

Advanced Hazardous Waste Management

Student Resource Packet

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Advanced Hazardous Waste Management

40 CFR 262.16(b)(9)(iii) & 22 CCR 66265.16

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Course Objectives

This course covers federal and State regulations, beyond the introductory level, regarding the classification, management, transportation, and disposal of hazardous waste for generators in California.

Course Outline

- Regulatory Overview & Recordkeeping Requirements
- Hazardous Waste Identification & Classification
- Container & Tank Management
- Shipping Requirements
- Land Disposal Restrictions
- Tiered Permitting
- Waste Minimization





Regulatory Overview & Recordkeeping Requirements

Regulatory Overview

Gov't Level	Law	Year	Regulation	Agency
Federal	RCRA	1976	40 CFR 260-268, 273	United States Environmental Protection Agency (U.S. EPA)
State	HWCA, HWCL	1972	22 CCR 66260-66268, 66273	Department of Toxic Substances Control (DTSC)
Federal	OSHA	1970	Title 29 CFR	Occupational Safety and Health Administration (OSHA)
State	Cal/OSHA	1973	Title 8 CCR	Division of Occupational Safety and Health (DOSH or Cal/OSHA)
Federal	HMTA / HMT-USA	1974 / 1990	Title 49 CFR	Department of Transportation (DOT)
State	CVC	1935	Title 13 CCR	California Highway Patrol (CHP) / CalTrans / Department of Motor Vehicles (DMV)

Regulatory Overview

- United States Environmental Protection Agency (U.S. EPA) protects human health and the environment:
 - Writes and enforces environmental regulations
 - Regulations enforced by regional offices



Regulatory Overview

- The California Department of Toxic Substances Control (DTSC) protects people and the environment from harmful effects of toxic substances by:
 - Enforcing hazardous waste regulations
 - Inspecting permitted facilities and hazardous waste generators
 - Taking enforcement actions to ensure compliance

Regulatory Overview

- The Certified Unified Program Agency (CUPA) consolidates, coordinates, and makes consistent portions of the following six existing programs:
 - **Hazardous Waste Generators**
 - Underground Storage Tanks (USTs)
 - Hazardous Materials Business Plans (HMBPs)
 - California Accidental Release Prevention Program (CalARP)
 - Aboveground Storage Tanks (SPCC Plans)
 - California Fire Code

Regulatory Overview

<http://cersapps.calepa.ca.gov/Public/Directory/>



Most Common Violations for Hazardous Waste Generators

1. Improperly labeled hazardous waste containers (violation count – 6,199)

2. Failure to obtain and/or maintain ID number (violation count – 3,243)

3. Failure to maintain manifest copies (violation count – 2,437)
4. Failure to properly close hazardous waste containers when not in use (violation count – 1,868)

5. Failure to properly label & manage used oil filters (violation count – 1,838)

Data compiled by Cal EPA for fiscal year July 1, 2017 – June 30, 2018

Federal Terms

Acute Hazardous Waste (AHS)	40 CFR 261.33(e) & 22 CCR 66261.33(e)
(P-Listed and F020-23, 26 & 27)	40 CFR 261.3 & 22 CCR 66261.31
Hazardous Waste (U-Listed)	40 CFR 261.33(f) & 22 CCR 66261.33(f)
Non-Specific Source Waste (F-Listed)	40 CFR 261.31 & 22 CCR 66261.31
Specific Source Waste (K-Listed)	40 CFR 261.32 & 22 CCR 66261.32
Characteristic Waste (D-Coded)	40 CFR 261.21-24(a) & 22 CCR 66261.21-24(a)(1)
VSQG, SQG, LQG	40 CFR 260.10
(Very small quantity, small quantity & large quantity generator, respectively)	40 CFR 260.10 & 22 CCR 66260.10 40 CFR 260.10
Hazardous Substances	40 CFR 302.4
	49 CFR 171.8, 172.101 Appendix A
RCRA Hazardous Waste	40 CFR 261.3 & 22 CCR 66261.100

State Terms

Designated Wastes (RWQCB)	CWC 13173
Industrial Wastes	27 CCR 20164
Extremely Hazardous Wastes	22 CCR 66260.10
Non-RCRA Hazardous Wastes	22 CCR 66261.101
Restricted Wastes	22 CCR 66260.10
WET Test (STLC & TTLC)	22 CCR 66261.24(a) & 22 CCR Appendix II
Excluded Recyclable Material	HSC 25143.2
Special Wastes (Non-RCRA)	22 CCR 66261.120, 122 & 124
RWQCB = Regional Water Quality Control Board	STLC = Soluble Threshold Limit Concentration
CWC = California Water Code	TTLC = Total Threshold Limit Concentration
CCR = California Code of Regulations	HSC = California Health and Safety Code

Generator or Producer

A generator is any person, by site, whose act or process produces hazardous waste or whose act first causes a waste to become subject to regulation as a hazardous waste.



22 CCR 66260.10

Generator Status

Acutely / Extremely Hazardous Waste	Non-Acutely / Extremely Hazardous Waste	Residues from Spills of Acutely / Extremely Hazardous Waste	Generator Status
> 1 kg	Any amount	Any amount	Large quantity generator (LQG)
Any amount	≥ 1,000 kg	Any amount	Large quantity generator (LQG)
Any amount	Any amount	> 100 kg	Large quantity generator (LQG)
≤ 1 kg	> 100 kg and < 1,000 kg	≤ 100 kg	Small quantity generator (SQG)
≤ 1 kg	≤ 100 kg	≤ 100 kg	Very small quantity generator (VSQG) – federal category

Generator Status

- Waste volume based on:
 - RCRA and non-RCRA wastes
 - Amount generated each month, not amount shipped off-site
- When managed in accordance with applicable regulations or statutes, does not include:
 - Excluded recyclable materials, contaminated containers, recyclable latex paint, spent lead-acid storage batteries, treated wood wastes, universal wastes, used oil & fuel filters

HSC 25159.1

Generator Categories – Universal Waste

- Conditionally exempt small quantity universal waste generators (CESQUWGs)
 - Generators who produce no more than 100 kg of RCRA hazardous and RCRA universal waste (combined) and ≤ 1 kg of acutely hazardous waste per month
- Universal waste handlers
 - There are no longer separate categories for small and large quantity universal waste handlers

22 CCR 66273.9

Hazardous Waste Fees

- Collected by California Department of Tax and Fee Administration (CDTFA – formerly BOE), DTSC, and CUPAs
- Adjusted annually

Hazardous Waste Fees

- Fees for hazardous waste generators:
 - EPA ID verification fee (DTSC): based on # of employees
 - Generator fee (CDTFA): generators of ≥ 5 tons of hazardous waste
 - Hazardous material fee (CUPA)
 - Manifest fee (DTSC): \$7.50 for each manifest of non-recycled wastes (no fee for first four manifests for businesses with fewer than 100 employees)
 - Environmental fee (CDTFA): based on SIC codes
 - Tiered permit fee (CDTFA & CUPA)

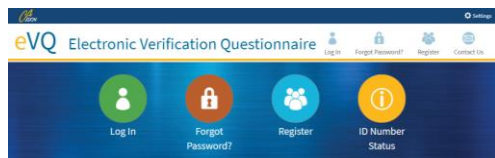
EPA Identification Numbers

- Each site that generates hazardous waste must have an ID number
 - California ID numbers issued by DTSC (< 220 pounds RCRA hazardous waste in any month)
 - CAL – permanent; CAC – provisional; CAS – permanent for emergency response
 - EPA ID numbers issued by U.S. EPA (> 220 pounds RCRA hazardous waste in any month)
 - CAR – current; CA – not issued since 1995; CAD – not issued since 1993; CAT – preceded CAD; CAP – provisional

22 CCR 66262.12

EPA Identification Numbers

- Generators must verify their ID numbers (State and federal) annually through DTSC
- If ID numbers are not verified, they will be deactivated



22 CCR 66262.12

EPA ID & GIR

- Generator Improvements Rule (GIR)
 - Changes effective for LQGs 2020 federally – not yet in effect in CA
 - LQGs must re-notify by March 1 of each even-numbered year
 - LQGs may submit their re-notification as part of their Biennial Report
 - LQGs must report all hazardous waste generated in a calendar year, even when it is managed the next year
 - LQGs must report for all months in the year, even if an SQG for some of those months

22 CCR 66262.18(h)(1-2)

EPA & GIR

- Updates soon to be made regarding re-notifications for SQGs
 - SQGs must re-notify every four years starting in 2021
 - SQGs are already required to renotify every two years in CA
 - Online option available
- PENDING – NOT YET IN EFFECT

22 CCR 66262.18(d)(1,2)

Contingency Plans – LQGs

- Spell out emergency actions involving hazardous waste
 - Fire
 - Explosives
 - Unplanned, sudden releases/spills
 - Earthquakes

22 CCR 66265.50-56

Contingency Plan Contents – LQGs

- Emergency Coordinator
- Emergency procedures
- Emergency services and arrangements to coordinate response actions
- Emergency equipment
- Evacuation Plan
- Cal OES contact

22 CCR 66265.52

Contingency Plan Copies – LQGs

- Copies of the Contingency Plan must be:
 - Maintained at the facility
 - Submitted to local police departments, fire departments, hospitals, and state and local emergency response teams that may be called to provide emergency services

22 CCR 66265.53

Contingency Plan – LQGs

- GIR updates:
 - New LQGs will need to develop a quick reference guide that summarizes their Contingency Plan for emergency responders
 - Existing LQGs will be required to develop a quick reference guide when revising their Contingency Plan
- PENDING – NOT YET IN EFFECT

40 CFR 262.262(b)

Contingency Plan – LQGs

- Elements required in the Quick Reference Guide:
 - Types/names of hazardous waste and associated hazards
 - Estimated maximum amounts of hazardous wastes
 - Identification of hazardous wastes requiring unique/special treatment
 - Map showing where hazardous wastes are generated, accumulated, and treated at the facility
 - Map of facility and surroundings to identify routes of access and evacuation
 - [Continued...]

Contingency Plan – LQGs

- Location of water supply
- Identification of on-site notification systems
- Name of the Emergency Coordinator(s) and 24/7 emergency telephone number(s)
- PENDING – NOT YET IN EFFECT

Contingency Plan Updates – LQGs

- Contingency Plan must be reviewed and updated when:
 - Regulations change
 - Plan fails
 - Facility changes design or response operations
 - Emergency Coordinator changes
 - Emergency equipment changes

22 CCR 66265.54

Emergency Procedures – SQGs

- At all times, there must be at least one employee, either on the premises or on call, available to respond to an emergency
- Information must be posted next to telephones OR in areas directly involved in the generation and accumulation of hazardous waste
 - Name & number of Emergency Coordinator
 - Location of fire extinguishers & spill control equipment
 - Fire department number

40 CFR 262.16(h)(9)(i)(B)

EMERGENCY PROCEDURES

Post near telephones and as appropriate

In case of a fire, spill, or other emergency involving hazardous chemicals or wastes, do the following:

Major Emergency

- Evacuate the affected area per the facility Evacuation Plan
- Call 911 and report the emergency
- Report the emergency to the facility Emergency Coordinator

Minor Emergency

- Try to control the emergency if you are trained to do so and can do it safely
- Report the emergency to the facility Emergency Coordinator

Facility Emergency Coordinators

Primary EC:	Name	Work Phone	24 Hour Phone
1st Alternate EC:			
2nd Alternate EC:			
3rd Alternate EC:			

Emergency Agencies

Agency	Phone No.
Fire Dept., Ambulance, Police	911
Governor's Office of Emergency Services	(800) 852-7250
	() ()

Emergency Equipment

Locations of the extinguishers, fire alarm (if any), and equipment for controlling chemical spills or gases in the facility are also posted with this notice.

This document is only a summary of emergency procedures. Refer to this facility's written emergency response plan for detailed procedures.

Tank Assessments – LQGs

- Required for LQGs who accumulate hazardous waste in tanks
 - Tank system and components certified by qualified Professional Engineer (PE)
 - Supported and protected from corrosion
 - Tested for tightness
 - Protected from settlement, expansion, or contraction
 - Must be completed prior to putting tank into service and then once every five years for new tanks

22 CCR 66265.192

Biennial Hazardous Waste Report – LQGs

- Required & certified by **RCRA** LQGs
- Report covers odd-numbered year
 - Contains amounts by waste code
 - Identifies source & origin of waste
 - Identifies disposal method (recycled, incinerated, etc.)
 - Describes waste minimization efforts
- Due March 1st of following year (even year – 2020) for waste generated prior year (odd year – 2019)

22 CCR 66262.41 & 66265.75

Disposal & Recycle Records

- Manifests
- Land Disposal Restriction forms
- Consolidated manifests
- Maintained for three years from date of shipment

The image shows a sample of a hazardous waste manifest form. It contains various fields for tracking waste, including waste code, quantity, and disposal method. A large 'VOID' watermark is overlaid on the form.

22 CCR 66262.49 & 66268.7; HSC 25169.2

Other Records

- Waste analytical test analyses
 - Three years from date waste was last shipped off-site
- Container and tank inspections
 - Three years from date of inspection
- Emergency equipment inspections
 - Three years from date of inspection
 - Best management practice (BMP) for SQGs

Training Requirements – SQGs

- Employees must be familiar with proper waste handling and emergency response procedures relevant to their responsibilities
- Annual training is a best management practice

49 CFR 262.16(b)(9)(iii)

Training Requirements – LQGs

- Personnel must successfully complete a program of either:
 - Classroom, computer-based, or electronic instruction; OR
 - On-the-job (OTJ) training
- Training must cover hazardous waste management procedures and emergency response training
- Training must be provided within 180 days of hire / job placement
- Annual training required

22 CFR 66265.16

Training Requirements – LQGs

Personnel involved in shipping hazardous waste must receive *DOT Hazmat Employee* training. [49 CFR 172.704]

22 CCR 66265.16

Training Documentation – LQGs

- Documentation:
 - Description for each position related to hazardous waste management including the requisite skills, education, or other qualifications and duties of employees assigned to each position
 - Job title for each position related to hazardous waste management and the name of the employee filling each job
 - [Continued...]

22 CCR 66265.16

Training Documentation – LQGs

- Description of the type and length of training needed for each position
- Records to document that training has been provided and completed
- Records are to be kept until facility closure for current employees
 - Three years for former employees

22 CCR 66265.16

Training Requirements – Universal Waste Handler

- Personnel training:
 - Personnel who manage universal waste must be trained on the following:
 - Hazards associated with universal waste
 - Disposition of universal waste
 - Responses to releases
 - Labeling, handling, consolidating, and shipping requirements
 - Training must be provided initially and annually thereafter
 - Records must be maintained on-site for at least three years from the date the person last managed universal waste on-site

22 CCR 66273.36



Hazardous Waste Identification & Classification

Hazardous Waste Identification & Characterization

- A person who generates a waste must determine if the waste is hazardous by determining if the waste:
 - Is excluded from regulation
 - Is listed
 - Exhibits any hazardous waste characteristics
- Determinations can be made by:
 - Testing the waste
 - Generator's knowledge

22 CCR 66262.11

Hazardous Waste Identification & Characterization

- **Waste** is any discarded material of any form (liquid, semi-solid, solid, or gaseous) that is not excluded by regulation or statute:
 - Relinquished (disposed of, burned or incinerated, or accumulated, stored, or treated prior to or in lieu of disposal)
 - Recycled (applied to land in a manner constituting disposal, used in products that are applied to land, burned to recover energy, reclaimed, or speculatively accumulated)
 - [Continued...]

22 CCR 66261.2

Hazardous Waste Identification & Characterization

- Inherently waste-like materials when recycled (e.g., F020, F021 [with one exception], F022, F023, F026, and F028 – all dioxin-precursor waste)
- A material that poses a threat to human health and/or the environment that has been mislabeled or unlabeled for more than 10 days (i.e., 10 days from the day that the labeling deficiency was first discovered)
- A material that poses a threat to human health and/or the environment contained in a deteriorated or damaged packaging for more than 96 hours

22 CCR 66261.2

Hazardous Waste Identification & Characterization

- Materials that are not waste:
 - Industrial wastewater discharges
 - Nuclear byproducts
 - Spent sulfuric acid used to produce virgin sulfuric acid
 - Pulpig liquors reclaimed in a pulping liquor recovery furnace
 - Secondary materials that are returned to the original process

22 CCR 66261.4

Hazardous Waste Identification & Characterization

- Wastes that are not hazardous waste:
 - Infectious wastes consisting only of animal carcasses
 - Materials not classified as a solid waste that do not exhibit a hazardous waste characteristic
 - Used oil re-refining distillation bottoms used as a feedstock for asphalt
 - Used CFC refrigerants that are reclaimed
 - *[Continued...]*

22 CCR 66261.4

Hazardous Waste Identification & Characterization

- Solid waste from the extraction and processing of ores and minerals
- Hazardous wastes generated in a tank or manufacturing process unit
 - Exclusion applies until waste exits unit or remains in non-operational unit for more than 90 days
- Samples
- Controlled substances
- CRT glass

22 CCR 66261.4

Excluded Recyclable Materials

- Recyclable material that is recycled in any of the following methods is excluded from classification as a waste (RCRA & non-RCRA):
 - Used or reused as an ingredient to make a product
 - Used or reused as a safe and effective substitute for commercial products
 - Returned to the original process from which the material was generated
- These materials cannot be reclaimed (processed to recover a usable product or regenerated) prior to recycling

HSP 25143.2

Excluded Recyclable Materials

- Recyclable material that is recycled in any of the following methods is excluded from classification as a waste (non-RCRA only):
 - Recycled AND used at the facility at which it was generated
 - Refinery waste
 - Material transported between locations that are operated by the same person who generated the material AND recycled at the latter location
 - [Continued...]

HSC 25143.2

Excluded Recyclable Materials

- Material transported between locations that are operated by the same person who generated the material AND recycled off-site at a permitted facility
- Chlorofluorocarbon or hydrochlorofluorocarbon compound material, or a combination of the two, that is recycled

HSC 25143.2

Excluded Recyclable Materials

- Examples that may qualify for this exclusion:
 - Used solvent from circuit board cleaning used as a metal degreaser
 - Ink from a printing press blended to make a new color
 - Distilled solvent used as a feedstock
 - Silica and sulfite dust from glass manufacturing captured in a baghouse and returned directly to the glass manufacturing process

HSC 25143.2

Excluded Recyclable Materials

- The following recyclable materials ARE hazardous waste and are not exempted or excluded from regulations:
 - Use constituting disposal (applied to the ground)
 - Burned for energy recovery
 - Materials accumulated speculatively
 - Commencing on January 1st, the amount of material that is recycled or transferred to a different site for recycling equals at least 75 percent by weight or volume of the amount of that material accumulated at the beginning of the period
 - [Continued...]

HSC 25143.2

Excluded Recyclable Materials

- Inherently waste-like (RCRA waste: F020, F021, F022, F023, F026, and F028, secondary materials fed to a halogen-acid furnace)
- Used or spent etchants that are no longer fit for their original purpose
- Used oil recycled off-site

HSC 25143.2

Hazardous Waste Characterization

RCRA Hazardous Waste

- Listed
 - Unspent (U & P)
 - Spent (F & K)
- Characteristic
 - Ignitable (D001)
 - Corrosive (D002)
 - Reactive (D003)
 - Toxic (D004 – D043)

Non-RCRA Hazardous Waste

- Presumptive lists
 - Common name
 - Chemical constituents
- M-listed waste
- Characteristic
 - Ignitable
 - Corrosive
 - Reactive
 - Toxic

RCRA Listed Wastes

Spent Waste Codes

- F-listed: Hazardous waste from non-specific sources
 - F001 – F039
- K-listed: Hazardous waste from specific sources
 - K001 – K175

Unspent Waste Codes

- P-listed: Acute hazardous waste
 - P001 – P205
- U-listed: Toxic hazardous waste (unless noted)
 - U001 – U411

22 CFR 66261.31.33

RCRA Listed Wastes

- Hazard codes represent basis for listing:
 - I – Ignitable waste
 - C – Corrosive waste
 - R – Reactive waste
 - E – Toxicity characteristic waste
 - T – Toxic waste
 - H – Acute waste

F-Listed Wastes

- Hazardous waste from non-specific sources:
 - Spent solvent wastes (F001 – F005)
 - Electroplating & metal-finishing wastes (F006 – F012 & F019)
 - Dioxin-containing wastes (F020 – F023 & F026 – F028)
 - Chlorinated aliphatic hydrocarbons production wastes (F024 & F025)
 - Wood-preserving wastes (F032, F034 & F035)
 - Petroleum refinery wastewater treatment sludges (F037 & F038)
 - Multi-source leachate (F039)

K-Listed Wastes

Hazardous Waste from Specific Sources

- Wood preservation
- Inorganic pigments
- Organic chemicals
- Inorganic chemicals
- Pesticides
- Explosives
- Petroleum refining
- Iron & steel
- Primary aluminum
- Secondary lead
- Veterinary pharmaceuticals
- Ink formulation
- Coking

Unspent Listed Wastes

- Pure or commercial grade formulations of **unused** chemicals
 - Pure grade – 100%
 - Technical grade – All commercial grades of a chemical, which may be marketed in various stages of purity
 - Sole active ingredient – The only chemically active component for the function of the product
- Any chemical used for its intended purpose does not meet a P or U listing

Unspent Listed Wastes

- P-listed wastes
 - Acutely hazardous, includes:
 - Contaminated containers
 - Spill cleanup
- U-listed wastes
 - Toxic (unless otherwise noted)

RCRA Ignitable Characteristic – D001

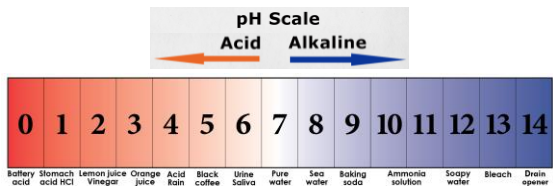
- Liquid (other than < 24% alcohol by volume) with a flash point < 140°F (60°C)
- A solid that can cause fire through friction, absorption of moisture, or spontaneous chemical changes and, when ignited, burns vigorously and persistently
- Is an ignitable compressed gas
- Is an oxidizer



22 CCR 66261.21

RCRA Corrosive Characteristic – D002

- Aqueous with pH ≤ 2.0 or ≥ 12.5; OR
- Liquid that corrodes steel at ¼ inch (6.35 mm) per year



22 CCR 66261.22

RCRA Reactive Characteristic – D003

- Unstable and undergoes violent change w/o detonating;
- Reacts violently with water;
- Forms an explosive mixture with water;
- Generates toxic gases, vapors, or fumes with water;
- Cyanide- or sulfide-bearing waste producing toxic gases, vapors, or fumes @ pH 2 – 12.5;
- Capable of detonation or an explosive reaction; OR
- Forbidden explosive [49 CFR 173.51]

22 CCR 66261.23

RCRA Toxic Characteristic – D004 – D043

- Applies to eight inorganic elements and 32 organic compounds
- Tested using EPA Toxicity Characteristic Leaching Procedure (TCLP)
- Regulated if \geq specified threshold



22 CCR 66261.24(a)(1)

California Presumptive Lists

- Common names of wastes
- Chemical names
- Presumed to create a non-RCRA hazardous waste based on hazardous characteristic
 - X: Toxic
 - C: Corrosive
 - I: Ignitable
 - R: Reactive

22 CCR, Div. 4.5, Chap. 11, Article 5, Appendix X

M-Listed Wastes

- Discarded mercury-containing products:
 - M001: Mercury-containing vehicle light switches
 - M002: Non-automotive mercury switches
 - M003: Lamps that contain mercury
 - M004: Mercury-added novelties

22 CCR 66261.50

Non-RCRA Ignitable Characteristic – D001

(Same as Federal)

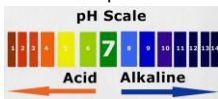
- Liquid (other than < 24% alcohol by volume) with a flash point < 140°F (60°C)
- A solid that can cause fire through friction, absorption of moisture, or spontaneous chemical changes and, when ignited, burns vigorously and persistently
- Is an ignitable compressed gas
- Is an oxidizer



22 CCR 66261.21

Non-RCRA Corrosive Characteristic

- Aqueous with pH ≤ 2.0 or ≥ 12.5;
- Liquid that corrodes steel at ¼ inch (6.35 mm) per year;
- Non-aqueous wastes that yield pH ≤ 2.0 or ≥ 12.5 when mixed with an equivalent weight of water; OR
- Non-liquids that corrode steel at ¼ inch (6.35 mm) per year when mixed with an equivalent weight of water



22 CCR 66261.22

Non-RCRA Reactive Characteristic – D003

(Same as Federal)

- Unstable and undergoes violent change w/o detonating;
- Reacts violently with water;
- Forms an explosive mixture with water;
- Generates toxic gases, vapors, or fumes with water;
- Cyanide- or sulfide-bearing waste producing toxic gases, vapors, or fumes @ pH 2 – 12.5;
- Capable of detonation or an explosive reaction; OR
- Forbidden explosive [49 CFR 173.51]

22 CCR 66261.23

Non-RCRA Toxic

- Exceeds WET thresholds (TTLC or STLC for 20 inorganics [Table II] or 18 organics [Table III] – State’s test to depict municipal landfill conditions);
- Oral LD₅₀ < 2,500 mg/kg;
- Dermal LD₅₀ < 4,300 mg/kg;
- Inhalation LC₅₀ < 10,000 ppm;
- Aquatic 96-hr LC₅₀ < 500 mg/L; OR
- Contains a listed carcinogen (16) ≥ 0.001% by weight

22 CCR 66261.24(a)(2.7)

Sixteen State Carcinogens

State Carcinogens

(A) 2-Acetylaminofluorene (2-AAF)	(I) 4-Dimethylaminoazobenzene (DAB)
(B) Acrylonitrile	(J) Ethyleneimine (EL)
(C) 4-Aminodiphenyl	(K) Alpha-Naphthylamine (1-NA)
(D) Benzidine and its salts	(L) Beta-Naphthylamine (2-NA)
(E) Bis(chloromethyl) ether (BCME)	(M) 4-Nitrobiphenyl (4-NBP)
(F) Methyl chloromethyl ether	(N) N-Nitrosodimethylamine (DMN)
(G) 1,2-Dibromo-3-chloropropane (DBCP)	(O) Beta-Propiolactone (BPL)
(H) 3,3'-Dichlorobenzidine and its salts (DCB)	(P) Vinyl chloride (VCM)

22 CCR 66261.24(a)(7)

Extremely Hazardous Waste

- Oral LD₅₀ < 50 mg/kg
- Dermal LD₅₀ < 43 mg/kg
- Inhalation LC₅₀ < 100 ppm
- Listed carcinogen ≥ 0.1% (1,000 ppm) by weight
- Shown that human exposure may result in death, serious illness because of carcinogenicity, acute or chronic toxicity, or persistence in the environment
- Water-reactive

22 CCR 66261.116

Used Oil

Used oil is defined as 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.



HSC 25250.1

Used Oil

Used Oil

- Crankcase oil
- Gear oil
- Vegetable or animal oil used as a lubricant
- Hydraulic oil
- Transformer oil
- Transmission fluid

Not Used Oil

- Antifreeze
- Brake fluid
- Fuels
- Other automotive wastes
- Solvents
- Oil with a flash point < 100°F
- Oil with ≥ 5 ppm PCBs
- Oil with > 1,000 ppm halogens

HSC 25250.1

California Waste Codes

- | | |
|---------------------|---------|
| • Restricted Wastes | 700-800 |
| • Inorganics | 100-199 |
| • Organics | 200-300 |
| • Sludges | 400-499 |
| • Miscellaneous | 500-600 |

22-CCR Appendix XII

Exemptions

- Contaminated containers [22 CCR 66261.7]
- Recyclable latex paint [HSC 25217.4]
- Scrap metal [22 CCR 66260.10]
- Spent lead-acid storage batteries [22 CCR 66266.80-81]
- Wood waste [HSC 25143.1.5]
- Universal wastes [22 CCR 66273]
- Used oil & fuel filters [22 CCR 66266.130; HSC 25250.22]

Exemptions for Specified Substances

23 Specified Low-Hazard Substances in Consumer Goods

Acetic acid	Boric acid	Magnesium chloride	Sodium chloride	Clarified slurry oil
Aluminum chloride	Calcium fluoride	Sodium tetraborate	Sodium iodide	Dill oils
Ammonium bromide	Calcium propionate	Sodium bicarbonate	Allspice oil	Anisole
Cesium chloride	Sodium carbonate	Ceylon cinnamon oil	Lauryl leaf oil	Potassium chloride
Calcium formate		Sodium borate decahydrate		

HSC 25141.5(b)(2)

Special Wastes

- Special wastes are non-RCRA hazardous wastes
- Contain no persistent or bioaccumulative substance
- > TTLC for solubilized and extractable concentrations

22 CCR 66261.120, 122, 124 & 126

Special Wastes

- List of special wastes:
 - Ash from burning of fossil fuels, biomass, and other combustible materials
 - Auto shredder waste
 - Baghouse and scrubber wastes from air pollution control
 - Catalysts from petroleum refining and chemical plant processes
 - Cement kiln dust
 - Dewatered sludge from treatment of industrial process water
 - [Continued...]

22 CCR 66261.120, 122, 124 & 126

Special Wastes

- Dewatered tannery sludge
- Drilling mud from drilling of gas and oil wells
- Refractory from industrial furnaces, kilns, and ovens
- Sand from sandblasting
- Sand from foundry casting
- Slag from coal gasification
- Sulfur dioxide scrubber waste from flue-gas emission control in combustion of fossil fuels
- Tailings from the extraction, beneficiation, and processing of ores and minerals

22 CCR 66261.120, 122, 124 & 126

Designated Wastes

- Types of designated wastes include:
 - Regional Water Quality Control Board (RWQCB) Developed Criteria
 - Non-hazardous waste containing appreciable concentrations of hazardous constituents
 - Hazardous waste for which a variance has been obtained by the generator

CWC-13175



Container & Tank Management

Container

A container is a device that is open or closed, and portable, in which material can be stored, handled, treated, transported, recycled, or disposed of.



22 CCR 66260.10

Tank


A tank is a *stationary* device designed to contain an accumulation of hazardous waste constructed primarily of non-earthen materials (e.g., wood, concrete, steel, plastic) that provide structural support.



22 CCR 66260.10

Container Accumulation Areas

- Generators must have a designated Central Accumulation Area (CAA)
 - Generators can have multiple CAAs
- LQGs – CAA must be > 50 ft from property line if ignitable (D001) or reactive (D003) waste present
- Facility must be maintained & operated to minimize possibility of a fire, explosion, or release



40 CFR 262.16(b)(9); 22 CFR 66265.178 & 66265.31

Container Accumulation Areas


Accumulation Time Limits & Volumes

LQG	90 days; no limit for hazardous waste stored on-site
SQG	180 days (270 days if shipped ≥ 200 miles); maximum 6,000 kg hazardous waste stored on-site
VSQG (previously CESQG)	No time limit until 100 kg of hazardous waste (180 days) or 1 kg of acutely or extremely hazardous waste is reached (then 90 days)

22 CFR 66262.34(b)(1); HSC 25123.3(c)

Container Accumulation Areas – Security

- Located in secure area with access controlled
- Post warning sign: “Danger Hazardous Waste Area – Unauthorized Personnel Keep Out”



22 CFR 66265.14

29 of 95

Central Accumulation Areas

- Emergency equipment:
 - Internal communication devices
 - Fire extinguishers
 - Spill control equipment
- Equipment must be tested and maintained
- LQGs – inspection schedule must be implemented & records maintained



40 CFR 262.16(b)(8); 22 CCR 66265.15(b) & 66265.32.33

Container Management

- Hazardous waste containers must be marked with the following:
 - The words "HAZARDOUS WASTE"
 - Generator's name and address
 - Contents
 - Physical state
 - Accumulation start date
 - Hazardous properties
- Labels must be legible and visible!

1 → **HAZARDOUS WASTE**

2 → 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.

3 → GENERATOR INFORMATION: NAME _____ PHONE _____ ADDRESS _____ CITY _____ STATE _____ ZIP _____ EPA IDENTIFICATION NO. / MANIFEST TRACKING NO. _____ CTA WASTE NO. CA ACCUMULATION START DATE _____

4 → CONTENTS COMPOSITION: PHYSICAL STATE: ☐ SOLID ☐ LIQUID ☐ GASEOUS ☐ CORROSIVE ☐ REACTIVE ☐ OTHER _____

5 → HAZARDOUS PROPERTIES: _____

6 → HANDLE WITH CARE!

22 CCR 66262.34(f)

Container Management

- Hazardous waste containers must be:
 - In good condition (no signs of rust, damage, or leakage)
 - Compatible with the waste
 - Closed (except when adding or removing waste)
 - Managed in a manner so they are not ruptured or caused to leak



40 CFR 262.16(b)(2)(i)-(iii); 22 CCR 66265.171-173(a)

Container Management

Funnels must meet closure requirements.



Container Management

- Emission standards (LQGs):
 - VOC > 500 ppm
 - Must use tightly closed DOT-authorized container



22 CFR 66265.1087

Container Management

Aisle space between containers must allow for unimpeded access to containers.



40 CFR 262.16(h)(1)(i); 22 CFR 66265.35

Container Management

- Incompatible hazardous wastes cannot be placed in the same container

TECHNICAL POTENTIALLY INCONVERTIBLE WASTES			
GROUP 1-6	GROUP 7-8	POTENTIAL CONSEQUENCES	
• Acute toxicity • Corrosive • Flammable • Irritant • Reactive • Volatile • Oxidizing • Carcinogenic • Mutagenic • Reproductive toxicity • Developmental toxicity • Endocrine disruption	• Acute toxicity • Corrosive • Flammable • Irritant • Reactive • Volatile • Oxidizing • Carcinogenic • Mutagenic • Reproductive toxicity • Developmental toxicity • Endocrine disruption	• High volatility • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy	• High volatility • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy
• Acute toxicity • Corrosive • Flammable • Irritant • Reactive • Volatile • Oxidizing • Carcinogenic • Mutagenic • Reproductive toxicity • Developmental toxicity • Endocrine disruption	• Acute toxicity • Corrosive • Flammable • Irritant • Reactive • Volatile • Oxidizing • Carcinogenic • Mutagenic • Reproductive toxicity • Developmental toxicity • Endocrine disruption	• High volatility • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy	• High volatility • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy
• Acute toxicity • Corrosive • Flammable • Irritant • Reactive • Volatile • Oxidizing • Carcinogenic • Mutagenic • Reproductive toxicity • Developmental toxicity • Endocrine disruption	• Acute toxicity • Corrosive • Flammable • Irritant • Reactive • Volatile • Oxidizing • Carcinogenic • Mutagenic • Reproductive toxicity • Developmental toxicity • Endocrine disruption	• High volatility • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy	• High volatility • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy
• Acute toxicity • Corrosive • Flammable • Irritant • Reactive • Volatile • Oxidizing • Carcinogenic • Mutagenic • Reproductive toxicity • Developmental toxicity • Endocrine disruption	• Acute toxicity • Corrosive • Flammable • Irritant • Reactive • Volatile • Oxidizing • Carcinogenic • Mutagenic • Reproductive toxicity • Developmental toxicity • Endocrine disruption	• High volatility • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy	• High volatility • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy
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• Acute toxicity • Corrosive • Flammable • Irritant • Reactive • Volatile • Oxidizing • Carcinogenic • Mutagenic • Reproductive toxicity • Developmental toxicity • Endocrine disruption	• Acute toxicity • Corrosive • Flammable • Irritant • Reactive • Volatile • Oxidizing • Carcinogenic • Mutagenic • Reproductive toxicity • Developmental toxicity • Endocrine disruption	• High volatility • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy	• High volatility • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy • High reactivity • High toxicity • High corrosivity • High flammability • High irritancy

40 CFR 262.16(b)(2)(v); 22 CFR 66265.177

Container Management

- Containers are not required to have secondary containment
 - Secondary containment is a BMP
- Secondary containment must be kept free of waste



Tank Management

- Hazardous waste tanks must be labeled with the following:
 - "HAZARDOUS WASTE"
 - Accumulation start date
 - Hazardous property(ies) of the waste



40 CFR 262.16(b)(6)(ii); 22 CFR 66262.34(i)(1)(A)

Tank Management – LQGs

- Hazardous waste tanks must have secondary containment:
 - Designed to prevent releases from impacting soil or water
 - Capable of detecting and collecting releases and accumulated liquids



22 CCR 66265.193

Tank Management – SQGs

A log to demonstrate the tank has been emptied within 180 days from hazardous waste first entering the tank must be maintained.

40 CFR 262.16(h)(6)(iii)(C)

Labeling

- This label can be used on tanks or containers in place of re-labeling after emptying



Used Oil

- Containers and tanks used to store used oil must be marked with "Used Oil" (in addition to hazardous waste markings)
- **Do not** mark used oil containers and tanks with "Waste Oil"



22 CCR 66279.1(b)

Container Storage Area Inspections

- Weekly:
 - Leaking containers
 - Deterioration of containers
 - LQGs – containment systems
- Inspections should be documented

22 CCR 66265.174

Tank Inspections – SQGs

- Daily (unless tank has secondary containment):
 - Discharge controls
 - Monitoring data
 - Tank level
- Weekly
 - Construction materials of the tank
- Inspections should be documented

40 CFR 262.16(b)(3)(iii)

Tank Inspections – LQGs

- At least once each operating day:
 - Overfill / spill control equipment
 - Aboveground portions of tank
 - Monitoring & leak detection equipment
 - Area surrounding externally accessible portion of tank system (secondary containment)
- Inspections must be documented
- Inspection records maintained for three years

22 CCR 66265.195

Satellite Accumulation Areas

- Satellite Accumulation Area requirements:
 - At or near any point of generation
 - Under the control of operator of process generating waste
 - Only containers can be used
 - One container per waste stream
 - Unless generator determines using one container is not practical or safe (subject to DTSC review and approval)
- [Continued...]

22 CCR 66262.34(e)

Satellite Accumulation Areas

- Limit of 55 gallons (1 qt for acute or extremely hazardous waste) per waste stream
- Must meet all container management standards (weekly inspections not required)
- Container can be stored on-site for no more than one year
- Container must be dated within three days of when it reaches capacity



22 CCR 66262.34(e)

Laboratory Accumulation

- Limit of 55 gal or 1 quart of acutely or extremely hazardous waste
- Managed by trained personnel
- No mixing of incompatible lab hazardous waste (except where specified)
- Appropriate space and safely managed
- Located in lab room or another on-site location
- Does not need to be at or near point of generation

HSC 25200.3.1

Satellite Accumulation

When must this container be disposed of if the facility is an SQG? LQG?

Accumulation
Start Date:
01/03/2019



Fill Date:
02/29/2019

Satellite Accumulation

When must this container be disposed of if the facility is an SQG? LQG?

Accumulation
Start Date:
01/03/2019



Fill Date:
04/20/2019

Satellite Accumulation

When must this container be disposed of if the facility is an SQG? LQG?

Accumulation
Start Date:
01/03/2019



Fill Date:
06/02/2019

Remotely Generated Hazardous Wastes

- Generated at remote location (non-contiguous and not staffed) from routine field maintenance operations
- Taken to "consolidation site" within 10 days of generation at remote location
 - Date of generation is when waste is received at consolidation site
- Above 10 pounds requires a shipping paper
 - 275 gallons or 2,500 pounds per shipment
- Maintain records
- Annual report to CUPA

HSC 25110.10 & 25121.3

General Housekeeping Practices

- Poor housekeeping can result in an increase in the amount of hazardous waste generated and potential violations
 - Closure – protects workers from the waste and the waste from the elements
 - Spillage – must be cleaned up in a timely manner
 - Labeling – must be legible and visible
 - Inventory – do not exceed allowances
 - Violations can result in fines up to \$70,000 per violation, per day

Potential Compliance Issue

Damaged product container, open product container



Potential Compliance Issue

Inadequate aisle space



Potential Compliance Issue

Facility not operated/maintained to prevent a release



Potential Compliance Issue

Inadequate aisle space, used & waste oil labels



Potential Compliance Issue

Inadequate aisle space, HW label-metal filters, open containers, rusted containers



Potential Compliance Issue

Failure to maintain, illegal disposal



Potential Compliance Issue

Unlabeled product container



Potential Compliance Issue

Inaccurately filled label, hazardous waste determination

Toxic, and
D008 is the
federal waste
code for lead



Potential Compliance Issue

Batteries not labeled as universal waste (UW)



Potential Compliance Issue

Facility not operated/maintained to prevent a release



Miscellaneous Requirements

- Contaminated containers
- Excluded recyclable materials
- Recyclable latex paint
- Scrap metal
- Spent lead-acid storage batteries
- Wood waste
- Universal wastes
- Used oil & fuel filters



Contaminated Containers

- Containers must be:
 - Empty – no continuous stream for liquids
 - Marked "EMPTY" (BMP)
 - Marked with the date they became empty
 - Stored on-site no more than one year (365 days)
 - Recycled
 - Recycle records kept for three years



22-CCR-66261.7

Contaminated Containers

- Containers that are 5 gallons or less **and** empty can be managed as municipal waste (trash)
- **Do not** dry containers; this may be considered treatment



Excluded Recyclable Materials

If you manage an ERM under an HSC 25143.2 exemption or exclusion, you must provide, upon request by EPA, DTSC, or the CUPA, the name, address, and phone number of any facility that manages the material and any other information requested related to the management of the recyclable material.

HSC 25143.9

Excluded Recyclable Materials

- If you manage an ERM per HSC 25143.2(b) or 25143.2(d), you must:
 - Label as ERM
 - Have an HMBP and Contingency Plan
- Containers and tanks used to store ERMs must comply with applicable local ordinances and/or hazardous waste container and tank management standards

HSC 25143.9

Excluded Recyclable Materials

- If you recycle more than 100 kg per month in accordance with HSC 25143.2, you must:
 - Provide a Recyclable Materials Report to your CUPA every two years, submitted electronically via CERS



HSC 25143.8

Recyclable Latex Paint

- Recyclable latex paint is any water-based latex paint, still in liquid form, that is transferred for the purpose of being recycled
- Liquid latex paint cannot be disposed of in the land or waters of the state



HSC 25217-25217.4

Recyclable Latex Paint

- Recyclable latex paint can be sent to a facility that manages used paint as long as:
 - Paint is managed in accordance with all applicable latex paint procedures
 - Paint is in liquid form and in its original packaging (or in a closed, labeled container)
 - [Continued...]

HSC 25217-25217.4

Recyclable Latex Paint

- If the facility accepts latex paint that is not recyclable, the paint is managed as a hazardous waste
- If the paint is not excluded, the disposal of the paint is done in a way that meets applicable federal requirements

www.paintcare.org

HSC 25217-25217.4

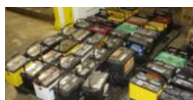
Scrap Metal

- Scrap metal is not exempt if it is:
 - Contaminated with a hazardous waste;
 - Contaminated with free-flowing used oil; OR
 - A fine powder (< 100 microns / 0.004 inches)
- If not exempt, the generator must determine if the scrap metal is a hazardous waste and manage it according to all applicable regulations

22 CCR 66260.10

Spent Lead-Acid Storage Batteries

- Management of batteries:
 - Stored upright on a pallet on a sealed surface
 - Stored to prevent the terminals from short circuiting
 - Stored on-site no more than one year (365 days – 180 days for more than a ton) and marked with out-of-service date
 - Recycle records are to be kept for three years



22 CCR 66266 80-81

Wood Waste

- Wood waste includes poles, crossarms, pilings, fence posts, lumber, support timbers, flume lumber, and cooling tower lumber
- When treated with a preservative and removed from electric, gas, or telephone service, wood waste is exempt if:
 - Not a RCRA hazardous waste
 - Disposed of in a composite-lined landfill

HSC 25143.1.5

Universal Waste

- Examples of universal waste:
 - Spent batteries
 - Spent lamps
 - Electronic devices (e-waste)
 - Mercury-containing devices
 - Aerosol cans (non-empty)
 - End-of-life solar panels



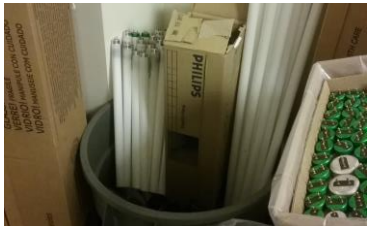
Universal Waste

- Universal waste:
 - Must be kept in a closed container that is compatible with the waste
 - Labeled with:
 - "UNIVERSAL WASTE"
 - Type of waste (e.g., "Waste Lamps", "Used Batteries", "Waste Aerosols")
 - Accumulation start date
 - Stored on-site for no more than one year (365 days)
 - Tracking records maintained for three years

22 CCR 66275

Universal Waste Potential Compliance Issue

Open container, no label



Drained Used Oil & Fuel Filters

- Filters must be:
 - Drained (no free-flowing liquid)
 - Stored in a rainproof and closed container
 - Labeled "Drained Used Oil Filters" or "Drained Fuel Filters" with an accumulation start date
 - Stored on-site no more than one year (365 days – 180 for more than a ton)
 - Recycle records kept for three years



22 CCR 66286.130; HSC 25250.22

Acceptable?



Drained Used Oil & Fuel Filters

- If oil and fuel filters are commingled:
 - Filters drained (no free-flowing liquid)
 - Stored in a rainproof and closed container
 - Labeled "Drained Used Oil and Fuel Filters" along with the accumulation start date
 - Stored on-site no more than one year (365 days – 180 for more than a ton)
 - Recycle records kept for three years



22 CCR 66266.130; HSC 25250.22



Shipping Requirements

Shipping Requirements

- Hazardous waste must be prepared for off-site transportation by being properly:
 - Packaged
 - Marked
 - Labeled
- RCRA hazardous wastes are subject to DOT regulations

DOT Classification

- Class 1 – Explosives
- Class 2 – Gases
- Class 3 – Flammable Liquids
- Class 4 – Flammable Solids, Spontaneously Combustible & Dangerous When Wet
- Class 5 – Oxidizers & Organic Peroxides
- Class 6 – Poisonous Materials & Infectious Substances
- Class 7 – Radioactive Materials
- Class 8 – Corrosive Materials
- Class 9 – Miscellaneous Hazardous Materials



Packaging

- Hazardous waste must be packaged for off-site shipments:
 - Packaging must comply with DOT regulations
 - Use of UN/DOT-authorized containers for DOT-regulated hazardous waste



22 CCR 66262.30

Marking

- Each hazardous waste container \leq 119 gallons must be marked with:
 - "HAZARDOUS WASTE"
 - "State and Federal Law Prohibit Improper Disposal. If found, contact the nearest police or public safety authority, the U.S. Environmental Protection Agency or the California Department of Toxic Substances Control."
 - [Continued...]

40 CFR 262.32; 22 CCR 66262.32

Marking

- Generator's name and address
- Generator's EPA ID number
- Manifest tracking number
- PSN & ID number
- EPA hazardous waste number(s)



40 CFR 262.32-22 CFR 66262.32

Labeling

DOT labels, when required, must be placed on the same surface as the hazardous waste label.



Shipping Requirements

- Hazardous waste must be profiled for disposal and transported:
 - By a registered hazardous waste transporter
 - Using a Uniform Hazardous Waste Manifest
 - To a permitted facility

Shipping Requirements

- Exceptions:
 - VSQGs can self-transport hazardous waste to permitted HHW facility
 - Used oil transported to recycling facility (55-gallon limit)
 - Used oil generated during maintenance activities (55-gallon limit)
 - Remotely generated wastes
- These shipments do not require a hazardous waste transporter or Uniform Hazardous Waste Manifest

HSC 25218.4 & 25250.11.12

Shipping Requirements

- EPA form 8700-22 is the only manifest form that can be used
- Federal instructions included on the back of the manifest form

This image shows a sample of the EPA Form 8700-22 Hazardous Waste Manifest. The form is a complex document with multiple sections for tracking hazardous waste from the generator to the transporter and finally to the treatment, storage, and disposal facility (TSDF). A large, semi-transparent 'VOID' watermark is printed diagonally across the center of the form.

Shipping Requirements

- EPA form 8700-22A is the only continuation sheet that can be used
- Continuation sheet to be used when shipping more than four waste streams; OR
- When using more than two registered hazardous waste transporters

This image shows a sample of the EPA Form 8700-22A Hazardous Waste Manifest Continuation Sheet. Similar to the main manifest form, it contains detailed sections for waste tracking and documentation. A large, semi-transparent 'VOID' watermark is printed diagonally across the center of the sheet.

Shipping Requirements

- California has supplemental manifest instructions that include:
 - Submittal requirements
 - California waste codes
 - Hazardous waste management method codes

Supplemental California Manifest Instructions

Revised 8/2005

Important! Read Instructions Carefully! The California Department of Toxic Substances Control (DTSC) requires that all hazardous waste manifests be completed in accordance with the instructions provided in this document. Failure to follow these instructions may result in the manifest being rejected, which could result in the waste being held at the facility or in the waste being shipped to an unauthorized facility. The DTSC will not accept manifests that do not comply with these instructions.

What is a Manifest? A manifest is a document that tracks hazardous waste from the generator to the treatment, storage, and disposal facility (TSDF). It is used to ensure that the waste is properly managed and that the generator is responsible for its disposal.

What are the Requirements for a Manifest? The manifest must be completed by the generator and must include the following information:

- Generator information (name, address, phone number, etc.)
- Waste information (name, quantity, hazard codes, etc.)
- Transporter information (name, address, phone number, etc.)
- Facility information (name, address, phone number, etc.)
- Signature of the generator and the facility representative
- Date of shipment

What are the California Waste Codes? California has its own set of waste codes that are used to identify hazardous waste. These codes are based on the waste's physical and chemical properties, as well as its potential for harm to the environment or human health.

What are the Hazardous Waste Management Method Codes (HWMCs)? HWMCs are used to identify the method used to manage hazardous waste. These codes are based on the waste's physical and chemical properties, as well as the method used to manage it (e.g., incineration, land treatment, etc.).

Shipping Requirements

- Generator is responsible for information in boxes 1 – 15
- Box 16 is for international shipments
- Box 17 is for transporter's acknowledgement of receipt
- Boxes 18 – 20 are to be completed by designated facility (TSDF)

VOID

Manifest Information

Generator Information

Waste Information

Transporter Information

Facility Information

Signature of Generator

Signature of Facility Representative

Date of Shipment

Shipping Requirements

- Continuation sheet, EPA form 8700-22A
- Generator is responsible for information in boxes 21 – 32
- Transporter (other than transporter one or two) is responsible for information in boxes 33 – 34
- Boxes 35 – 36 are to be completed by designated facility (TSDF)

VOID

Manifest Information

Generator Information

Waste Information

Transporter Information

Facility Information

Signature of Generator

Signature of Facility Representative

Date of Shipment

Shipping Requirements

- Manifest consists of five parts:
 - Page 1 – TSDf to EPA's e-Manifest system
 - Page 2 – TSDf to generator
 - Page 3 – TSDf copy
 - Page 4 – Transporter copy
 - Page 5 – Generator initial copy (legible copy must be mailed to DTSC within 30 days of shipment)

Shipping Requirements

The generator must submit a legible manifest copy to DTSC within 30 days from the date of shipment to:

DTSC Generator Manifests
P.O. Box 400
Sacramento, CA 95812-0400

Shipping Requirements

- The TSDf must submit a manifest to EPA's e-Manifest system within 30 days of receiving shipment
- TSDf is responsible for paying fees for submitting manifests to the e-Manifest system
 - Fees range from \$4.00 – \$20.00 per manifest

Shipping Requirements

- Generators must receive a signed copy of the manifest from the TSDf within 35 days from the date of shipment
- The generator is responsible for contacting transporter and TSDf if copy is not received by the 35th day

Shipping Requirements

- If the signed manifest copy is not received, the generator must submit an exception report to DTSC within:
 - 45 days for LQGs
 - 60 days for SQGs

22 CCR 86262.42

Shipping Requirements

- Exception report must include a legible copy of the manifest and efforts generator made to locate hazardous waste
- Exception reports sent to:

DTSC Report Repository
Generator Information Services Section
P.O. Box 806
Sacramento, CA 95812-0806

Consolidated Manifest

- Manifest used by a consolidated transporter to combine HW shipments from multiple generators (can only combine same wastes)
- Placed on one manifest per HSC 25160.2
 - Quantities based on combined receipts
- Both generator and transporter section of manifest identify consolidated transporter's name, ID numbers, and address

HSC 25160.2

Consolidated Manifest

- Legible receipts attached for each pickup with the manifest
- Copy of receipts must be left with the generator
- Receipts retained by generator for three years from date of shipment

HSC 25160.2

Consolidated Manifest

- Receipt contents:
 - Name, address, EPA ID #, contact person name and phone #, and generator signature
 - Date of shipment
 - Manifest tracking number
 - Volume/quantity of each waste
 - CA waste codes
 - Eligible waste type
 - Proper shipping description

HSC 25160.2

Consolidated Manifest

- Who is eligible to use a consolidated manifest:
 - SQGs
 - LQGs for used oil and contents of oil/water separators
 - LQGs if they would qualify as an SQG when used oil and oil/water sludge volumes are excluded in waste quantity count

HSC 25160.2

Consolidated Manifest – Authorized Waste Streams

- | | |
|--|---|
| <ul style="list-style-type: none">• Used oil• Contents of an oil/water separator• Solids contaminated with used oil• Brake fluid• Antifreeze• Antifreeze sludge• Parts-cleaning solvents• Asbestos & asbestos-containing materials• Inks from the printing industry• Chemicals and laboratory packs collected from K-12 schools• Filters from dispensing pumps for diesel and gasoline fuels | <ul style="list-style-type: none">• Hydroxide sludge (contaminated solely with metal from wastewater treatment process)• Paint-related wastes, including paints, thinners, filters, and sludge• Spent photographic solution• Dry cleaning solvents including perchloroethylene, naphtha, and silicone-based solvents• Filters, lint, and sludge contaminated with dry cleaning solvent• Retail hazardous waste collected from retailers• Absorbents contaminated with wastes on this list |
|--|---|

HSC 25160.2

Security Requirements

- Security requirements for hazardous waste generators:
 - Generators and facility operators must ensure drivers have correct class of license and appropriate endorsement
 - Vehicles transporting hazardous materials or hazardous waste that requires placarding must be equipped with two-way communication devices
 - Enclosed cargo body must remain locked except during loading and unloading

HSC 25160.7



Land Disposal Restrictions

Land Disposal Restrictions (LDR)

Restricted hazardous waste is any hazardous waste that is subject to land disposal restrictions.

22 CCR 66260.10

Land Disposal Restrictions

State

- Some non-RCRA are LDR
- Driven by waste category
- Requires Notification or Certification Form
- RCRA wastes not subject to State LDR program (unless newly listed and no RCRA treatment STD exists)
- Maintain all records for three years

Federal

- All RCRA wastes are LDR
- Driven by waste code
- Requires Notification or Certification Form
- Maintain all records for three years

22 CCR 66260

Land Disposal Restrictions

- The following non-RCRA hazardous wastes are subject to land disposal restrictions in California:
 - Metal-containing aqueous waste [22 CCR 66268.29(a)]
 - Auto shredder waste [22 CCR 66268.29(b)]
 - Hazardous waste foundry sand [22 CCR 66268.29(c)]
 - Non-RCRA metal-containing fly ash, bottom ash, retort ash, or baghouse waste from sources other than foundries [22 CCR 66268.29(d)]
 - Baghouse waste from foundries [22 CCR 66268.29(e)]
 - Asbestos-containing waste [22 CCR 66268.29(f)]

22 CCR 66268.100

Land Disposal Restrictions

- The LDR requirements apply if the wastes accepted or residues generated by the facilities are hazardous wastes subject to either the State or federal LDRs
- LDRs must be provided with initial shipment and records maintained for three years

22 CCR 66268

Land Disposal Restrictions

- Some characteristic wastes, in addition to the treatment methodologies and standards specified in 22 CCR 66268.40, are subject to the universal treatment standards detailed in 22 CCR 66268.48 (i.e., 216 Underlying Hazardous Constituents)
 - Below TCLP regulatory level
 - Applies to most D-coded RCRA wastes
 - Non-wastewaters
 - Wastewaters

22 CCR 66268.40 & 66268.48



Tiered Permitting

Tiered Permitting

Treatment is any method, technique, or process that changes or is designed to change the physical, chemical, or biological character or composition of any hazardous waste or any material contained therein or that removes or reduces its harmful properties or characteristics for any purpose.

HSP 25123.6

Tiered Permitting

Examples of Treatment

Filtering	Gravity setting	Separating	Grinding
Evaporating	Electro-winning	Shredding	Crushing
Compacting	Absorbing	Mixing	Reducing
Drying	Ion exchange	Adjusting pH	Biological degradation

Tiered Permitting

- Treatment does not include:
 - Sieving or filtering liquid hazardous waste to remove solid fractions
 - Heat, chemicals, or pressure CANNOT be used to remove solid fractions
 - Phase separation of hazardous waste during storage or accumulation in tanks or containers
 - Heat or chemicals CANNOT be used to aid phase separation
 - [Continued...]

HSC 25123.5

Tiered Permitting

- Combining two or more compatible waste streams in a single container
 - Waste streams CANNOT be combined to meet a fuel specification
 - The combined waste streams are managed in compliance with the most stringent regulatory requirements applicable to each individual waste stream
- Evaporation of water from hazardous waste in tanks or containers
 - Heat, chemicals, or pressure CANNOT be used to assist in evaporation
- Combination of glutaraldehyde or ortho-phthalaldehyde used by medical facilities to disinfect medical devices

HSC 25123.5

Tiered Permitting

- Full permit
 - Applies to RCRA waste treated, stored, or disposed of on-site and accepted from other locations
- Standardized permit
 - Applies to most non-RCRA wastes that are received from other facilities for treatment and storage

Tiered Permitting

- Permit by Rule (PBR)
 - Allows a facility treating certain waste streams with designated methods to notify DTSC or the CUPA of its operations and to be authorized to conduct the treatment without extensive prior review by DTSC or the CUPA

Tiered Permitting

- PBR facilities
 - Inspection schedule & log
 - Phase I assessment
 - DTSC Form 1151 may be used
 - Financial assurance
 - Written instructions
 - Waste Analysis Plan
 - Closure Plan
 - Hazwaste removed within 90 days, closure activities completed within 180 days, CUPA notified at least 15 days prior to completion of closure

Tiered Permitting

- Conditional authorization (CA)
 - Applies to a category of waste streams that, if treated using specified treatment technologies and if they do not exceed established volumes of waste treated, are allowed to be treated without prior review from DTSC or the CUPA

Tiered Permitting

- CA facilities
 - Inspection schedule & log
 - Phase I assessment
 - DTSC Form 1151 may be used
 - Financial assurance
 - Written instructions
 - Closure Plan
 - Remove and decontaminate equipment, waste residues
 - Notify CUPA in writing after all closure requirements are met

Tiered Permitting

- Conditional exemption (CE)
 - Applies to specified categories of lowest-risk waste streams and treatment of limited volumes of waste that are authorized by DTSC or the CUPA without prior review by DTSC or the CUPA
 - The CE tier is further divided into four categories:
 - Conditional Exemption Small Quantity Treatment (**CESQT**)
 - Conditional Exemption Specified Wastestreams (**CESW**)
 - Conditional Exemption-Limited (**CEL**)
 - Conditional Exemption Commercial Laundries (**CECL**)

Tiered Permitting

- CE facilities
 - Inspection schedule & log
 - Written instructions
 - Closure Plan
 - Remove and decontaminate equipment, waste residues
 - Notify CUPA in writing after all closure requirements are met

Tiered Permitting

- Eligibility for the different tiers depends on the:
 - Type (concentration/composition) of hazardous waste being treated or stored
 - Volume treated
 - Treatment process used

Tiered Permitting

- Certain treatment activities do not require authorization:
 - Rinsing, crushing, shredding, grinding, or puncturing exempt containers [22 CCR 66261.7]
 - Addition of absorbent [22 CCR 66265.1(e)(13)]
 - Puncturing, draining, or crushing aerosol containers – requires notification [HSC 25201.16]
 - Benchtop treatment of laboratory waste [HSC 25200.3.1]



Waste Minimization

Waste Minimization

The Source Reduction and Hazardous Waste Management Review Act of 1989, commonly called SB 14, requires hazardous waste generators to consider source reduction as the preferred method of managing hazardous waste.

22 CCR 67100.2

SB 14 Applicability

- Generators who routinely generate, through ongoing processes and operations, more than 12,000 kg of hazardous waste or 12 kg of extremely hazardous waste in a reporting year
- Routinely generated wastes include:
 - Hazardous and extremely hazardous wastes that result from ongoing processes or operations; OR
 - Hazardous wastes generated from regularly scheduled maintenance or production activities performed less frequently than once a year

22 CCR 67100.2

Waste Minimization Exceptions

- The following hazardous wastes are not subject to waste minimization regulations:
 - Motor vehicle fluid and filters
 - Lead-acid batteries
 - Household hazardous waste
 - Waste pesticides and containers collected by county agricultural commissioners
 - *[Continued...]*

22 CCR 67100.2

Waste Minimization Exceptions

- Spent munitions and ordnance
- Utility poles
- Oil from decommissioned refrigeration units
- Mercury relays from telephone equipment
- Lighting wastes
- Universal wastes

22 CCR 67100.2

Waste Minimization

- The following hazardous wastes are not considered routinely generated:
 - Asbestos
 - PCBs
 - Fluids from geothermal exploration
 - Demolition/renovation wastes
 - Wastes from emergency response actions
 - Lab research
 - Medical wastes

22 CCR 67100.2

Waste Minimization

- Reporting year is the calendar year immediately preceding the year in which Plan, Performance Report, and Summary Progress Report (SPR) are due
 - 2018 was the last reporting year
 - 2022 is the next reporting year

22 CCR 67100

Waste Minimization

- Generators subject to these regulations must prepare, by September 1st following the reporting year, the following documents:
 - Plan
 - Performance Report
 - Summary Progress Report (SPR)

22 CCR 67100.6

Waste Minimization Plan

- Plan must include:
 - Generator information
 - Description of site operations
 - Identification of routinely generated waste streams
 - Evaluation of source reduction measures
 - Schedule for implementation of source reduction measures

22 CCR 67100.6

Waste Minimization Performance Report

- Performance Report must include:
 - Generator information
 - Estimated quantities of hazardous waste generated during reporting year
 - Description of current hazardous waste management practices
 - Factors that impacted hazardous waste generated during reporting year

22 CCR 67100.6

Waste Minimization Summary Progress Report

- Summary Progress Report must include:
 - Completed DTSC Form #1262 – Summary Progress Report for each routinely generated waste stream
- This form, along with SB 14 guidance documents, is only accessible on [DTSC's Website Archive](#), and is not being updated

22 CCR 67100.9

Waste Minimization Documentation

- Generators must retain a current copy of their Plan, Performance Report, and SPR
- Copies must be available to DTSC or CUPA inspectors

22 CCR 67100.3

Thank You

Questions? Contact us at:

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1141 Sibley Street
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COUNTING PURPOSE CHART

This chart provides the reasons why a person must always count their hazardous waste, a reference to where each applicable law or regulation can be found and a summary of the provision referenced.

Why count?	Statute/regulation	Summary
To determine if a generator may use consolidated manifesting	HSC 25160.2	Consolidated manifesting may be used in place of the Uniform Hazardous Waste Manifest for the transportation of certain types of hazardous waste. Only generators of less than 1,000 kg of hazardous waste per month may use consolidated manifesting. However, when counting hazardous wastes for this purpose the generator need not include used oil in their calculation.
To determine generator status	Title 22, CCR 66262.34	A person's generator status is determined by how much hazardous waste they generate by site, in a calendar month. A person who generates less than 1,000 kg of hazardous waste (i.e., a Small Quantity Generator (SQG)) is exempt from some of the standards that normally apply to generators of hazardous waste (in Chapter 12). For more information on generator standards please review our generator fact sheet.
To determine when a generator's accumulation time limit begins	HSC 25123.3(c)	A generator's accumulation start time begins the first day hazardous waste is accumulated onsite. However, if a person generates no more than 100 kg of hazardous waste or 1 kg of acute hazardous waste per month, the generators accumulation start time begins the day when the 100 kg or 1 kg limit is reached.
To determine if a generator must submit a Biennial report	Title 22, CCR 66262.41(a)	Biennial reports are to be submitted on even numbered years and cover the amount of hazardous waste generated by a person from the previous year (i.e., the odd numbered year) A biennial report is required to be submitted if a person: <ul style="list-style-type: none"> -generated 1000 kg or more of RCRA non-acute hazardous waste in any single calendar month; -generated or accumulated more than 1 kg of RCRA acute hazardous waste in any single calendar month; or -generated or accumulated more than 100 kg of spill cleanup material contaminated with RCRA acute hazardous waste at any time.

To determine if a generator may use a Household Hazardous Waste Collection program	HSC 25218.1	A person who generates no more than 100 kg of hazardous waste or 1 kg of acutely hazardous waste per month (i.e., meets the criteria to be a Conditionally Exempt Small Quantity Generator (CESQG), in 40 CFR, part 261.5(a)) may send their hazardous waste to a Household Hazardous Waste Collection Facility.
To calculate generator fees	HSC 25205.5	Every generator that produces five or more tons (~ 5,000 kg) of hazardous waste will pay the Board Of Equalization (BOE) a generator fee for each site.
To calculate disposal fees	HSC 25174	Disposal fees are calculated using the total wet weight measured in tons, or fractions thereof, of the hazardous waste in the form in which the hazardous waste existed at the time of disposal, submission for disposal, or application to land using a land disposal method as defined in Section 66260.10 of Title 22 of the California Code of Regulations (CCR). Fees are paid on the first 5,000 tons per month disposed of or submitted for disposal of non-RCRA and mining waste at each onsite or offsite facility by each producer.
To determine if a generator needs to obtain a (federal) EPA Identification (ID) number	Title22,CCR 66262.12(a)	If a business generates more than 1 kilogram of RCRA acutely hazardous waste per month or more than 100 kilograms of other RCRA hazardous waste per month, they must have a federal EPA ID number.
To determine if a generator of silver only waste is exempt from obtaining an EPA ID number	Title 22, CCR 66262.12(d)	Generators of silver only wastes (e.g., photofinishing solution) are exempt from the requirement to obtain an EPA ID Number, including a California EPA ID Number if they generate no more than 100 kg of silver only waste per month.
To determine if an EPA ID number is required for universal waste	Title 22, CCR 66273.1(b)	Universal waste may be managed under the alternative management standards found in Chapter 23 of Title 22. A universal waste handler is not required to obtain an EPA ID number when accumulating universal waste if the amount never exceeds 5,000 kg onsite, at any given time.
To determine accumulation time limits when managing spent lead-acid batteries under Article 7 of Chapter 16.	Title 22, CCR 66266.81(a)(3)	Spent lead acid batteries may be managed under the alternative management standards in Article 7 of Chapter 16. A person may accumulate spent lead acid batteries onsite for up to 1 year if the quantity of batteries onsite does not exceed 1 ton. If the quantity of batteries onsite exceeds 1 ton, a person may accumulate spent lead acid batteries up to 180 days.

To determine accumulation time limits when managing drained used oil filters under Article 10 of Chapter 16.	Title 22, CCR 66266.130(c)(4)	Drained used oil filters may be managed under the alternative management standards in Article 10 of Chapter 16. A person may accumulate drained used oil filters onsite for up to 1 year if the quantity of filters onsite does not exceed 1 ton. If the quantity of filters onsite exceeds 1 ton, a person may accumulate drained used oil filters up to 180 days.
To determine accumulation time limits when managing Treated Wood Waste (TWW) under Chapter 32 of Title 22.	Title 22, CCR 67386.6(e)	TWW may be managed under the alternative management standards in Chapter 32 of Title 22. TWW produced incidental to the operation of a business is exempt from accumulation time limits if no more than 1,000 pounds is accumulated onsite.
To determine if generators of -oil based paint may bring their paint to a collection location operating under Article 10.7 of Chapter 6.5.	HSC 25217.2.1	A person who generates no more than 100 kg of hazardous waste per month (i.e., meets the criteria to be a CESQG, in 40 CFR part 261.5(a)) may bring their oil based paint to a collection location operating under Article 10.7 of Chapter 6.5 (i.e., the location has a contract with Paint Care (representing paint manufacturers) to collect paint).
To determine if a person can manage elemental mercury under alternative management standards in Article 9 of Chapter 16.	Title 22, CCR 66266.120	A person may store, transport or accept non-RCRA elemental mercury under the alternative management standards in Article 9 of Chapter 16 as long as the total amount of mercury does not exceed 10 lbs.
To determine the standards applicable to a Used Oil Collection Center (UOCC) .		UOCCs may accept small amounts of used oil from generators who self-transport their used oil to these collection centers. UOCCs are subject to the generator standards in Chapter 12 for the used oil they accept, accumulate and store from offsite sources. UOCCs may be exempt from some of the standards in Chapter 12 if they accept less than 1,000 kg of used oil per month from offsite sources.
To determine if a generator of universal waste is exempt from the alternative management standards (in Chapter 23 of Title 22).		A Conditionally Exempt Small Quantity Universal Waste Generator (CESQUWGs) is exempt from the alternative management standards in Chapter 23 of title 22 for their universal waste if they generate less than 100 kg of RCRA hazardous waste including universal waste that is RCRA hazardous waste and no more than 1 kilogram (2.2 pounds) of acutely hazardous waste in any calendar month and they remain in compliance with 40 CFR section 261.5.
To determine if a person is exempt from the alternative management		A person who generates in one year, stores at one time, or transports at one time in one vehicle ten or fewer spent lead-acid storage batteries is exempt

standards (in Article 7 of Chapter 16) for spent lead acid batteries.		from the alternative management standards in Article 7 of Chapter 16.
To determine if wastewater mixtures containing RCRA listed wastes are not hazardous wastes		Wastewaters that are mixed with certain RCRA listed hazardous wastes and do not exhibit a hazardous waste characteristic are not hazardous wastes. In order to determine if the wastewater mixture meets the conditions to be exempted, a generator must count the weekly usage of solvents used and wastewater generated as described in subsection (a)(2)(F) of section 66261.3 of Article 1 of Chapter 11.
To ensure recyclable materials are not accumulated speculatively.		Certain materials are not regulated as hazardous waste when recycled (e.g. recyclable materials excluded from classification as a waste under subdivision (b) or (d) of section 25143.2 of Health and Safety Code). Materials that are or may be recycled may not be accumulated speculatively. In order to ensure materials are not accumulated speculatively, a generator must count the amount of material generated, recycled and remaining onsite at the end of each calendar year.



Jared Blumenfeld
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Annual Fee Summary

Fee Rates for Calendar Year January 1, 2019 through December 31, 2019
(Revised 5/01/2019)

The Department of Toxic Substances Control (DTSC) is the lead agency in California for hazardous waste management. DTSC enforces the state's Hazardous Waste Control laws, issues permits to hazardous waste facilities, and mitigates contaminated hazardous waste sites. This document summarizes the fees charged by DTSC. The California Department of Tax and Fee Administration (CDTFA) (formerly the State Board of Equalization (BOE)) partners with DTSC to administer and collect many of the fees described in this summary.

The purpose of this document is to conveniently summarize state law as it relates to fees charged and collected by DTSC or collected by CDTFA for DTSC. Additional information about hazardous waste fees can be found on DTSC or CDTFA's websites¹. The DTSC Fees Unit can be contacted directly at Fees@dtsc.ca.gov. Information can also be obtained by contacting DTSC's Regulatory Assistance Officers at (800) 728-6942 or (916) 324-2439 (out-of-state) or by email at RAO@dtsc.ca.gov.

In the event of a conflict between state law, regulations or policy and this document, state law, regulations or policy prevail. The following provides detail for each fee charged by DTSC as well as a section for hazardous-waste legislation and a glossary of all acronyms used.

1.	Activity Fees for Permitting.....	Page 2
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¹ Department of Toxic Substances website: <http://www.dtsc.ca.gov/>
CDTFA Special Taxes and Fees Program website: <http://www.cdtfa.ca.gov/taxes-and-fees/>

Summary of Fees

- **Activity Fee for Hazardous Waste Permit Applications and Permit Modifications** (Health and Safety Code (H&SC) Sections 25189.3, 25205.7, 25206.1 through 25206.4 and 25247(d)(3))

Senate Bill (SB) 839 (Chapter 340, Statutes of 2016) eliminated the option for a flat-rate Activity Fee for hazardous waste facility permit application and permit modification requests submitted after April 1, 2016. SB 839 requires anyone applying for a new permit, renewal of a permit, standardized permit, or post closure permit, or requesting certain permit modifications to enter into a written agreement to reimburse DTSC for its costs incurred in processing the application or request. This requirement also applies to requests for variances and waste classification determinations.

DTSC has developed a permitting cost reimbursement policy and procedure document and a proposed cost reimbursement agreement. DTSC has met, and will continue to meet, with each of the facilities applying for permits or requesting permit modifications to discuss the cost reimbursement policy and procedure document, cost reimbursement agreement, cost estimate, required advance payment, billing issues, and schedule of the permitting project. A copy of the permitting cost reimbursement policy and procedure document can be found at: <https://dtsc.ca.gov/wp-content/uploads/sites/31/2019/05/Cost-Reimbursement-Policy-and-Procedure.pdf>

Activity Fees for Permitting do not apply to the following: (H&SC Section 25205.7 (e) & (f))

1. Any variance granted pursuant to Article 4 (commencing with Section 66263.40) of Chapter 13 of Division 4.5 of Title 22 of the California Code of Regulations (CCR) (certain transportation operations).
2. Any variance issued to a public agency to transport wastes for purposes of operating a household hazardous waste collection facility, or to transport waste from a household hazardous waste collection facility, which receives household hazardous waste or hazardous waste from conditionally exempted small quantity generators pursuant to Article 10.8 (H&SC Section 25218).
3. A permanent household hazardous waste collection facility.
4. Any variance issued to a public agency to conduct a collection program for agricultural wastes.

Consultative Services (H&SC Sections 25201.9 and 25206.1 through 25206.4)

DTSC may, upon written request of any person, enter into an agreement to provide certain consultative services to businesses who request DTSC's advice and assistance in complying with H&SC, Division 20, Chapter 6.5 (Hazardous Waste Control Law) or Chapter 6.8 (Hazardous Substance Account Act). The agreement will require the person to reimburse DTSC for its costs pursuant to H&SC Sections 25206.1 through 25206.4.

- **Disposal Fee** (H&SC Sections 25174.1 through 25174.7, 25205.5.1 and Section 66269.2 of Title 22 CCR)

Persons who dispose of hazardous waste to land at an authorized hazardous waste disposal facility in California will pay a fee directly to the disposal facility, and the disposal facility will transmit the fee to CDTFA for deposit into the Hazardous Waste Control Account (HWCA). The fees specified in Table 1, established in H&SC Section 25174.6(a), are the rates for Calendar Year (CY) 2019 and are adjusted annually, except for the non-Resource Conservation and Recovery Act (RCRA) Cleanup Waste rate, to reflect changes in the Consumer Price Index (CPI) as determined by the Department of Industrial Relations. Disposal Fees are calculated using the total wet weight measured in tons, or fractions thereof, of the hazardous waste in the form in which the hazardous waste existed at the time of disposal, submission for disposal, or application to land using a land disposal method as defined in Section 66260.10 of Title 22 CCR.

Summary of Fees

Table 1: Land Disposal Fees for CY 2019

Due Date: Upon disposal at the disposal facility	
Base Rate \$148.32	
<u>Waste Category</u>	<u>Rate</u>
Non-RCRA cleanup wastes* (excluding asbestos).....	\$ 5.72/ton
Other non-RCRA wastes* (including asbestos).....	\$ 24.19/ton
Ores and Minerals*, Mining Waste.....	\$ 19.28/ton
Extremely Hazardous Waste.....	\$296.64/ton
Restricted Hazardous Waste.....	\$296.64/ton
RCRA hazardous waste, not elsewhere classified.....	\$ 59.92/ton
RCRA hazardous waste treated at the facility to be non-RCRA or nonhazardous.....	\$ 24.19/ton
RCRA hazardous waste generated in a cleanup action and treated to non-RCRA standards.....	\$ 5.72/ton
Incineration or dechlorination residues disposed in-state.....	\$ 7.42/ton
Waste disposed out-of-state, or Exempt Waste.....	\$ 0.00
* Fees are paid on the first 5,000 tons per month disposed of or submitted for disposal of non-RCRA and mining waste at each onsite or offsite facility by each generator.	

Land Disposal Fees do not apply to any of the following: (H&SC Section 25174.1)

1. Hazardous waste that results when a government agency, or its contractor, removes or remedies a release of hazardous waste in the state caused by another person.
2. Hazardous waste generated or disposed of by a public agency operating a household hazardous waste collection facility in the state pursuant to H&SC, Division 20, Chapter 6.5, Article 10.8, commencing with Section 25218, including, hazardous waste received from conditionally exempt small quantity commercial generators.
3. Hazardous waste generated or disposed of by local vector control agencies that have entered into a cooperative agreement pursuant to H&SC Section 116180 or by county agricultural commissioners, if the hazardous waste resulted from their control or regulatory activities and if they comply with the requirements of this chapter and regulations adopted.
4. Hazardous waste disposed of, or submitted for disposal or treatment, which is discovered and separated from solid waste as part of a load checking program.
5. Hazardous waste disposed of by any person who acquires land for the sole purpose of owner-occupied single-family residential use, and who acquires that land without actual or constructive notice or knowledge that there is a tank containing hazardous waste on or under that property, if the waste is disposed in connection with the removal of the tank.

■ **Environmental Fee** (H&SC Section 25205.6 and Section 66269.1 of Title 22 CCR)

On or before November 1 of each year, DTSC provides CDTFA with a schedule of codes from either the Standard Industrial Classification system maintained by the U.S. Department of Labor, or the North American Industry Classification system adopted by the U.S. Census Bureau, whichever it deems suitable, designating the classes of organizations that use, generate, store, or conduct activities in the state related to hazardous materials (activities related to hazardous materials include the use of products such as paper, ink, plastics, paint, etc., which were manufactured using hazardous materials). CDTFA

Summary of Fees

assesses and collects this fee from organizations using the codes provided by DTSC. Organizations subject to the fee are required to report annually on an Environmental Fee Return provided by CDTFA. The rates specified in Table 2 are for CY 2019. The fees will be collected on the last day of February in 2020 for the prior year. The fees are adjusted annually based on changes in the CPI as determined by the Department of Industrial Relations.

Table 2: Environmental Fee CY 2019

Due Date: On the last day of February 2020 on a return provided by CDTFA	
<u>Business Size</u>	<u>Fee</u>
Less than 50 employees.....	\$ 0
50 but less than 75 employees.....	\$ 341
75 but less than 100 employees.....	\$ 599
100 but less than 250 employees.....	\$ 1,190
250 but less than 500 employees.....	\$ 2,553
500 but less than 1,000 employees.....	\$ 4,768
1,000 or more employees.....	\$16,177

Counting Employees in Calculating the Fee: The number of employees employed by a business organization is the number of persons employed in California for more than 500 hours during the previous calendar year for which the fee is due.

The following businesses are exempt from the Environmental Fee: (H&SC Section 25205.6)

1. Nonprofit residential care facilities.
2. Insurance companies that pay tax on gross premiums in lieu of all other California taxes and licenses.
3. Banks that pay a tax on net income in lieu of all other California taxes and licenses. Banks and insurance companies must pay the Environmental Fee for wholly owned corporations not engaged in banking or insurance.

■ **EPA ID Verification Fee** (H&SC Section 25205.16)

DTSC is authorized to assess an annual verification fee on all generators, transporters, or facility operators with 50 or more employees that require an identification number issued by DTSC or by the U.S. EPA. There is an annual cap of \$5,000 for each generator, transporter, or facility that may have multiple ID numbers. State ID numbers are owner and site specific. EPA ID numbers are site specific. The fee is due within 30 days from the date of receipt of notice by DTSC. See the Related Links section found on DTSC's Hazardous Waste ID Number website² for more information. Table 3 reflects the fee collected for each identification number based on the number of employees within a firm or organization. EPA ID site fees are based on the number of employees employed in California in the entire firm or organization, who work more than 500 hours during the preceding calendar year.

² <https://dtsc.ca.gov/hazardous-waste-manifest-information/>

Summary of Fees

Table 3: EPA ID Verification Fee for Fiscal Year (FY) 2018-19

Due Date: 30 days from the date of receiving a notice from DTSC	
<u>Number of Employees</u>	<u>Fee*</u>
Less than 50 employees.....	\$ 0
50 but less than 75 employees.....	\$150
75 but less than 100 employees.....	\$175
100 but less than 250 employees.....	\$200
250 but less than 500 employees.....	\$225
500 or more employees.....	\$250
* Not subject to CPI adjustment.	

- **Facility Fees** Generally: H&SC Sections 25205.1 through 25205.4 and 25205.12 through 25205.14 and 25205.17 through 25205.21)

Any facility treating, storing or disposing of hazardous waste in California must have a hazardous waste facility permit. The facility fee due is determined by the type or types of permits held by a facility operator.

California Assembly Bill (AB) 1772 (Chapter 1325, Statutes of 1992) created permit levels that allow facilities that pose a lesser threat to public health and the environment to handle hazardous waste under certain conditions without being required to secure a full permit (H&SC Section 25205.7) or pay facility fees (H&SC Section 25205.2).

Five Permitting Tiers

The following is a brief summary of each of the five tiers. Currently, California has a five-tiered permitting program which matches the statutory/regulatory requirements imposed upon each category of hazardous waste facility to the degree of risk posed by them.

The five permitting tiers, in descending order of regulatory oversight are:

- **Full Permit Tier**
- **Standardized Permit Tier**
- **Permit by Rule (PBR) Tier**
- **The Conditional Authorization (CA) Tier**
- **The Conditional Exemption (CE) Tier**

Full Permit Tier

Includes all facilities requiring a RCRA permit, plus selected California only (non-RCRA) activities pursuant to Title 22 California Code of Regulations (22 CCR)

Standardized Permit Tier

A facility that manages waste not regulated under RCRA, but regulated as a hazardous waste in California (i.e., non-RCRA hazardous waste). These facilities include, but are not limited to recyclers, oil transfer stations, and precious metal recyclers. Onsite facilities not regulated under RCRA (e.g., generators that treat their hazardous waste) are also eligible for a Standardized Permit.

Summary of Fees

Permit by Rule (PBR) Tier

A non-RCRA onsite treatment permit for specific waste streams and treatment processes, such as concentrated metal-bearing wastes, concentrated acids or alkalis, wastes posing multiple hazards, and silver recovery.

Conditional Authorization (CA) Tier

A non-RCRA hazardous waste onsite treatment authorization for specific waste streams such as metal-bearing waters, and mostly single-hazardous wastes, some neutralization, and oil/water separation.

Conditional Exemption (CE) Tier

A non-RCRA hazardous waste onsite treatment authorization for small-quantity treatment and other low-risk treatment, including oil-water separation, container rinsing or destruction, gravity settling, and some neutralization.

Reducing or Terminating Facility Fees

Full and Standardized permitted facilities may be entitled to a reduction in fees when:

- **Size:** The facility notifies DTSC in writing and pledges to operate at a reduced capacity, below the amount the permit allows (H&SC Section 25205.18).
- **Type:** A facility that changes the type of authorization must do so using a Permit Modification, for example from treatment to storage. A reduction in the type of authorization may result in lower facility fees H&SC Section 25205.19).
- **Timing:** Facility fees for facilities reducing their capacity or type would be reduced in the next calendar year following the year the change occurs (H&SC Section 25205.19(b)).

Closing Facilities and Ceasing Operations

Closing Facilities – All facilities that are closing must notify DTSC in writing of their intent to close and when operations actually ceased. (H&SC Sections 25205.2(d)(4), 25201.5(d)(8); and 22 CCR Division 4.5, Chapter 14, Article 7 or Chapter 15, Article 7 and Chapters 20, 21 and 45). A facility shall not be deemed to have stopped treating, storing or disposing of hazardous waste unless it has actually ceased that activity and has notified the department of its intent to close.

Non-operating Facilities Ceasing Operations - Non-operating treatment or storage facilities owe the Facility Fee for one calendar year after they have ceased operations and notified DTSC of their intent to close. The Facility Fee rate for this additional year after final closure shall be either:

- (1) the largest facility size rate at which the facility has ever been subject to the fee; or
- (2) where prior approval was obtained from, and granted by DTSC for a variance, closure, or permit-by-rule, the largest facility size rate since the department last granted approval for such variance, closure or permit-by-rule. (H&SC Section 25205.2(d)(2))

Non-operating disposal facilities pay twice the applicable full permit Facility Fee for one additional reporting period after operations have ceased. (H&SC Section 25205.2(d)(3))

■ **Full Permit Facility Fee** (H&SC Sections 25205.1(b) and 25205.2 through 25205.7)

Each operator of a facility will pay an annual Facility Fee for each reporting period, or any portion thereof, to CDTFA based on the size and type of the facility. Facility means any units or other structures, and all contiguous land, used for the treatment, storage, disposal, or recycling of hazardous waste for which a permit or a grant of interim status has been issued by DTSC for that activity.

Summary of Fees

Facility Fees are due and payable to CDTFA annually in two installments each at 50% of the annual Facility Fee. CDTFA will mail prepayment forms to registered fee payers approximately 30 days prior to the due dates. The rates specified in Table 4 are for CY 2019 and are adjusted annually to reflect changes in the CPI as determined by the Department of Industrial Relations.

Table 4: Full Permit Facility Fee for CY 2019

Due Dates:		
Two Prepayments	February 28, 2019 (during the reporting period)	
	August 31, 2019 (during the reporting period)	
Reconciliation	February 29, 2020 (any remaining balance)	
Base Rate \$34,381		
<u>Facility Type</u>	<u>Rate</u>	<u>Fee</u>
Mini storage facility.....	25% base rate.....	\$ 8,595
Small storage facility.....	100% base rate.....	\$ 34,381
Large storage facility.....	2 x base rate.....	\$ 68,762
Mini treatment facility*.....	50% base rate.....	\$ 17,191
Small treatment facility*.....	2 x base rate.....	\$ 68,762
Large treatment facility* (onsite/offsite).....	3 x base rate.....	\$103,143
Disposal facility.....	10 x base rate.....	\$343,810
* "Land treatment units" as defined in H&SC Section 25209.1 pay an annual fee equivalent to two percent of the land disposal fee (See Disposal Fee previous page) in addition to the annual Facility Fee, which is due at the same time as the Facility Fee. (H&SC Section 25209.7)		

Definitions for Full Permit Facilities: (H&SC Section 25205.1)

Note: The term "capacity" referred to in the definitions below is the capacity provided in a permit, interim status document or Federal Part A application.

- Mini-storage facility** A storage facility that stores or has the capacity to store 0.5 ton (1,000 pounds) or less of hazardous waste during any one month of the current reporting period.
- Small storage facility** A storage facility that stores more than or has the capacity to store more than 0.5 ton (1,000 pounds), but less than 1,000 tons, of hazardous waste during any one month of the current reporting period.
- Large storage facility** A storage facility that stores or has the capacity to store 1,000 or more tons of hazardous waste during any one month of the current reporting period.
- Mini-treatment facility** A treatment facility that treats, land treats, or recycles, or has the capacity to treat, land treat, or recycle 0.5 ton (1,000 pounds) or less of hazardous

Summary of Fees

waste during any one month of the current reporting period.

- **Small treatment facility** A treatment facility that treats, land treats, or recycles, or has the capacity to treat, land treat, or recycle more than 0.5 ton (1,000 pounds), but less than 1,000 tons, of hazardous waste during any month of the current reporting period.
- **Large treatment facility** A treatment facility that treats, land treats, or recycles, or has the capacity to treat, land treat, or recycle 1,000 or more tons of hazardous waste during any one month of the current reporting period.
- **Disposal Facility** Any units, structures and all contiguous land, used for the disposal of hazardous waste, for which a permit or grant of interim status has been issued by DTSC pursuant to Article 9 of Chapter 6.5 of Division 20 of the Health and Safety Code. "Disposal" includes only the placement of hazardous waste onto or into the ground for permanent disposition and does not include the placement of hazardous waste in surface impoundments or onto or into the ground solely for purposes of land treatment.

Full Permit Fees do not apply to the following: (H&SC Sections 25205.2, 25205.3 and 25205.12)

1. Facilities operating under a standardized permit, permit-by-rule, or conditional exemption.
2. Facilities authorized by DTSC to clean and recycle excavated underground storage tanks until an effective date of a regulation, adopted by DTSC, governing the statewide requirements for the issuance of a permit for tank cleaning and recycling facilities. Standards for tank systems and underground storage tank closure requirements can be found in section 67383.3 of Title 22 CCR and section 2672 of Title 23 CCR.
3. A facility that DTSC has issued a variance from the requirement of obtaining a hazardous waste facility permit or grant of the Interim Status Documents (ISD) is not subject to the fee for any reporting period following the reporting period in which the variance was granted by the department.
4. Treatment facilities engaging in treatment exclusively to accomplish a removal, or remedial action or a corrective action, in accordance with an order issued by the U.S. EPA or an order issued by DTSC pursuant to H&SC Section 25187 (order for corrective action) if the facility was put in operation solely for the purposes of complying with the order.
5. Any household hazardous waste collection facility operated pursuant to Article 10.8 of Chapter 6.5 of Division 10 of the Health and Safety Code.
6. Any facility operated by a local government agency, or by any person operating a hazardous waste collection program under an agreement with a public agency, which is used for wastes which meets the requirements of H&SC Section 25174.7(a)(3) [local vector control agency

Summary of Fees

generated hazardous waste].

7. That portion of a permitted solid waste facility which is used for the segregation, handling, and storage of hazardous waste separated from solid waste loads received by the facility, pursuant to a load checking program.
8. A facility used solely for the treatment, storage, disposal, or recycling of hazardous waste that results when a public agency or its contractor investigates, removes, or remedies a release of hazardous waste caused by another person.
9. A facility that has been issued a permit for storing hazardous waste onsite, and whose permit has expired, if all the following has occurred:
 - a. The facility has received no waste from offsite since the permit expired;
 - b. The owner or operator gave DTSC timely notification of intent to close the facility, pursuant to regulations adopted by DTSC;
 - c. At least 90 days have elapsed since the owner or operator gave DTSC that notification; and
 - d. DTSC did not complete its review of the closure plan within 90 days of receiving the notification.
10. An operator who is operating in such a manner that a permit or a grant of interim status is required, but who does not hold a permit or a grant of interim status, is not required to pay facility fees. However, the operator could be subject to fines and penalties for operating without a permit or a grant of interim status. If the facility is allowed to operate pursuant to an order requiring the facility to obtain a permit within a specified amount of time, the order may also require fees to be paid while the permit issuance is pending as a condition of operation.

■ **Postclosure Permit Facility Fee** (H&SC Sections 25205.4(c)(9) and 25247(d)(3))

Postclosure Fee applies to Full Permit facilities with postclosure permits. The fee also applies at the time of commencement of the postclosure period to a facility owner or operator when DTSC imposes a postclosure plan in the form of an enforcement order or enforceable agreement. Facilities are required to report their facility size on a Hazardous Waste Facility Fee Return provided by CDTFA. Table 5 are CY 2019 postclosure permit facility fees. These fees are not subject to annual CPI adjustment.

Table 5: Postclosure Permit Facility Fee for CY 2019

Due Dates:		
Two Prepayments	February 28, 2019 (during the reporting period) August 31, 2019 (during the reporting period)	
Reconciliation	February 29, 2020 (any remaining balance)	
<u>DTSC-Lead Sites*</u>		
	During first five years of postclosure period	During remaining years of postclosure period
Small Facility	\$ 5,725	\$ 3,050
Medium Facility	\$11,450	\$ 6,100
Large Facility	\$17,175	\$10,300
* These fees will be reduced by 50 percent for any facility for which an agency other than DTSC (i.e., a Regional Water Quality Control Board) is the lead agency. (H&SC Section 25204.6(b)(1))		

Summary of Fees

■ **Standardized Permit Facility Fee** (H&SC Sections 25201.6 and 25205.4(e))

California SB 27 (Chapter 410, Statutes of 1993) created the standardized permit tier. Standardized permits are only for non-RCRA facilities. Each facility will pay an annual Facility Fee in addition to the Activity Fee (see Activity Fees H&SC Section 25205.7) assessed upon application for a permit or renewal. The amount of the annual Facility Fee is determined by the size and series designation of the facility. All Facility Fees will be billed by CDTFA. All Activity Fees will be billed by DTSC. Table 6 lists the Facility Fees for a Standardized Permit in CY 2019. Standardized permit Facility Fees are not subject to annual CPI adjustment.

Table 6: Standardized Permit for CY 2019

Due Dates:	
Two Prepayments	February 28, 2019 (during the reporting period) August 31, 2019 (during the reporting period)
Reconciliation	February 29, 2020 (any remaining balance)
Series A.....	\$11,730
Series B.....	\$ 5,497
Series C.....	\$ 4,617
Small Quantity Series C	\$ 2,308

Definitions for Standardized Permit Facilities: (H&SC Sections 25201.6 and 25205.4(e)(4))

“SERIES A” Standardized Permit means a permit issued to a facility that meets one or more of the following conditions:

1. The total influent volume of liquid hazardous waste treated is greater than 50,000 gallons per calendar month.
2. The total volume of solid hazardous waste treated is greater than 100,000 pounds per calendar month.
3. Where both liquid and solid hazardous wastes are being treated, either the total volume of liquid waste treated exceeds the volume specified in number one (1) above, or the total weight of solid hazardous waste treated exceeds the weight specified in number two (2) above.
4. The total facility storage design capacity is greater than 500,000 gallons for liquid hazardous waste.
5. The total facility storage design capacity is greater than 500 tons for solid hazardous waste.
6. Where both liquid and solid hazardous waste are being stored, the total volume of liquid waste stored exceeds the volume specified in number four (4) above, or the total volume of solid hazardous waste stored exceeds the volume specified in number five (5) above.
7. A volume of liquid or solid hazardous waste is stored at the facility for more than one calendar year.

“SERIES B” Standardized Permit means a permit issued to a facility that does not store liquid or solid hazardous waste for a period of more than one calendar year, and that meets one or more of the following conditions:

1. The total influent volume of liquid hazardous waste treated is greater than 5,000 gallons but less than 50,000 gallons per calendar month.
2. The total volume of solid hazardous waste treated is greater than 10,000 pounds but less than 100,000 pounds per calendar month.

Summary of Fees

3. Where both liquid and solid hazardous wastes are being treated, the total volume of liquid hazardous waste treated does not exceed the volume specified in number one (1) above, and the volume of solid hazardous waste treated does not exceed the volume specified in number two (2) above.
4. The total facility storage design capacity is greater than 50,000 gallons but less than 500,000 gallons for liquid hazardous waste.
5. The total facility storage design capacity is greater than 100,000 pounds but less than 500 tons for solid hazardous waste.
6. Where both liquid and solid hazardous wastes are being stored, the total volume of liquid hazardous waste stored does not exceed the volume specified in number four (4) above, and the total volume of solid hazardous waste stored does not exceed the volume specified in number five (5) above.

“SERIES C” Standardized Permit means a permit issued to a facility that does not store liquid or solid hazardous waste for a period of more than one calendar year, that does not conduct thermal treatment of hazardous waste, with the exception of evaporation, and meets all of the following conditions:

1. The total influent volume of liquid hazardous waste treated does not exceed 5,000 gallons per calendar month.
2. The total volume of solid hazardous waste treated does not exceed 10,000 pounds per calendar month.
3. Where both liquid and solid hazardous wastes are being treated, the total volume of liquid hazardous waste treated does not exceed the volume specified in number one (1) above, and the total volume of solid hazardous wastes treated does not exceed the volume specified in number two (2) above.
4. The total facility storage design capacity does not exceed 50,000 gallons for liquid hazardous waste.
5. The total facility storage design capacity does not exceed 100,000 pounds for solid hazardous waste.
6. Where both liquid and solid hazardous waste are being stored, the total volume of liquid hazardous waste stored does not exceed the volume specified in number four (4) above, and the total weight of solid hazardous waste stored does not exceed the weight specified in number five (5) above.

“SMALL QUANTITY SERIES C” Standardized Permit Facility is a facility that treats less than 1,500 gallons or 3,000 pounds of waste in a month, or can store less than 15,000 gallons or 30,000 pounds of waste.

Permits-By-Rule (PBR) (H&SC Section 25205.14(a) and Section 67450.3 of Title 22 CCR)

The PBR tier allows onsite treatment of non-RCRA and RCRA-exempt hazardous waste. This tier is for more hazardous and higher volume waste streams and processes than the Conditional Authorization or Conditional Exemption tiers.

PBR authorizations for Fixed Treatment Units (FTU) are processed through the local CUPA (or DTSC in a non-CUPA jurisdiction), while Transportable Treatment Units (TTU) are processed through DTSC (see below for definitions of FTU and TTU). TTUs require site-specific notification to DTSC prior to conducting treatment at any site

Once authorized under PBR, you will be billed annually, until the unit (both FTU and TTU) has been certified closed and you submit the FTU closure certification to your CUPA or your TTU closure certification to DTSC. Also, if you operate during any part of a calendar year, you may be billed a PBR fee for the entire year. Note: Each CUPA may institute a single fee system that allows for a single billing

Summary of Fees

to cover the costs of oversight and inspection of your FTU hazardous waste management activities (treatment, storage and disposal).

Conditional Authorization or Conditional Exemption (H&SC Section 25205.14(b) and (c))

The two forms of authorization in the lowest tier are Conditional Authorization and Conditional Exemption.

Conditional Authorization

The Conditionally Authorized tier allows onsite treatment of non-RCRA and RCRA-exempt hazardous waste. This tier is limited to single-hazard wastes and treatment in the unit cannot exceed 5,000 gallons or 45,000 pounds in a calendar month. However, there is no volume limit for treatment of specified dilute aqueous, acidic, alkaline, or oily wastes.

- Only Fixed Treatment Units (FTUs) are eligible for authorization under this tier, while Transportable Treatment Units (TTUs) are not (see below).

Conditional Exemption

The Conditionally Exempt tier allows onsite treatment of non-RCA and RCRA-exempt hazardous waste. This tier is for smaller quantities or less risky waste and treatment methods. This tier includes

Conditionally Exempt:

- Small Quantity Treatment (TTU or FTU eligible)
- Specified Waste Streams (TTU or FTU eligible)
- Commercial Laundries (FTU only)
- Limited (FTU only)

Fixed Treatment Units & Transportable Treatment Units

Fixed Treatment Unit (FTU)

An FTU is any equipment that performs hazardous waste treatment and is permanently stationed at a single facility regardless of the period or frequency of treatment. FTUs may be authorized under the Permit by Rule tier, the Conditionally Authorized tier and the Conditionally Exempt tier.

FTU Conditional Authorizations and Conditional Exemptions are processed through the local CUPA (or DTSC in non-CUPA jurisdictions). Once authorized, you will be billed annually by your local CUPA until the unit has been certified closed and you submit your closure certification to your CUPA. If you operate during any part of a calendar year, you may be billed a fee for the entire year.

Your CUPA can provide you with more specific fee information as fees may vary with each county. Note: Each CUPA may institute a single fee system that allows for a single billing to cover the costs of oversight and inspection of your hazardous waste management activities (treatment, storage and disposal).

Table 7: Fixed Treatment Unit Fee CY 2019 for Non-CUPA Jurisdictions Only

Due Date: 30 Days after billing by CDTFA Reporting period begins January 1 each year	
<u>Type of Permit</u>	<u>Fee</u>
Permit by Rule	\$1,667 per unit
Conditional Authorization.....	\$1,667 per unit
Conditional Exemption.....	\$38 per unit*
* Not subject to CPI adjustment	

Summary of Fees

Transportable Treatment Unit (TTU)

A TTU Unit is any mobile equipment that performs onsite treatment of hazardous waste using proven treatment processes. A TTU is transported to a facility to perform a treatment and is not permanently stationed at a single site. TTUs may be authorized under the Full Permit tier, the Standardized Permit tier, the Permit by Rule tier and the Conditionally Exempt tier. Full Permit and Standardized Permit tier rates are listed below in this Fee Summary.

A TTU operating under either the Specified Waste Streams or Small Quantity Treatment Conditional Exemption must obtain authorization through DTSC and requires both a unit-specific and site-specific notification to DTSC prior to conducting treatment at any site. Once authorized, you will be billed annually until the TTU has been certified closed and you submit the TTU closure certification to DTSC. Also, if you operate the TTU during any part of a calendar year, you may be billed a fee for the entire year.

TTU fees are authorized per treatment unit and not per facility. The rates specified in Table 8 are for CY 2019 and are adjusted annually to reflect changes in the CPI as determined by the Department of Industrial Relations.

Table 8: Transportable Treatment Unit Fee CY 2019

Due Date: 30 Days after billing by CDTFA Reporting period begins January 1 each year	
Type of Permit	Fee
Permit-by-Rule.....	\$1,667 per unit
Conditional Authorization.....	\$1,667 per unit
Conditional Exemption.....	\$38 per unit*
* Not subject to CPI adjustment.	

- **Generator Fee** (H&SC Sections 25174.7, 25205.1, 25205.5, 25205.5.1, 25205.9, 25205.22, 25250.15, and 25250.24; Section 3000 of Title 18 CCR; and Section 66269.2 of Title 22 CCR)

Every generator that produces five tons or more of hazardous waste will pay CDTFA a Generator Fee for each generator site for each calendar year, or portion thereof. Facilities permitted under a full or standardized permit who pay annual Facility Fees for a specific site do not owe a Generator Fee for that site. Generators are required to report the amount of waste generated on a hazardous waste Generator Fee return provided by CDTFA. The rates specified in Table 9 are for CY 2019 and are adjusted annually to reflect changes in the CPI as determined by the Department of Industrial Relations.

Table 9: Generator Fee CY 2019

Due Dates:		
One Prepayment	August 31, 2019 (during reporting period)	
Final Payment	February 29, 2020 (after the reporting period)	
Base Rate: \$4,783		
<u>Generator Size</u>	<u>Rate</u>	<u>Fee</u>
Less than 5 tons/year.....	0% base rate.....	\$ 0
5 but less than 25 tons/year.....	5% base rate.....	\$ 239
25 but less than 50 tons/year.....	40% base rate.....	\$ 1,913
50 but less than 250 tons/year.....	100% base rate.....	\$ 4,783
250 but less than 500 tons/year.....	5 x base rate.....	\$ 23,915
500 but less than 1,000 tons/year...	10 x base rate.....	\$ 47,830
1,000 but less than 2,000 tons/year...	15 x base rate.....	\$ 71,745
2,000 or more tons/year.....	20 x base rate.....	\$ 95,660

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Land Disposal Fee for Generators - In addition, generators who dispose of waste to land may be subject to Land Disposal Fees imposed pursuant to H&SC Section 25174.1.

Generator Fee Exemptions - Generators who have paid a Facility Fee or received a credit under H&SC Section 25205.2(i) are exempt from the Generator Fee.

Generator Fee Refunds - SB 2014 (Chapter 737, Statutes of 1998) provides for two potential refunds for hazardous waste generators:

- a. Generators who paid Generator Fees to CDTFA and in the same year also paid Generator Inspection Fees to a Certified Unified Program Agency (CUPA). In addition, the generator must also have received a state Generator Fee credit for local fees paid for in 1996.
- b. Generators who submitted hazardous waste to a permitted offsite facility for recycling. For this purpose recycling does not include hazardous waste that is burned in a boiler; industrial furnace; or incinerator, disposed of, or used to produce products applied to land.

Other specific requirements apply to each of the two potential types of refunds. In addition, no refunds will be made unless DTSC certifies that funds are available for the refunds. Because of budgetary shortfalls, refunds have not been available in prior years, and may not be available in CY 2019. Separate applications for each type of refund must be submitted to CDTFA by September 30th of each year for the prior calendar year. For information regarding the application process please contact CDTFA at (916) 322-9534.

Standard Conversion Factors - All quantities in the Hazardous Waste Tracking System (HWTS) are reported in tons for standard reports and calculations. Volumes of hazardous waste reported in cubic yards on the manifest are converted to tons using a conversion factor that is specific to the state waste code. DTSC takes every precaution to ensure the accuracy of data in the HWTS; however conversion factors may underestimate or overestimate the actual weight of waste, especially with waste types that are highly variable in composition. Consequently, conversions of wastes such as asbestos and contaminated soils, reported in volume and other measurements (e.g. bags) to tons, may not reflect the true tonnage generated or transported. Therefore, retention of weight tickets for each manifest is strongly recommended for accurate measurements. The weight tickets can be referenced by the generator to later file their generator fee return with CDTFA and/or the weight tickets can later be produced to respond to an audit initiated by CDTFA.

Effective January 1, 2016, the following standard conversion factors were implemented by DTSC in calculating Generator Fees.

- Asbestos (State Waste Code # 151) – Conversion Factor = 0.23
- Contaminated Soils (State Waste Code # 611) – Conversion Factor = 1.41

The following materials are not hazardous wastes for purposes of fee assessments:

1. Hazardous materials that are recycled and used onsite, and are not transferred offsite.
2. Aqueous waste treated in a treatment unit operating, or that subsequently operates, pursuant to a permit by rule, or pursuant to H&SC Section 25200.3 or 25201.5. However, hazardous waste generated by a treatment unit treating waste pursuant to a permit-by-rule, by a unit that subsequently obtains a permit-by-rule or other authorization pursuant to H&SC Section 25200.3 or 25201.5 is hazardous waste.

Summary of Fees

Generator Fees do not apply to:

1. Hazardous waste that results when a government agency, or its contractor, removes or remedies a release of hazardous waste in the state caused by another person.
2. Hazardous waste generated or disposed of by a public agency operating a household hazardous waste collection facility in the state pursuant to Article 10.8, including hazardous waste received from conditionally exempt small quantity commercial generators.
3. Hazardous waste generated or disposed of by local vector control agencies that have entered into a cooperative agreement pursuant to H&SC Section 116180 or by county agricultural commissioners, if the hazardous wastes result from their control or regulatory activities and if they comply with the requirements of this chapter and regulations adopted.
4. Hazardous waste disposed of, or submitted for disposal or treatment, which is discovered and separated from solid waste as part of a load checking program.
5. Any person, who acquires land for the sole purpose of owner-occupied single-family residential use, and who acquires that land without actual or constructive notice or knowledge that there is a tank containing hazardous waste on or under that property, is exempt from the fees imposed pursuant to H&SC Sections 25174.1, 25205.5, and 25345, in connection with the removal of the tank.
6. Used oil collected from any person operating a refuse removal vehicle or a curbside collection vehicle used to collect or transport used oil which has been generated as a household waste or as part of a curbside recycling program.
7. Recycled Used Motor Oil – Used oil which is removed from a motor vehicle and which is subsequently recycled by a recycler permitted pursuant to Article 13 (commencing with Section 25250) of Chapter 6.5, Division 20 of the Health and Safety Code. “Motor vehicle” includes locomotives, vessels and self-propelled, off-road equipment, whether or not the equipment moves or is permitted to move on public highways.

■ **Lead-Acid Battery Recycling Act of 2016 (AB 2153, Chapter 666, Statutes of 2016)** (Article 10.5 (commencing with Section 25215) of Chapter 6.5 of Division 20 of the H&SC)

1. **California Battery Fee** (H&SC 25215.25). On and after April 1, 2017, until March 31, 2022, this law requires a California Battery Fee in the amount of \$1 to be imposed on a “person,” as specified in statute, for each qualifying lead-acid battery purchased from a dealer. The bill authorizes the dealer to retain one and one-half percent of the fee as reimbursement for any costs associated with the collection of the fee and requires the dealer to remit the remainder to CDTFA. On and after April 1, 2022, the law increases the California Battery Fee to \$2.
2. **Manufacturer Battery Fee** (H&SC 25215.35). On and after April 1, 2017, until March 31, 2022, this law requires a fee of \$1 to be imposed on a “manufacturer,” as specified in statute, of lead-acid batteries for each lead-acid battery it sells at retail to a person in California, or that it sells to a dealer, wholesaler, distributor, or other person for retail sale in California.

Manifest Forms (Section 66262.20 of Title 22 CCR.)

A generator who transports, or offers for transportation, hazardous waste for offsite transfer, treatment, storage, or disposal will prepare a Manifest before the waste is transported offsite. The national Uniform

Summary of Fees

Hazardous Waste Manifest Form is available only from registered printers approved by the U.S. EPA. Registered printers are available via the U.S. EPA website³.

- **Manifest Reprocessing Fee** (H&SC Section 25160.5)

DTSC has authority to assess a \$20 reprocessing fee for each improperly completed Manifest Form that is returned to the person who completed the manifest.

- **Manifest User Fee** (H&SC Section 25205.15)

DTSC is authorized to assess a fee of \$7.50 for each manifest used, except that manifests used solely for recycled waste are exempt. The first four non-recycled manifests used in a calendar year by a business with less than 100 employees are free. The fee is due within 30 days from the date of receipt of notice by DTSC. The fee for a manifest that is used solely for hazardous waste derived from air compliance solvents is \$3.50. Persons, who erroneously report this type of waste, or recycled waste, on a manifest that is actually used for transportation of other types of waste, will pay the \$7.50 Manifest Fee plus the error correction fee of \$20.00 per manifest. The Manifest User Fee is not subject to annual CPI adjustment. More information about Hazardous Waste Manifests can be found on DTSC's website⁴.

- **Other Miscellaneous Fees** (State Administrative Manual Section 8740)

In accordance with the requirements of the State Administrative Manual, DTSC may charge a fee for any requests to retrieve and copy Departmental records.

Sale of Materials (H&SC Section 25201.11)

DTSC may sell, lease, or license materials including, but not limited to, videotapes, audiotapes, books, pamphlets and computer software.

³ <http://www.epa.gov/epawaste/hazard/transportation/manifest/registry/printers.htm>

⁴ <https://dtsc.ca.gov/hazardous-waste-manifest-information/>

Fees Related Legislative History

The Hazardous Substance Account (HSA) was created by Chapter 756, Statutes of 1981. In 1989, SB 475 (Torres, c. 269, stats. 1989) moved the Land Disposal Fee from the HWCA to the HSA, established the Environmental Fee for corporations with 50 or more employees, set the base rate for the Disposal Fee at \$52.50, added a new category for waste transported out of state, and established fees for oversight activities provided by the DTSC Site Mitigation Program.

In FY 1990/91, SB 1857 (Torres, c. 1268, stats. 1990) eliminated the Superfund tax and the discount for disposal to double-lined surface impoundments, and reduced the base rate for mining waste from 25 percent to 13 percent. In addition, the legislation doubled the disposal fee base rate from \$52.50 to \$105.00 per ton, and made several technical and corrective changes to the hazardous waste funding program. These rates became effective on January 1, 1991.

In FY 1991/92, SB 48 (Thompson, c. 766, stats. 1991) created the Railroad Accident and Prevention Fund and mandated DTSC to establish a fee to be paid by surface transporters of hazardous materials to fund the Railroad Accident Prevention and Immediate Deployment Force.

In FY 1992/93, SB 1469 (Calderon, c. 852, stats. 1992) created the Federal Receipts Account for fees collected from Federal Agencies, combined the HWCA and the HSA accounts into the HWCA, and created the Site Remediation Account, which was funded from the HWCA to pay for direct site cleanup. Land Disposal Fees for waste going out of state were eliminated, and the Disposal Fee for the Resource Conservation and Recovery Act (Federal), 42 USC Section 6901, 40 Code of Federal Regulation (RCRA) waste dropped from \$105 to \$42.42 per ton. This bill also created two new fees, the Manifest User Fee and the EPA ID Number Verification Fee. AB 1772 (Polanco, c. 1325, stats. 1992) established a new Tiered Permitting Fee, exempted certain onsite treatments from past and future Facility Fees, and established new annual fees for companies that operate in the lower permitting tiers.

In FY 1993/94, SB 27 (Wright, c. 410, stats. 1993) set new fees for the Standardized Permits for hazardous waste treatment and storage facilities that accept hazardous waste from other locations and that are not required to obtain a permit under federal law (RCRA). Also, SB 922 (Calderon, c. 1145, stats. 1993) made substantial changes to the California Hazardous Substances Tax Law, effective January 1, 1994. Some of these changes included reducing the Disposal Fee on cleanup waste, eliminating most Site Mitigation Activity Fees, reducing the Manifest Fee on recycled wastes, increasing the Generator Fee, and limiting the liability for Facility Fees after closure. SB 1123 (Calderon, c. 65, stats. 1994) exempted facilities and operators from any Permit Modification Fee liability resulting from a revision of the facility's or operator's closure plan.

In FY 1994/95, AB 3582 (Richter, c. 1154, stats. 1994) established effective January 1, 1995, that oil-contaminated bilge water that requires a National Pollutant Discharge Elimination System Permit from a regional water quality control board was no longer considered to be "used oil." Such oil-contaminated bilge water was now subject to the Hazardous Waste Generator Fee if shipped off-site for treatment. Bilge water treated in an onsite treatment unit authorized to operate under Permit-by-Rule (PBR), under Conditional Authorization, or under Conditional Exemption remained exempt from the Generator Fee under H&SC Section 25205.5(e)(2). The effluent or residue from the treatment process is subject to the fee unless another exemption applies. Also, SB 1815 (Wright, c. 548, stats. 1994) provided that the base rate for a Standardized Permit would be the rate for the 1993-94 fiscal year. SB 1082 (Calderon, c. 418, stats. 1993) created the Certified Unified Program Agency (CUPA) and instituted a single fee system specifically for the support of the local CUPAs. Each CUPA collects a state surcharge, determined by the California Environmental Protection Agency, to fund the state's costs of overseeing the program. DTSC is one of the agencies that receive a portion of the state surcharge.

In FY 1995/96, SB 1222 (Calderon, c. 638, stats. 1995) lowered the rate for non-RCRA cleanup waste to \$7.50 per ton, lowered the rate for other non-RCRA waste to \$17.94 per ton, and added a reduced fee for designated treatment residues disposed in-state. In addition, this bill required hazardous waste disposal facilities to collect the Disposal Fee and transmit the fee to BOE (the predecessor agency to CDTFA) and eliminated the requirement for facilities receiving non-RCRA waste imported for treatment, recycling or disposal to pay the Generator Fee. AB 1906 (Sher, c. 637, stats. 1995) consolidated fee return filing and provided for prepayment for the Facility, Generator and Generator Surcharge Fees. SB 1964 (Figueroa, c. 630, stats. 1995) required annual adjustments to the Hazardous Waste Fees to be based on the CPI for California rather than the United States Index. SB 1291 (Wright, c. 640, stats. 1995) created procedures for a facility to convert from a full permit or ISD to an onsite tier, either PBR, Conditional Authorization or Conditional Exemption, and established a fee of \$500 for the permit modification to make the conversion. Fees are paid only on the highest tier.

In FY 1996/97, AB 2776 (Miller, c. 999, stats. 1996) allowed DTSC to, until January 1, 2002, grant temporary relief from certain requirements by issuing a single variance to all affected businesses and allowing a variance applicant to enter into an optional cost reimbursement agreement as an alternative to the flat rate variance fee. SB 1532 (Wright, c. 259, stats. 1996) changed existing law to require that certain facilities operating under a standardized permit or grant of interim status receive a credit for the annual Facility Fee. SB 1532 also exempted a generator from the annual Generator Fee if the generator's facility received a credit under the Facility Fee Provision for a specific site. SB 1839 specified that, effective July 20, 1996, a Generator Fee prepayment was not required for a fee payer whose prepayment due was less than \$500.

Fees Related Legislative History

In FY 1997/98, SB 660 (Sher, c. 870, stats. 1997) enacted the Environmental Cleanup and Fee Reform Act of 1997 and implemented many of the recommendations made by the Fee Reform Task Force mandated by SB 1222. Effective January 1, 1998, SB 660 eliminated the Generator Fee surcharge and restructured the Generator Fee, Disposal Fee, Facility Fee and the Environmental Fee. Effective July 1, 1998, the fees for a preliminary endangerment assessment for site mitigation, extremely hazardous waste, border zone property assessment, waste classification, variance, and class I modifications were eliminated. Variances (except variances for transporters), waste classifications, and preliminary endangerment assessments became cost reimbursement activities. In addition, permitted facilities may submit a self-certification letter ("pledge letter") which allows the permitted facility to pay a reduced Facility Fee corresponding to the reduced amount of hazardous waste being generated at those respective facilities. SB 660 also established the Toxic Substances Control Account (TSCA) to receive the Environmental Fee, cost reimbursements and other revenues not listed in this summary. TSCA funds are to be expended for site remediation, technology programs, and administration and implementation of cleanup programs.

In FY 1998/99, SB 2240 (Committee on Environmental Quality, c. 882, stats. 1998) allowed DTSC to choose either the Standard Industrial Classification system or the North American Industry Classification system, whichever it deemed suitable, when providing BOE (the predecessor agency to CDTFA) with a list of codes for the Environmental Fee. While SB 660 eliminated the Manifest Fee for manifests used solely for recycled waste, this bill added a fee for manifests used to transport hazardous wastes derived from air compliance solvents.

In FY 1999/00, SB 606 (O'Connell, c. 745, stats. 1999) added a penalty to the Disposal Fee of five (5) times the normal Disposal Fee rate for recyclable wastes that have been disposed on land. This penalty is in addition to any other penalties that DTSC may assess through an enforcement action.

In FY 2000/01, AB 2309, which would have extended the sunset date for the reduction of fees for Disposal and Facility Fees set by SB 660 (Sher, c. 870, stats. 1997), was vetoed.

In FY 2001/02, AB 1259 (Wiggins, c. 461, stats. 2001) required DTSC to suspend or deny the permit of a hazardous waste facility if the owner or operator is delinquent in paying fees or penalties owed to DTSC provided all appeal rights have been exhausted or have expired.

In FY 2002/03, there were no changes to the fee structure.

In FY 2003/04, AB 1247 (Aghazarian, c. 286, stats. 2003) authorized DTSC to use enforcement orders and enforceable agreements to impose the requirements of postclosure plans at hazardous waste facilities in lieu of issuing postclosure permits. If DTSC imposes postclosure plan requirements through an enforcement order or enforceable agreement, the facility owner or operator is required to pay DTSC's Activity Fee and annual Postclosure Facility Fee. DTSC may only impose postclosure plan requirements through enforcement orders and enforceable agreements from January 1, 2004, to January 1, 2007.

In FY 2004/05 there were no changes to the fee structure.

In FY 2005/06, AB 1803 (Committee on Budget, c. 77, stats. 2006) authorized DTSC to expand the applicability of the Environmental Fee beyond corporations. Under AB 1803, the language of H&SC Section 25205.6(a) was amended to include the definition of "organization," which means a corporation, limited liability company, limited partnership, limited liability partnership, general partnership, and sole proprietorship. In addition, AB 1803 exempted the fees of the first four non-recycled manifests for organizations with less than 100 California employees. AB 1813 (Committee on Budget, c. 344, stats. 2006) stipulated that the amended Environmental Fee will go into effect for CY 2007, and was due by February 29, 2008.

In FY 2006/07 there were no changes to the fee structure.

In FY 2007/08 there were no changes to the fee structure.

In FY 2008/09 there were no changes to the fee structure.

In FY 2009/10, SB 855 (Committee on Budget, c. 718, stats. 2010) clarified that all penalties collected associated with lead in jewelry, lead wheel weights, and toxics in consumer product packaging will be deposited into TSCA.

In FY 2010/11 there were no changes to the fee structure.

In FY 2012/13 there were no changes to the fee structure.

In FY 2014/15, SB 1249 (Hill, c. 756, stats. 2014) authorizes DTSC to collect an annual fee from metal shredding facilities at a rate sufficient to cover its costs in establishing and implementing alternative hazardous waste management standards within those facilities.

Fees Related Legislative History

In FY 2016/17, SB 839 (Senate Committee on Budget, c. 340, stats. 2016) alters how the costs of processing a hazardous waste facility permit application or a class 2 or class 3 permit modification are assessed. SB 839 requires anyone applying for a new permit, renewal of a permit, standardized permit or post closure permit or requesting certain permit modifications to enter into a written agreement to reimburse DTSC for its costs incurred in processing the application or request. This requirement also applies to requests for variances and waste classification determinations. SB 839 eliminated the option of paying a flat-rate Activity Fee for these applications and requests submitted on or after April 1, 2016.

In FY2016/17, SB 1325 (De León, c. 676, stats. 2016) was passed which allows DTSC, to the extent consistent with the federal act, to impose the requirements of a hazardous waste facility postclosure plan on the owner or operator of a facility through the issuance of an enforcement order, entering into an enforceable agreement, or issuing a postclosure permit. Health and Safety Code section 25247(d)(3) was amended to provide that when an enforcement order or agreement is utilized for the postclosure plan in lieu of a postclosure permit, the owner or operator shall enter into a cost reimbursement agreement with DTSC pursuant to Health and Safety Code section 25205.7 (Activity Fee reimbursement agreement) at the time the plan is submitted. Additionally, upon commencement of the postclosure period the owner/operator shall pay the postclosure permit fee required by subdivision (c)(9) of Health and Safety Code section 25205.4 (annual Facility Fee for a Postclosure Permit). The commencement of the postclosure period for purposes of the fee shall be the effective date of the postclosure permit, enforcement order, or enforceable agreement.

In FY 2016/17, AB 2153 (Garcia, c. 666, stats. 2016) The Lead-Acid Battery Recycling Act of 2016 establishes in part a Manufacturers Battery Fee and a California Battery Fee. A Manufacturer Battery Fee of one dollar (\$1), shall be imposed on a manufacturer of lead-acid batteries for each lead-acid battery it sells at retail to a person in California or that it sells to a dealer, wholesaler, distributor, or other person for retail sale in California. The fee becomes inoperative on April 1, 2022, and as of January 1, 2023 is repealed, unless a later enacted statute becomes operative on or before January 1, 2023. A California Battery Fee shall be imposed on a person for each replacement lead-acid battery purchased from a dealer of the type specified in statute. The California Battery Fee is set at one dollar (\$1) on and after April 1, 2017, until March 31, 2022, and after April 1, 2022, the amount of the fee shall be two dollars (\$2). Revenues collected pursuant to the Act will be deposited into a newly established Lead-Acid Battery Cleanup Fund and be used in part, and on appropriation by the Legislature, to fund response actions at any area of the state that is reasonably suspected to have been contaminated by the operation a lead-acid battery recycling facility.

In FY 2017/18 there were no changes to the fee structure.

Glossary of Acronyms/Abbreviations

AB = Assembly Bill

BOE= California State Board of Equalization (the predecessor agency to CDTFA)

CDTFA = California Department of Tax and Fee Administration (formerly BOE)

c. = Chapter

CCR = California Code of Regulations

CUPA = Certified Unified Program Agency

CPI = Consumer Price Index

CY = Calendar Year

DTSC = Department of Toxic Substances Control

EPA = Environmental Protection Agency

FY = Fiscal Year

H&SC = California Health and Safety Code

HWCA = Hazardous Waste Control Account

ID = Identification

ISD = Interim Status Documents

PBR = Permit-by-Rule

RCRA = Federal Resource Conservation Recovery Act

SB = California Senate Bill

Stats. = Statutes

TSCA = Toxic Substances Control Account

Effective
09/05/2006

Supplemental California Manifest Instructions

Revised June 2007

Federal and State hazardous waste manifest regulations changed on **September 5, 2006.**

Detailed manifest instructions are printed on the back of the new federal manifest. These Supplemental California Instructions cover additional California requirements. Please use the instructions printed on the new manifest for item by item directions. Materials are available at www.dtsc.ca.gov (under ID numbers, Manifests & Fees, Hazardous Waste Manifests), including fact sheets and California's manifest regulations, sample manifests, and federal instructions. For load rejections and consolidated manifesting, refer to the regulations and fact sheets.

IMPORTANT MANIFEST CHANGES - PLEASE READ AND SAVE AS A REFERENCE

The U.S. Environmental Protection Agency (EPA) revised the Uniform Hazardous Waste Manifest and requires the use of only the new version nationally after September 4, 2006. **States are no longer allowed to modify the form or the instructions.** Old versions of the California manifest, or manifests from other states, **may not be used after September 4, 2006.** The new manifest form is no longer color coded, and the new six-part form does not include a copy for generators to submit to their state, although California requires the generator to submit a copy.

Additional Information and Instruction Changes:

- **Adds** space for emergency response number;
- **Adds** Generator's site address;
- Allows up to six waste codes for each waste stream;
- **Adds** a box to indicate if waste stream is U.S. DOT regulated;
- **Adds** space for import/export information;
- **Adds** room for destination facilities to note discrepancies or if container residues exceed empty levels;
- **Adds** a new field for a manifest reference number when waste is rejected or if container residues are shipped on a new manifest;
- **Adds** a separate field for alternative facility information and signatures;
- Uses HW Report Management Codes to replace handling codes;
- **Prohibits** the use of fractions or decimal points in waste quantities in Item 10; and
- Discourages use of large quantity units in Item 11 (e.g. tons or cubic yards) when other units, i.e. pounds, are more accurate.

Where Do I Get Manifests?

California does not sell the new manifest forms. Forms are available only from private printers approved by EPA. EPA posts approved printers at www.epa.gov/epaoswer/hazwaste/gener/manifest/registry/index.htm.

Generators Must Submit Manifest Copies!

California requires generators and permitted transfer, treatment, storage, and disposal Facilities (Facilities) to submit manifests. The federal manifest form does not include a Generator-to-State submittal page, like the old manifest did (the blue page). Within 30 days of shipping the waste, generators must submit a copy of each manifest to DTSC. This copy can either be a legible photocopy or the "Generator Retains" copy, if the generators receive a signed facility copy back within 30 days. Generators may submit a copy of the "Generator Retains" copy (page 6), the top page (the most legible one - page 1), or any other page, as long as it is **legible**.

What About Submitting Manifests for Rejected Loads?

Generators should send copies of manifests they sign when receiving rejected waste or container residues to the Department of Toxic Substances Control's (DTSC) Facility Manifests at P.O. Box 3000. Facilities **signing** new manifests for rejected loads should submit the generator copy to DTSC Generator Manifests at P.O. Box 400. See the rejected load fact sheet on DTSC's web site.

How Are California Manifest Requirements Different from Federal?

- California requires conditionally exempt small quantity generators to use manifests and regulates more waste as hazardous.
- DTSC uses the submitted generator and facility manifest copies for cradle-to-grave tracking of waste.
- California's definition of an "empty" container is more stringent. Non-empty containers must be manifested, including bulk containers, whether the waste is federal RCRA or non-RCRA.
- Facilities in other states are required to submit copies to DTSC when waste generated in California is received out of state. Out-of-state generators sending waste to California facilities, or that will be exported through California, are encouraged to submit manifest copies.

Where Do I Mail Manifests? Same P.O. Boxes - No Change

GENERATORS SEND TO:

DTSC Generator Manifests
P.O. Box 400
Sacramento, CA 95812-0400

TSDFs/DESIGNATED FACILITIES SEND TO:

DTSC Facility Manifests
P.O. Box 3000
Sacramento, CA 95812-3000

Where Do I Find California Waste Codes?

The new manifest has six blank boxes for waste codes for each waste stream.

If the waste is RCRA regulated, at least one box must include a RCRA waste code. For waste generated in or shipped to California, a CA state waste code is also required. The additional boxes are for other states' codes when the waste is sent out of state to a state with codes, or for extra RCRA codes. California Waste Codes are printed on the reverse side of these instructions only, not on the instructions printed on the manifest. They are also found in Title 22, California Code of Regulations, Appendix XII to Chapter 11 of Division 4.5.

What are Hazardous Waste Report Management Method Codes (HWRMM Codes)?

Previously, California's manifest instructions required Designated Facilities to use one of 10 handling codes to report how the waste was handled at that facility. The new manifest uses 28 Management Method Codes. These are the same codes used in Biennial Reports. One of the HWRMM codes shown on the other side must be added on the manifest by the **Facilities only**. **Generators and transporters do not add these codes.**

Contact Information:

First, visit the DTSC web page at www.dtsc.ca.gov/IDManifest for training information and review the basic instructions printed on the manifest. This document includes Supplemental Instructions only for use in California. For more information, contact your transporter or facility, or call DTSC's Regulatory Assistance Officer at 800-72-TOXIC.

CALIFORNIA WASTE CODES

California Restricted Wastes – Use First , if applicable	
711	Liquids with cyanides ≥ 1000 mg/l
721	Liquids with arsenic ≥ 500 mg/l
722	Liquids with cadmium ≥ 100 mg/l
723	Liquids with chromium (VI) ≥ 500 mg/l
724	Liquids with lead ≥ 500 mg/l
725	Liquids with mercury ≥ 20 mg/l
726	Liquids with nickel ≥ 134 mg/l
727	Liquids with selenium ≥ 100 mg/l
728	Liquids with thallium ≥ 130 mg/l
731	Liquids with polychlorinated biphenyls ≥ 50 mg/l
741	Liquids with halogenated organic compounds ≥ 1000 mg/l
751	Solids or sludge with halogenated organic comp. ≥ 1000 mg/kg
791	Liquids with pH ≤ 2
792	Liquids with pH ≤ 2 with metals
801	Waste potentially containing dioxins
CALIFORNIA NON-RESTRICTED WASTES	
Inorganics	
121	Alkaline solution (pH ≥ 12.5) with metals (antimony, arsenic, barium, beryllium, cadmium, chromium, cobalt, copper, lead, mercury, molybdenum, nickel, selenium, silver, thallium, vanadium, and zinc)
122	Alkaline solution without metals (pH ≥ 12.5)
123	Unspecified alkaline solution
131	Aqueous solution ($2 < \text{pH} < 12.5$) containing reactive anions (azide, bromate, chlorate, cyanide, fluoride, hypochlorite, nitrite, perchlorate, and sulfide anions)
132	Aqueous solution w/metals ($<$ restricted levels and see waste code 121 for a list of metals)
133	Aqueous solution with 10% or more total organic residues
134	Aqueous solution with $<10\%$ total organic residues
135	Unspecified aqueous solution
141	Off-specification, aged, or surplus inorganics
151	Asbestos-containing waste
161	Fluid-cracking catalyst (FCC) waste
162	Other spent catalyst
171	Metal sludge (see 121)
172	Metal dust (see 121) and machining waste
181	Other inorganic solid waste
Organics	
211	Halogenated solvents (chloroform, methyl chloride, perchloroethylene, etc.)
212	Oxygenated solvents (acetone, butanol, ethyl acetate, etc.)
213	Hydrocarbon solvents (benzene, hexane, Stoddard, etc.)
214	Unspecified solvent mixture
221	Waste oil and mixed oil
222	Oil/water separation sludge
223	Unspecified oil-containing waste
231	Pesticide rinse water
232	Pesticides and other waste associated with pesticide production
241	Tank bottom waste
251	Still bottoms with halogenated organics
252	Other still bottom waste
261	Polychlorinated biphenyls and material containing PCB's
271	Organic monomer waste (includes unreacted resins)
272	Polymeric resin waste
281	Adhesives
291	Latex waste
311	Pharmaceutical waste
321	Sewage sludge
322	Biological waste other than sewage sludge
331	Off-specification, aged, or surplus organics
341	Organic liquids (nonsolvents) with halogens
342	Organic liquids with metals (see 121)
343	Unspecified organic liquid mixture
351	Organic solids with halogens
352	Other organic solids

Sludge	
411	Alum and gypsum sludge
421	Lime sludge
431	Phosphate sludge
441	Sulfur sludge
451	Degreasing sludge
461	Paint sludge
471	Paper sludge/pulp
481	Tetraethyl lead sludge
491	Unspecified sludge waste
Miscellaneous	
511	Empty pesticide containers 30 gallons or more
512	Other empty containers 30 gallons or more
513	Empty containers less than 30 gallons
521	Drilling mud
531	Chemical toilet waste
541	Photochemicals / photo processing waste
551	Laboratory waste chemicals
561	Detergent and soap
571	Fly ash, bottom ash, and retort ash
581	Gas scrubber waste
591	Baghouse waste
611	Contaminated soil from site clean-ups
612	Household waste
613	Auto shredder waste
614	Treated wood waste (new in 2007)
HW REPORT MANAGEMENT METHOD CODES	
New Codes	Descriptions
H010	Metals recovery including retorting, smelting, chemicals, etc.
H020	Solvents recovery
H039	Other recovery or reclamation for reuse including acid regeneration, organics recovery, etc.
H050	Energy recovery at this site -- use as fuel (includes on-site fuel blending)
H061	Fuel blending prior to energy recovery at another site
H040	Incineration--thermal destruction other than use as a fuel
H071	Chemical reduction with or without precipitation
H073	Cyanide destruction with or without precipitation
H075	Chemical oxidation
H076	Wet air oxidation
H077	Other chemical precipitation with or without pre-treatment
H081	Biological treatment with or without precipitation
H082	Adsorption
H083	Air or steam stripping
H101	Sludge treatment and/or dewatering
H103	Absorption
H111	Stabilization or chemical fixation prior to disposal at another site
H112	Macro-encapsulation prior to disposal at another site
H121	Neutralization only
H122	Evaporation
H123	Settling or clarification
H124	Phase separation
H129	Other treatment
H131	Land treatment or application (to include on-site treatment and/or stabilization)
H132	Landfill or surface impoundment that will be closed as landfill (to include on-site treatment and/or stabilization)
H134	Deepwell or underground injection (with or without treatment)
H135	Discharge to sewer/POTW or NPDES (with prior storage--with or without treatment)
H141	Storage, bulking, and/or transfer off site--no treatment/recovery (H010-H129), fuel blending (H061), or disposal (H131-H135) at this site

SUMMARY PROGRESS REPORT

TABLE 1: GENERAL INFORMATION

DATE: _____

A hazardous waste generator subject to SB 14, is required to complete Tables 1 and 2 by **September 1, (2015)**. The generator is to prepare only one Table 1. However, the generator may need to prepare more than one Table 2, one for each reportable waste stream.

See Summary Progress Report publication or SB 14 Guidance Manual Chapter 7, for assistance.

(1) NAME OF GENERATOR, FACILITY, or BUSINESS		<input type="checkbox"/> (1a) MULTI-SITE? (If this is a multi-site business, please check this box and list the primary EPA ID number under box #2 and add the remaining EPA ID numbers under "COMMENTS" below. Combine data for similar wastes from the multiple sites for the remainder of the Summary Progress Report).	
(2) EPA ID NO.	(3) SIC CODE	(4) NAICS CODE	
(5) STREET ADDRESS		(6) CITY	(7) COUNTY
(8) MAILING ADDRESS		(9) CITY	(10) ZIP CODE
(11) CONTACT NAME			(12) CONTACT PHONE
(13) TYPE OF BUSINESS, OPERATION, or ACTIVITY:			
(14) SB 14 reportable total quantities of Hazardous Waste Generated at Site, for baseline and current Reporting Years. Reportable Total Quantities include all hazardous wastes subject to SB 14. Do not include nonroutinely generated, exempted, or secondary wastes. Exempted and nonroutinely generated wastes are listed in Section 67100.2(c), Title 22, California Code of Regulations. Secondary waste is hazardous waste generated as a result of onsite treatment of HAZARDOUS waste.			
Obtain information requested below from your baseline and current reporting year Plans or compliance Checklists.		Baseline year 2010	Reporting year 2014
(15) SB 14 hazardous waste processed onsite in a wastewater pretreatment unit for discharge to POTW or NPDES permit (Category A*) Total:		lbs	lbs
(16) All other SB 14 hazardous waste (Category B*) Total:		lbs	lbs
(17) All extremely hazardous waste Total:		lbs	lbs
* Category A was previously referred to as aqueous waste. Category B was previously referred to as nonaqueous waste.			
(18) COMMENTS regarding hazardous waste source reduction and recycling activities (add page if needed).			

Please continue by clicking on the "Table 2" tab below.



TTLC/STLC/TCLP Threshold & Trigger Values for Regulated Metals

Analyte	TTLC Limit (mg/kg)	STLC Trigger (mg/kg)	STLC Limit (mg/L)	TCLP Trigger (mg/kg)	TCLP Limit (mg/L)
Antimony	500	150	15	-	-
Arsenic	500	50	5	100	5
Barium	10,000	1,000	100	2,000	100
Beryllium	75	7.5	0.75	-	-
Cadmium	100	10	1	20	1
Chromium (III)	500	50	5	-	-
Chromium (VI)	2,500	50	5*	100	5
Cobalt	8,000	800	80	-	-
Copper	2,500	250	25	-	-
Lead	1,000	50	5	100	5
Mercury	20	2	0.2	4	0.2
Molybdenum	3,500	3,500	350	-	-
Nickel	2,000	200	20	-	-
Selenium	100	10	1	20	1
Silver	500	50	5	100	5
Thallium	700	70	7	-	-
Vanadium	2,400	240	24	-	-
Zinc	5,000	2,500	250	-	-

WET: Waste Extraction Test

TTLC: Total Threshold Limit Concentration

STLC: Soluble Threshold Limit Concentration

TCLP: Toxicity Characteristic Leaching Procedure

Notes:

1. If the TTLC result is equal to or greater than the TTLC limit, then the waste is a California (non-RCRA) hazardous waste (however, TCLP would still be required for the eight federally regulated metals – see note 4).
2. The STLC is required if the TTLC result equals or exceeds STLC by a factor of 10 or more. If the STLC result is equal to or greater than the STLC limit, then the waste is a California (non-RCRA) hazardous waste (however, TCLP would still be required for the eight federally regulated metals – see note 4).
3. The TCLP is required for federal hazardous waste characterization (the eight federally regulated metals) if the TTLC result equals or exceeds the TCLP threshold by a factor of 20 or more.
4. If the TCLP sample fails, then the waste would be considered a federal (RCRA) hazardous waste.
5. Chromium on the California list accounts for trivalent and other forms of chromium. Hexavalent chromium is the more toxic of the two forms of chromium.

** If the soluble chromium determined by the TCLP is less than 5 mg/L and the STLC equals or exceeds 560 mg/L, then the waste would be classified as a non-RCRA hazardous waste (unless the waste is otherwise identified as a RCRA hazardous waste).*