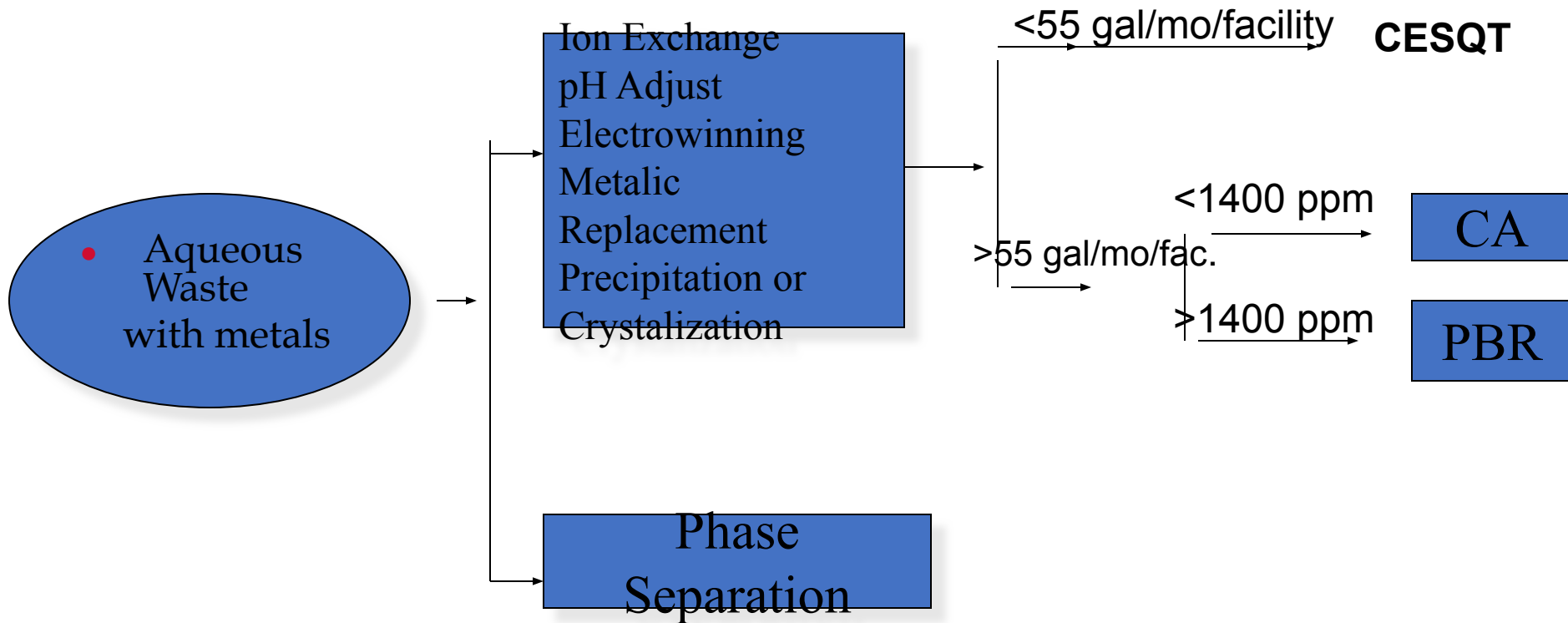
- CE Specified wastestreams (CESW)
- CE Small Quantity Treater (CESQT)
- CE Limited (CEL)
- CE Commercial Laundry (CECL)

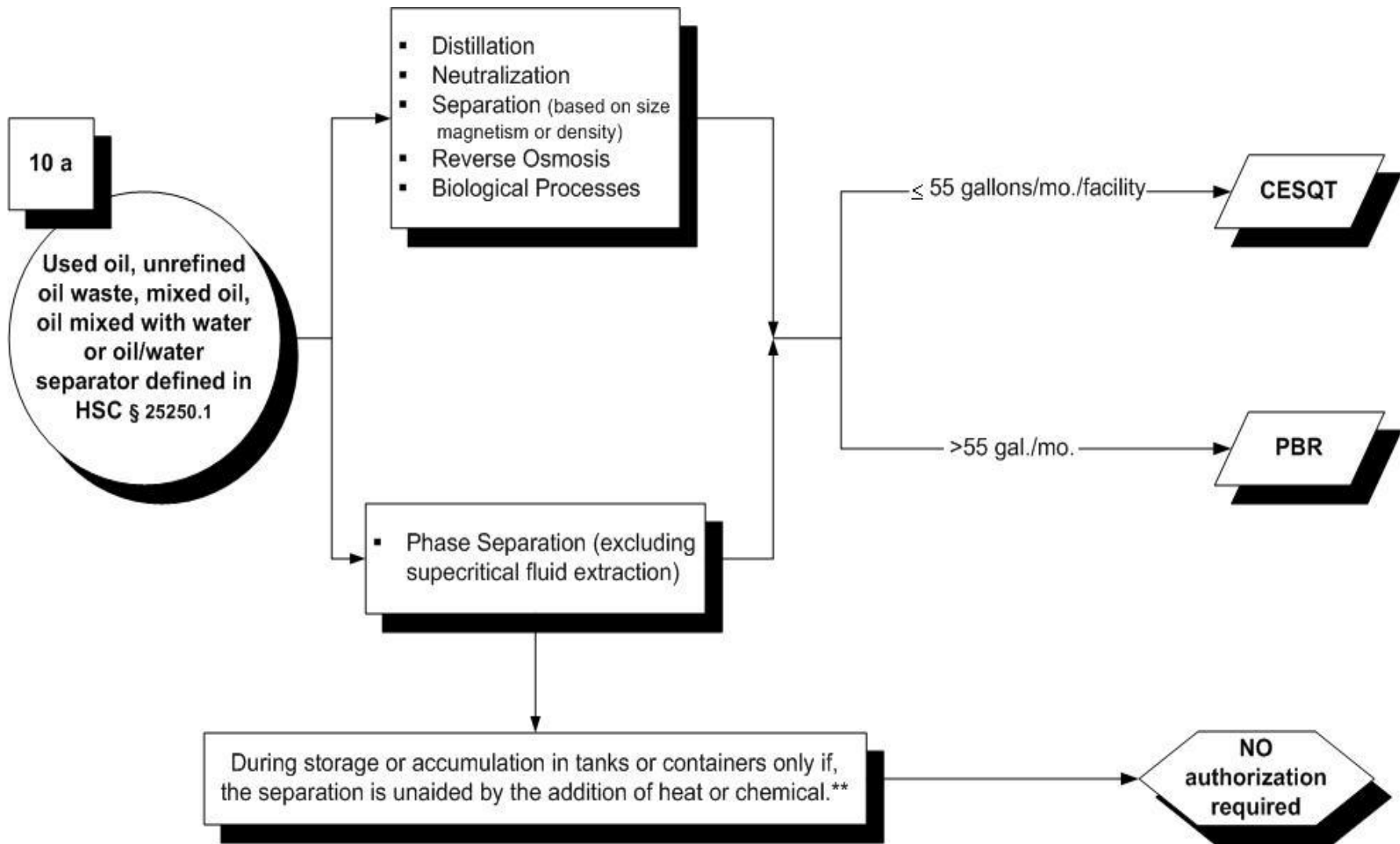
USE TP FLOWCHART TO FIND TIER!!

What Requirements Do Generators Have To Treat Hazardous Waste Under Lower Three Tiers?

- ✓ Onsite waste
- ✓ No RCRA permit
- ✓ Eligible wastestreams
- ✓ No reactive or EH wastes
- ✓ Eligible treatment
- ✓ Specified treatment
- ✓ In tanks/containers
- ✓ Notification and fees
- ✓ Generator requirements
- ✓ Air emissions requirements

Tier Determination: Flowchart





**Closed except adding/removing (T22, § 66265.173)

Different Operating Rules

•CE:

- Generator requirements plus only treat in containers or tanks,
- Notify CUPA,
- Keep logs of inspections and treatment,
- Write treatment operating instructions,
- Close properly, and notify CUPA when closing.

•CA: CE rules plus --

- Financial Assurance for Closure
- Corrective Action-HSC 25205.14
 - Phase I Environmental Assessment + Cleanup

•PBR: CA +

- Written closure plan
- Unit (s) identification & marking
- PE certification of closure

http://www.dtsc.ca.gov/database/Publications/pub_index.cfm

California UWR - Wastes

- (1) Batteries
- (2) Electronic devices
- (3) Mercury-containing equipment
- (4) Lamps (including, but not limited to, M003 wastes)
- (5) Cathode ray tubes
- (6) Cathode ray tube glass
- (7) Aerosol cans, as specified in Health and Safety Code section 25201.16.

What Is The Universal Waste Rule?

1. Special management standards - separate from the general hazardous waste standards
2. For “universally” generated hazardous wastes rather than industrial hazardous wastes
3. Universal wastes are different in:
 - Quantity generated (high)
 - Number of generators (almost everyone)
 - Potential for harm
4. Protective of public health and the environment
5. Cost Effective

California UWR - General

Universal wastes are:

- Wastes – they are discarded by disposal or being recycled [*Definition of Waste: HSC, section 25124*]
- Hazardous wastes – they:
 - Are listed as hazardous wastes [22 CCR section 66261.9] or
 - Exhibit a characteristic of a hazardous waste [22 CCR section 66261.20 et seq.]
- Designated as universal wastes in regulations or statute

Universal Waste Regulations and Statutes

- **Universal Waste Regulations:**

- Title 22, California Code of Regulations, Chapter 23 (section 66273.1 *et seq.*)
- Article 1. General
- Article 3. Standards for Universal Waste Handlers
- Article 4. Export and Import Requirements
- Article 5. Standards for Universal Waste Transporters
- Article 6. Standards for Destination Facilities
- Article 7. Authorization Requirements for Universal Waste Handlers Who Treat Universal Wastes
- Article 8. Requirements for the Disposal of CRT Panel Glass

State law

- **Aerosol cans:** Health and Safety Code section 25201.16
- **Mercury Containing Motor Vehicle Light Switches:** Health and Safety Code Article 10.2, sections 25214.5-8
- **Mercury-Added Thermostats, Relays, Switches, and Measuring Devices** Health and Safety Code Article 10.2.1

California UWR - Standards

1. Handlers

- Generators-The person that decides to discard the universal waste [Households, Businesses, organizations, load check programs]
- Intermediate accumulation facilities [Household hazardous waste collection centers, Commercial universal waste collection firm, Lighting contractors, Load check program storage area]
 - Special rules for Aerosol Cans
 - Special rules for Electronic Devices
 - Special rules for CRT Materials

3. Transporters

3. Destination facilities

- Hazardous waste disposal facilities
- Hazardous waste recycling facilities

California UWR– Standards

- Prohibitions
- Notification
- Waste Management
- Labeling/Marking
- Accumulation Time Limits
- Training
- Response to Releases
- Offsite Shipments
- Tracking Shipments
- Exports

Standards for UW Handlers

- **Prohibitions:**

- Do not dispose (directly to land or trash)
- Do not treat, except as allowed in the UWR

Standard Requirements- Universal Waste Handler

✓ Notifications/Reporting to DTSC

- Before accumulating 11,000lbs of universal waste, must obtain either:
 - US EPA ID# - RCRA Hazardous Waste
 - CAL EPA ID# - non-RCRA Hazardous Waste
 - ✓ Form 1358
- One time notification, per site (location)
- No additional Notifications/Reporting for universal waste except for **E-waste**

Standards for UW Handlers

- **Waste management** Most universal wastes must be destined for an authorized recycling facility or be handled as a hazardous waste
 - Properly contain wastes
 - Prevent any releases
 - Clean up releases, properly manage residuals
 - Treat only as allowed for specific types of universal waste
 - Offsite shipment only to a UWH or a Destination Facility

Standards for UW Handlers

- **Waste management: allowed treatment**
 - **Batteries**: Sorting, mixing, discharging, disassembling battery packs, removing, regenerating, draining electrolyte
 - **Thermostats**: Removing ampoules
 - **Mercury switches**: Removing from vehicles/products
 - **Thermometers**: None
 - **Aerosol cans**: Puncturing and draining – only on-site or by a household hazardous waste collection facility [**more later**]
 - **Pressure/vacuum gauges**: Onsite draining

Standards for UW Handlers

- **Waste management: allowed treatment**
 - **Novelties**: Removal of mercury batteries and switches
 - **Counterweights/dampers**: None
 - **Dilators and weighted tubing**: None
 - **Flooring**: Removal
 - **Gas flow regulators**: Removal
 - **Electronic devices**: Disassembly; Crushing, breaking, screening, separation by size
 - **CRT materials**: Crushing, breaking, disassembly, screening, separation by size

Standards for UW Handlers

Treatment of UW Lamps

- (1) Only removal from a product or structure “in a manner designed to prevent breakage”
- (2) Crushing is considered treatment requires a Standardized Permit
- (3) Crushed lamps are not universal waste

Mercury Lamp Disposal Training

NOTE: Broken lamps may be managed as universal waste provided they are repackaged in a closed, structurally sound, compatible container that is in good condition.



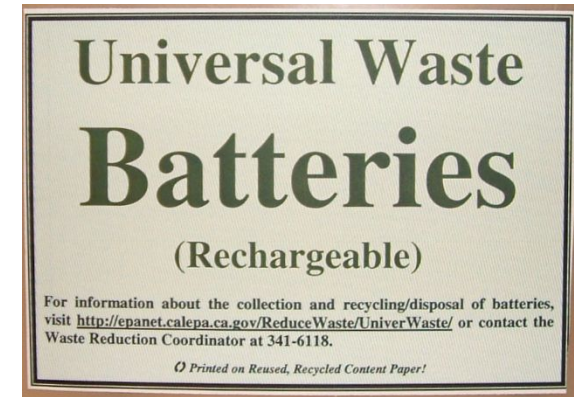
Standards for UW Handlers

- **Labeling/marking**

- Use required labeling language
“Universal Waste _____”

- **Accumulation Time Limits**

- One year
- Document the accumulation start date
 - Labels on containers
 - Labels on individual wastes
 - Inventory system
 - Label near universal waste



UW Personnel Training

- One standard for all handlers
 - Includes who will be trained, content of training, frequency, and documentation
 - Applies to “personnel,” not “employees”
 - Different requirements for personnel who generate universal waste and those who receive it from offsite sources

Personnel Training

- ❑ Handlers must train all personnel annually
 - ✓ Including hazards associated, location of storage containers, responding to releases, additional requirements for handlers (labeling, accumulation limits, etc.)
- ❑ Included all personnel (not just employees) who handle universal waste from offsite
- ❑ Maintain records of training (3 years)
 - ✓ Including names, date of training, etc.

Respond to Releases

- Immediately respond
- Determine if residuals are hazardous waste
- Residual hazardous wastes from universal waste may be managed as universal wastes if segregated and properly contained (repackaged)

Standard Requirements- Universal Waste Handler

✓ Off-site Shipment

- Only send universal waste to another universal waste handler, destination facility or foreign destination
- Comply with applicable DOT regulations when transporting
- Ensure receiving handler, destination facility or foreign destination agrees to accept

Note: You're responsible for shipments that are declined.

Standard Requirements- Universal Waste Handler

✓ Tracking Shipments

Keep record of shipments received/sent using log, manifest, bill of lading, etc.

✓ Included name, quantities, address, date received

✓ Use only “household” or “CESQUWG” instead of name and address for these entities

✓ Keep on-site for at least **3 years**

(Additional) Standard Requirements for E-Waste

✓ **Universal Waste Handler** (generating on-site only):

- Over 11,000lbs of e-waste
 - ✓ Submit annual report to DTSC (Feb 1)

✓ **Universal Waste Handler** (accepting off-site)

- Notify DTSC 30 days before collecting e waste at any location (including collection events)
- Submit annual report to DTSC by Feb 1, for the last years activity for each location that accepts over 220 lbs of e waste
- Notify DTSC 60 days before exporting (additional requirements for CRTs, CRT devices, CEDs)

Inspections? You Bet!!!

- To assure that the law and regulations are being followed properly.
- To assure that the treatment, storage, disposal, generation and transportation of hazardous waste are being properly maintained and managed.
- To evaluate the adequacy of the enforcement agency inspection & enforcement program.
- Different types of inspections have different purposes (e.g., complaint, sampling, permitting, groundwater monitoring, etc.).

What Will The Inspector Check?

- ✓ Shipping documents
- ✓ Inspection logs
- ✓ Waste determination
- ✓ Labeling and accumulation time
- ✓ Contingency plan
- ✓ Training records
- ✓ Annual/Biennial Reports
- ✓ Container/Tank management
- ✓ Operating records
- ✓ SB 14/Waste Min. program
- ✓ Recyclable Materials Report (UPCF) and related documentation
- ✓ Secondary containment
- ✓ Permit/Authorization
- ✓ Closure/Post-Closure
- ✓ Financial assurance documents
- \$Fee Payment**

What Are The Types Of Inspections?

- Routine Inspection - Checks all aspects of a facility's hazardous waste operations for compliance with all applicable regulatory requirements.
- Limited Inspection – Checks one or few aspects of a facility's operation.
- Complaint
- Search or inspection warrant
- Agency's initiative
- New regulated hazardous wastes
- Variance verification
- Land disposal restrictions
- Comprehensive groundwater monitoring evaluation
- Others

What To Do To Be Prepared For Inspection?

- Establish procedures for dealing with inspection
- Files review & control access
- Prepare the answers for any expected questions
- Coordination
- Utilize any available tools (e.g, checklist, guidance, policy)
- Know the applicable State law & regulations
- Know the inspector's role and responsibility
- Documentation of decisions/determination
- Prepare your questions/issues
- Don't let time drive you
- What do you want the inspector to see? (landscape, employees, clean site, etc.)

http://www.dtsc.ca.gov/HazardousWaste/Compliance_and_Enforcement.cfm#General_Information

What If The Inspector Find Violations?

- Types of violations (New, Reoccurring, Recalcitrant)
- Proving violations
- Summary of Violations (citation, description, actions to correct each violation, and time)
- Unresolved issues
- Corrected violations
- Minor Violations/Notice to Comply (25117.6, 25187.8)
- Inspection report [60 days-25185(c)(2)(A)]
- Operator's response
- Report of Violation

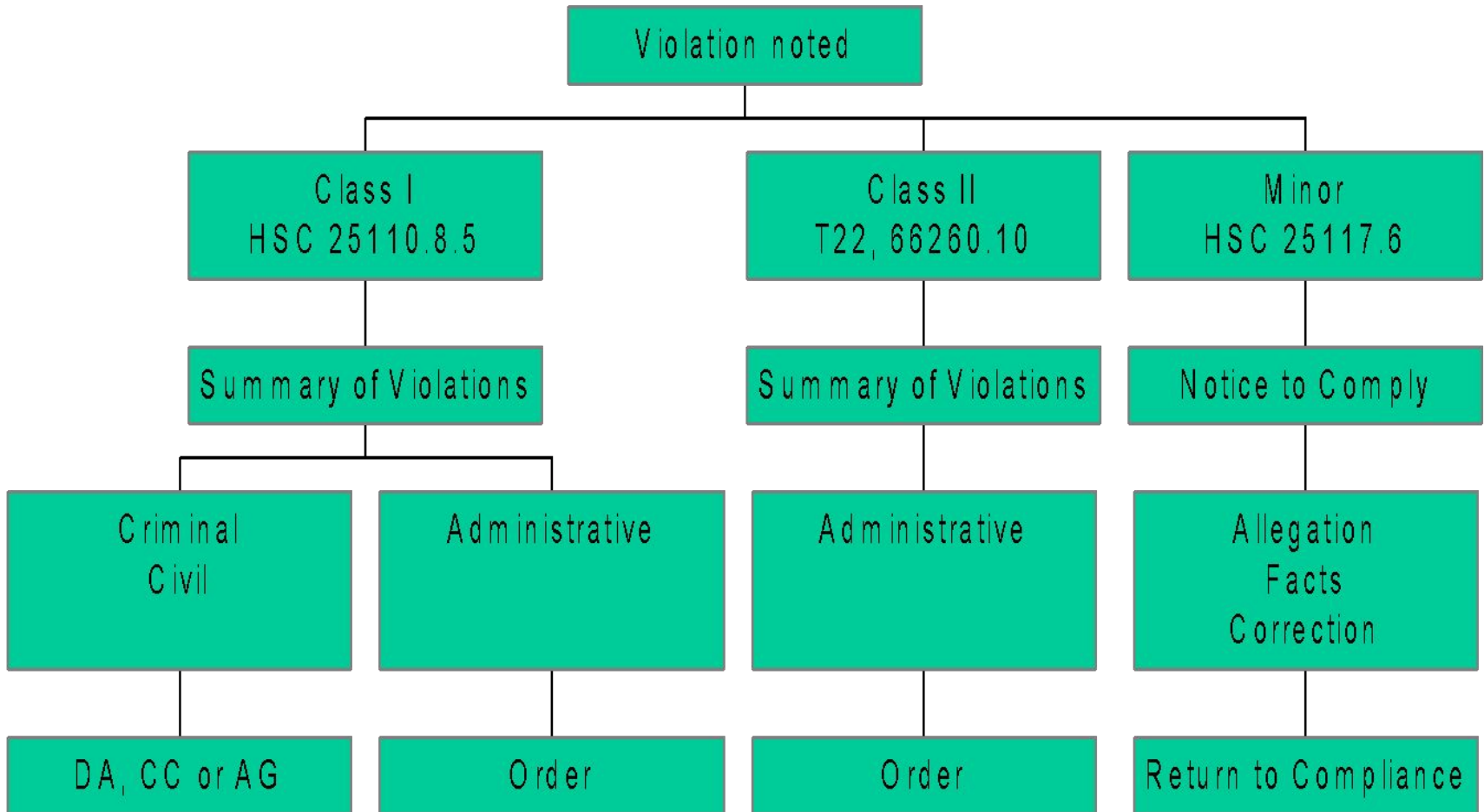
Types Of Violations

- Three different types or classes of violations
 1. Class I
 2. Class II
 3. Minor (a subset of Class II)
- The type of violation, in most respects, drives the type of enforcement

Health & Safety Code, 25189.2(c)

- A **person** who disposes, or causes the disposal of, **any hazardous or extremely hazardous waste at a point which is not authorized** according to the provisions of this chapter is liable for a civil penalty of not more than **seventy thousand dollars (\$70,000)** for each violation and may be ordered to disclose the fact of this violation or these violations to those persons as the court . . . may direct.
- **AB245 revised penalties from \$25K to \$70K**
 - effective January 1, 2018.

Enforcement Overview



Penalty Calculations For Administrative Actions

- **HSC, Section 25187(a)(1):** Authorizes the department and certain local agencies to impose a penalty for any violation of the Hazardous Waste Control Laws.
- Penalties are calculated using the procedure identified in title 22, CCR, Chapter 22, Article 3. Assessment of Administrative Penalties [Sections 66272.60 - 66272.69].

Factors For Penalty Calculations For Administrative Actions [HSC, 25187(a)(4)]

- Nature (i.e., Negligence or Willful)
- Circumstances
- Extent & gravity
- Violator's efforts to prevent, abate, or clean up conditions.
- Violator's ability to pay
- Others

Assessment of Administrative Penalties-Chapter 22/Article 3

- § 66272.60. Applicability.
- § 66272.61. Penalty Calculation.
- § 66272.62. Determining the Initial Penalty for Each Violation.
- § 66272.63. Initial Penalty Adjustment Factors.
- § 66272.64. Multiple Violations.
- § 66272.65. Multiday Violations.
- § 66272.66. Minor Violations Subject to a Penalty.
- § 66272.67. Base Penalty.
- § 66272.68. Adjustments to the Total Base Penalty.
- § 66272.69. Final Penalty.

Determination Of Initial Penalty Matrix (In Dollars) Section 66272.62

Determination of Initial Penalty Matrix (in dollars)

<i>Extent of Deviation</i>	<i>Potential Harm</i>		
	Major	Moderate	Minimal
Major	25,000 <u>70,000</u>	20,000 <u>56,000</u>	15,000 <u>42,000</u>
	(22,500) (63,000)	(17,500) (49,000)	(10,500) (29,400)
Moderate	20,000 <u>56,000</u>	15,000 <u>42,000</u>	6,000 <u>16,800</u>
	20,000 <u>56,000</u>	15,000 <u>42,000</u>	6,000 <u>16,800</u>
	(17,500) (49,000)	(10,500) (29,400)	(4,000) (11,200)
	15,000 <u>42,000</u>	6,000 <u>16,800</u>	2,000 <u>5,600</u>
Minimal	15,000 <u>42,000</u>	6,000 <u>16,800</u>	2,000 <u>5,600</u>
	(10,500) (29,400)	(4,000) (11,200)	(1,000) (2,800)
	6,000 <u>16,800</u>	2,000 <u>5,600</u>	0

Potential Harm of the Violation

- The categories for degree of potential harm are defined as follows:
- (A) Major -- The characteristics and/or amount of the substance involved present a major threat to human health or safety or the environment and the circumstances of the violation indicate a high potential for harm or, in the case of a violation of financial requirements, coverage is lacking or substantially below the required amount or it is certain or probable that the coverage would be absent or inadequate;
- (B) Moderate -- The characteristics and/or amount of the substance involved do not present a major threat to human health or safety or the environment, and the circumstances of the violation do not indicate a high potential for harm or, in the case of a violation of financial requirements, coverage is significantly below the required amount or it is possible that the coverage would be absent or inadequate;
- (C) Minimal -- The threat presented by the characteristics and the amount of the substance or by the circumstances of the violation are low or, in the case of a violation of financial requirements, coverage is slightly below the required amount or it is unlikely that the coverage would be absent or inadequate.

Potential Harm of the Violation-cont'd

In determining the degree of potential harm, the Enforcement Agency shall consider the following factors

- (A) The characteristics of the substance involved,
- (B) The amount of the substance involved,
- (C) The extent to which human life or health is threatened,
- (D) The extent to which animal life is threatened,
- (E) The extent to which the environment is threatened, and
- (F) The extent to which potable water supplies are threatened.

Extent of Deviation of the Violation

- The categories for extent of deviation from requirements are defined as follows:
- (A) Major -- The act deviates from the requirement to such an extent that the requirement is completely ignored and none of its provisions are complied with, or the function of the requirement is rendered ineffective because some of its provisions are not complied with.
- (B) Moderate -- The act deviates from the requirement, but it functions to some extent although not all of its important provisions are complied with.
- (C) Minimal -- The act deviates somewhat from the requirement. The requirement functions nearly as intended, but not as well as if all provisions had been met.

What Happens During An Enforcement Action?

DTSC and Respondent Negotiate.

- 1.If successful, settlement order signed or
- 2.If unsuccessful, case is filed and we go to hearing (either court or administrative)

Note: Majority of cases settle without formal proceeding (Court or OAH).

DTSC Enforcement Cases

- DTSC posts on its Web site key documents related to entities that manage hazardous waste (generators; transporters; facilities permitted with RCRA or standardized permits; and other authorizations and notifications).
- Check the Hazardous Waste Management Project documents list, Site Cleanup Project documents list, or EnviroStor
- <http://www.dtsc.ca.gov/EnforcementOrders.cfm>

Database Access

- Hazardous Waste Tracking System (HWTS)

http://hwts.dtsc.ca.gov/report_list.cfm

- EnviroStore

<http://www.envirostor.dtsc.ca.gov/public/>

Remember...

- It is illegal to throw hazardous waste away or pour hazardous waste down the sink, in the storm drain, or down the toilet.
- Just because you have shipped the hazardous waste off your site and it is no longer in your possession, your liability has not ended.
- You are potentially liable under Superfund for any mismanagement of your hazardous waste (e.g., illegal disposal to the sewer which could lead to ground water contamination)
- The Manifest will help you to track your waste during shipment and make sure it arrives at the proper destination.
- Reducing your hazardous waste means saving money on raw materials and reducing the costs to your business for managing and disposing of your hazardous wastes.

New Rules

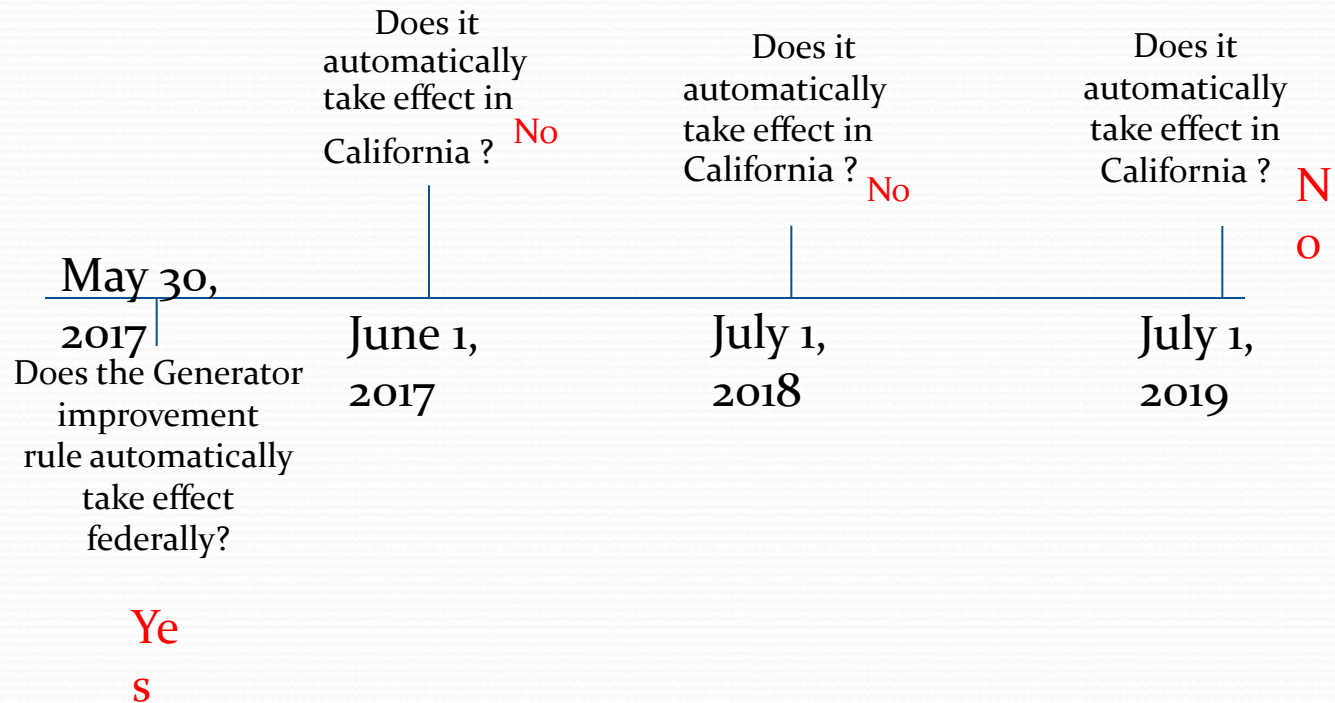
- [DTSC Final Regulations https://dtsc.ca.gov/dtsc-final-regulations/](https://dtsc.ca.gov/dtsc-final-regulations/)
- Environmental Fee- effective 02/13/2023
- Hazardous Waste Electronic Manifesting- effective 07/14/2022

- **DTSC Emergency Regulations:**
- <https://dtsc.ca.gov/dtsc-emergency-regulations/>
- [Conditional Exclusion for Chemically Treated Metal Shredder Residue Re-Adoption](#)
Effective Date: 06/06/2022
Expiration Date: 09/07/2022 (EXPIRED)
- [Addition to the List of Covered Electronic Devices in Chapter 11, Appendix X, Subsection \(C\)](#)
Effective Date: 12/20/21
Expiration Date: 12/21/23

DTSC Proposed Regulations

- [Nail Products Containing Toluene](#)
- [Listing Motor Vehicle Tires Containing N-\(1,3-Dimethylbutyl\)-N'-phenyl-p-phenylenediamine \(6PPD\) as a Priority Product](#)
- [Amendments to the Nonadmitted Carrier Requirements for Excess and Surplus Line Insurance](#)
- [Empty Pharmaceutical Containers Amendment \(Section 100\)](#)
- [Generator Improvements Rule](#)
- Public Comment Period: 07/05/2023 – 07/20/2023

Timeline



GIR UPDATES

- The hazardous waste generator improvement rule does not take effect in California until DTSC adopts it
- To retain state authorization, DTSC is required to adopt those provisions within the rule that are more stringent. We are currently working on a Section 100 rulemaking to adopt the mandatory requirements to maintain our state authorization from EPA to implement RCRA.
- DTSC may adopt provisions that are less stringent or neither less nor more stringent, but is not required to
- DTSC will provide periodic updates on the progress with the rulemaking – check DTSC webpage. DTSC encourages all interested parties to subscribe to the GIR E-List.

DTSC Regulations Under Development

- [Airbag Waste Management](#)
- [Conditional Exclusion for Chemically Treated Metal Shredder Residue \(CTMSR\)](#)
- [Generator Improvements Rule](#)
- [Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine Rule](#)
- [Military Munitions Rule Manifest Exemption](#)
- [Nonylphenol Ethoxylates \(NPEs\) in Laundry Detergents](#)
- [Paint and Varnish Strippers and Graffiti Removers Containing N-Methylpyrrolidone](#)
- [Revisions to the Assessment of Administrative Penalties Regulations](#)-Public meeting 8/16/2023
- [SB 673 Permit Criteria – Community Protection](#)

Resources & Help

- DTSC website www.dtsc.ca.gov DTSC website www.dtsc.ca.gov;
<https://dtsc.ca.gov/generators/>
- State Regulations: www.calregs.com
- State Statute: www.leginfo.ca.gov
- CalCUPA www.calcupa.net and www.calcupa.org
- ID Numbers:
 - <https://www.dtsc.ca.gov/IDManifest/index.cfm>
 - Questions, call Telephone Information Center at (800) 618-6942
- **DTSC Factsheet: Hazardous Waste Generator Requirements**
http://www.dtsc.ca.gov/HazardousWaste/upload/HWM_FS_Generator_Requirements.pdf
- **Hazardous waste tank system requirements for large Quantity generators and onsite treatment facilities**
<http://www.unidocs.org/hazmat/hazardous-waste/un-047.pdf>

Resources & Help-cont'd

- Hazardous Waste Policies & Procedures

<https://dtsc.ca.gov/policies-and-procedures/>

- Regulatory Assistance Frequently Asked Questions

• https://dtsc.ca.gov/regulatory-assistance-frequently-asked-questions
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