



## Rural Counties' Environmental Services Joint Powers Authority Board of Directors' Meeting Agenda

801 12<sup>th</sup> Street – 2<sup>nd</sup> Floor Conference Room  
Sacramento, CA 95814  
(916) 447-4806

Thursday, March 16, 2006 9:30 a.m. – 12:00 p.m.

*Only those items that indicate a specific time will be heard at the assigned time. All other items may be taken out of sequence to accommodate the Board, the staff and the general public. Indicated time allocations are for planning purposes only and actual times will vary from those indicated.*

- I. **Call to Order, Self Introductions, and Determination of Quorum**
- II. **Introduction of New California Integrated Waste Management Board Members**
- III. **Approval of [minutes](#) from the meeting of December 15, 2005 – Bob Pickard, Chair**  
*(to be delivered under separate cover)*
- IV. **Public Comment**  

Presentation only of public testimony with respect to any matter relevant to the Authority's business. Any person in the audience may address the Board on any agenda item or other matter relevant to the ESJPA, subject to the time requirements of other business.
- V. **Presentation Item**
  - A. [Universal Waste Management](#) Update – Karl Palmer, Branch Manager, Hazardous Waste Management, DTSC; Robert Holmes, Permitting and Enforcement Division, CIWMB  
*(pp 1-14; 30 minutes)*
- VI. **Legislative Update**
  - A. [Status of 2005-06 Solid Waste Legislation](#) – Mary Pitto, ESJPA Program Manager, Paul Smith, RCRC Director of Legislative Affairs, and Nick Konovaloff, RCRC Legislative Analyst  
*(pp 15-82; 20 minutes)*
- VII. **Solid Waste/Regulatory Update**  

Discussion and possible action related to the following:

  - A. Report from the CIWMB – Kyle Pogue, Integrated Waste Management Specialist, Office of Local Assistance, CIWMB  
*(15 minutes)*

- B. [Other Regulatory Issues of Interest or Concern](#) – Alan Abbs, ESJPA Solid Waste Specialist (*pp 83-84; 5 minutes*)

### **VIII. ESJPA Program Updates**

Discussion and possible action related to the following:

- A. Grant Program Update – Stacey Miner, Program Administrator (*20 minutes*)

### **IX. Business Matters**

Discussion and possible action related to the following:

- A. Adoption of [Resolution #06-01](#) Authorizing the Submittal of Regional Applications to The California Integrated Waste Management Board for All Available Used Oil And Household Hazardous Waste Grants for Five (5) Years – Stacey Miner (*pp 85-86; 10 minutes*)

### **X. Agenda Suggestions for Next ESJPA Board Meeting Scheduled for May 18, 2006**

### **XI. Member County Concerns / Comments**

### **XII. Adjournment**

*Meeting facilities are accessible to persons with disabilities. By request, alternative agenda document formats are available to persons with disabilities. To arrange an alternative agenda document format or to arrange aid or services to modify or accommodate persons with a disability to participate in a public meeting, please contact our offices at least 72 hours prior to the meeting by calling (916) 447-4806.*

*Agenda items will be taken as close as possible to the schedule indicated. Any member of the general public may comment on an agenda item at the time of discussion. In order to facilitate public comment, please let staff know if you would like to speak on a specific agenda item.*

*The final agenda for this meeting of the Board of Directors of the Rural Counties' Environmental Services Joint Powers Authority will be duly posted at its offices: 801 12<sup>th</sup> Street, Suite 500, Sacramento, California at least 72 hours prior to the meeting.*

CHAIR – LAVADA ERICKSON, SISKIYOU COUNTY

VICE CHAIR – BOB PICKARD, MARIPOSA COUNTY

EXECUTIVE DIRECTOR – BRENT HARRINGTON



PROGRAM MANAGER – MARY PITTO

TECHNICAL ADVISORY GROUP CHAIR – ALAN ABBS,  
TEHAMA COUNTY

## Minutes of the Rural Counties' Environmental Services Joint Powers Authority Board of Directors' Meeting

801 12<sup>th</sup> Street – 2<sup>nd</sup> Floor Conference Room  
Sacramento, CA 95814

(916) 447-4806

Thursday, December 15, 2005

### MEMBERS REPRESENTED

Cara Agustin, Program Specialist  
Steve Rodowick, Recycling Coordinator  
Cynthia Knapp, Program Coordinator  
Richard Dickson, Deputy Director of Public Works  
Tom Varga, Assistant Director of Public Works  
John O'Neil, Program Manager  
Donna Tackett, Deputy Director of Public Works  
Bob Pickard, Supervisor  
Steve Engfer, Solid Waste and Recycling Manager  
Robert Meacher, Supervisor  
Randy Akana, General Services Manager  
John Kovach, Solid Waste Fiscal Technician  
Alan Abbs, Solid Waste Director  
Barbara Rapinac, Solid Waste Technician  
Mark Rappaport, Solid Waste Director

Amador County  
Butte County  
Calaveras County  
Colusa County  
Glenn County  
Glenn County  
Imperial County  
Mariposa County  
Mariposa County  
Plumas County  
Siskiyou County  
Siskiyou County  
Tehama County  
Trinity County  
Tuolumne County

### STAFF IN ATTENDANCE:

Mary Pitto, ESJPA Program Manager  
Patricia Megason, Vice President  
Stacey Miner, Program Administrator  
Alan Abbs, Consultant to ESJPA  
Larry Sweetser, Consultant to ESJPA

RCRC Governmental Affairs  
RCRC Governmental Affairs  
RCRC Governmental Affairs  
Solid Waste Specialist  
Sweetser and Associates

### OTHERS IN ATTENDANCE:

Eric Bissinger, IWM Specialist  
Jeff Hunts, Supervisor  
Karl Palmer, Branch Manager  
Kyle Pogue, IWM Supervisor  
Jero C. Salva, Jr.,  
Mark Urquhart

CIWMB  
CIWMB  
DTSC  
CIWMB  
Consultant to Trinity County  
Shaw/Emcon

**MEMBERS NOT REPRESENTED**

Alpine County	Colusa County	Del Norte County	El Dorado County
Inyo County	Lassen County	Madera County	Modoc County
Mono County	Nevada County	Sierra County	

**I. Call to Order / Determination of Quorum / Introductions**

The meeting was called to order at 1:36 p.m. by Bob Pickard, ESJPA Vice-Chair. Roll call was taken, self-introductions were made and a quorum was established.

**II. Review and approval of minutes of the meeting of October 20, 2005**

The Vice-Chair called for a motion to approve the minutes of the October 20, 2005 meeting. The motion was made by Mark Rappaport, seconded by Tom Varga and carried unanimously.

**III. Public Comment**

None

**IV. Legislative Update**

- A. Status of 2005-06 Solid Waste Legislation – Mary Pitto, Alan Abbs, and Larry Sweetser  
(10 minutes)

Mary discussed the status of the 2005-06 Solid Waste Legislation. Patricia Megason discussed the recently hired replacement for Rich Mason. Paul Smith will start December 20, 2005 as the Director of Legislative Affairs. Paul has fifteen years working at the capitol for a variety of industries.

**V. Presentation Items:**

- A. Waste Reduction at Venue Facilities and Large Events (AB 2176) – Eric Bissinger, Diversion, Planning & Local Assistance, CIWMB. A link to the full presentation is available on the October 20, 2005 agenda on the ESJPA website:  
[www.esjpa.org/Meetings/2005](http://www.esjpa.org/Meetings/2005)
- B. Implementation of SB 20/SB 50 Electronic Waste Management – Jeff Hunts, Waste Prevention and Market Development, CIWMB. A link to the full presentation is available on the October 20, 2005 agenda on the ESJPA website:  
[www.esjpa.org/Meetings/2005](http://www.esjpa.org/Meetings/2005)
- C. Universal Waste Management Update – Karl Palmer, Branch Manager, Hazardous Waste Management, DTSC. A link to the full presentation is available on the October 20, 2005 agenda on the ESJPA website: [www.esjpa.org/Meetings/2005](http://www.esjpa.org/Meetings/2005)

## VI. Solid Waste/Regulatory Update

Discussion and possible action related to the following:

- A. Report from the CIWMB – Kyle Pogue, Integrated Waste Management Specialist, Office of Local Assistance, CIWMB (*15 minutes*)

Kyle discussed the “Alternative Measurement” discussion taking place at CIWMB. It is expected that in early 2006, the CIWMB will release an “Alternative Measurement Paper” to legislature. Discussion began at the November 2005 CIWMB Board meeting to modify and streamline alternative measurement. Specific language about rurals (and small rurals with less than 100,000 population) includes the benefits of looking beyond the numbers to the programs. Suggestions include a program based analysis through the annual report, county-wide measurement (not individual jurisdictions), and reports every two years instead of annually. The next step forward will be to pick it up as legislation.

Five year reviews: El Dorado is on the cusp of submitting its 2<sup>nd</sup> 5-yr review. Siskiyou is in process. If you need help with your report, your local assistance person can help you.

DRS regulations go into affect January 1, 2006. There is a module that has not been developed yet for transfer stations, MRFs and facilities. These modules will supplement your current training program.

Upcoming E-Waste training: In cooperation with the League of Cities and CIWMB, “I’m An Approved Collector” will be held January 19 and 26, 2006.

Tip Fee Survey: Steve Rodowick requested a copy of a tip fee survey. Kyle said that Solid Waste Digest does it. Kyle has one from 2004 if anyone is interested. Steve Engfer went through tip fee survey – includes background of funding – different mechanisms in place – parcel fees, % sales tax, etc. Larry Sweetser has tip fee information he will send out to the group.

Taxable sales figures: The taxable sales figures are not yet available. Annual reports are due by February 1, 2006. Part of this includes taxable sales deflator index. This should help your diversion rates and not hurt them.

Upcoming Events: The Annual Recycled Content Tradeshow runs from January 19 through 21, 2006 during the Stockton Ag Expo. A workshop on Large Venue Recycling will be held in Oakland February 29, 2006.

- B. Other Regulatory Issues of Interest or Concern – Alan Abbs (*pp 15-20; 5 minutes*)

Alan Abbs informed the group that the Technical Advisory Group elected Steve Engfer as Chair and Bill Mannel as Vice-Chair. Alan requested the group to read and comment on the DRS modules (landfill operator and waste to energy) which have pertinent information for rurals.

## VII. Business Matters

Discussion and possible action related to the following:

A. Adoption of the 2006 Budget – Mary Pitto, Stacey Miner (*pp 21-24; 5 minutes*)

Mary explained that during this past year, three RCRC employees, assigned wholly or partly, to ESJPA activities left the organization (Jim Hemminger, Bliss Hipp, and Camille Chorley). In the interim, Mary Pitto was assigned as the Program Manager; Stacey Miner, the Program Administrator, assumed all grant coordination; and RCRC contracted with the Tehama County/Red Bluff Sanitary Landfill Management Agency for the part-time (20%) services of Alan Abbs, Director, for additional solid waste technical support. For the past six months this seems to have worked effectively, so for the 2006 budget, RCRC proposes to maintain the existing structure with the following specifics. Mary will continue as the Program Manager dedicated 50% to the ESJPA; Stacey will be 95% dedicated to the ESJPA and assume some ESJPA regulatory responsibilities; RCRC will again contract for the part-time services of Alan; and one additional employee, a Grants Coordinator/Assistant, dedicated 85% to the ESJPA will be hired. RCRC also recommends continuing the consulting services of Larry Sweetser, Sweetser & Associates.

The ESJPA's 2006 revenue includes \$118,800 in membership dues. Revenue from these dues (plus \$1,500 in miscellaneous income) are used by the ESJPA to pay: (1) RCRC for Technical Services (including advocacy efforts, regulatory involvement in accordance with the Board approved ESJPA/RCRC Agreement, and the part-time solid waste technical services of Alan Abbs; (2) the consulting services of Sweetser & Associates, and; (3) other miscellaneous expenses as listed in the budget, including a 1% contingency fund.

The budget shows a payment of \$90,000 to RCRC for its Technical Support services to the ESJPA. This payment partially reimburses RCRC for the overall ESJPA costs, including personnel, overhead, and infrastructure support (i.e. office equipment, supplies, duplication costs, insurance, legal fees, postage, etc). RCRC's cost has generally exceeded the revenue for the ESJPA between \$20,000 to 60,000 annually. This year RCRC is projecting supplementing the ESJPA by approximately \$58,000.

Steve Engfer made the motion to approve the 2006 budget. Mark Rappaport seconded the motion. Brief discussion followed. The motion passed unanimously.

B. Review and approval of the 2006 Contract Services Agreement between ESJPA and RCRC – Mary Pitto (*pp 25-33; 5 minutes*)

Mary discussed the 2006 Contract between ESJPA and RCRC. ESJPA will pay RCRC \$90,000 for technical services at a rate of \$7,500 per month. Tom Varga made the motion to approve the 2006 RCRC/ESJPA contract. Steve Rodowick seconded the motion. The motion carried unanimously.

C. Adoption of the 2006 Meeting Schedule – Mary Pitto (*pp 35-36; 5 minutes*)

Mary presented the 2006 Meeting Schedule. Tom Varga made the motion to approve the 2006 Meeting Schedule. Mark Rappaport seconded the motion. The motion carried unanimously.

D. Election of 2006 ESJPA Chair and Vice Chair – Bob Pickard, Vice-Chair

Alan Abbs nominated Bob Pickard for Chair. Tom Varga moved to close the nomination. Mark Rappaport seconded the motion. Mark Rappaport made the motion to approve Supervisor Bob Pickard as ESJPA Chair for 2006. Tom Varga seconded the motion. The motion carried unanimously.

Alan Abbs nominated Christy Scofield for Vice Chair. Tom Varga moved to close the nomination. Mark Rappaport seconded the motion. Mark Rappaport made the motion to approve Supervisor Christy Scofield as ESJPA Vice-Chair for 2006. Tom Varga seconded the motion. The motion carried unanimously.

**VIII. ESJPA Program Updates**

Discussion and possible action related to the following:

A. Grant Program Update – Stacey Miner, Program Administrator (*5 minutes*)

Stacey presented the Grant Program Update which included discussion on CIWMB grant streamlining efforts, Tire Fund reallocations, Landfill Closure Loan Program, and the Tire Recycling, Clean-up and Enforcement Grants.

**IX. Agenda Suggestions for Next ESJPA Board Meeting Scheduled for March 16, 2006**

**X. Member County Concerns / Comments**

**XI. Adjournment 4:08 p.m.**

Respectfully submitted,

Stacey Miner, Program Administrator  
Rural Counties' Environmental Services Joint Powers Authority



## Department of Toxic Substances Control

---



Alan C. Lloyd, Ph.D.  
Agency Secretary  
Cal/EPA

1001 "I" Street  
P.O. Box 806  
Sacramento, California 95812-0806



Arnold Schwarzenegger  
Governor

### MEMORANDUM

To: All Interested Parties

From: Karl Palmer, Chief   
Regulatory and Program Development Branch

Date: January 10, 2006

Subject: SUNSET OF TEMPORARY UNIVERSAL WASTE EXEMPTIONS

The Department of Toxic Substances Control (DTSC) is announcing today that it will not extend the temporary disposal exemptions that allow households and Conditionally Exempt Small Quantity Universal Waste Generators (CESQUWGs) to dispose of some hazardous wastes into the trash.

Until February 8, 2006, homeowners may dispose of universal waste batteries, electronic devices, fluorescent lights, and mercury thermostats in the trash. After that date households will have to take these wastes either to a household hazardous waste collection facility or to a recycling facility.

Until February 8, 2006, conditionally exempt generators may continue to dispose of their universal waste batteries, universal waste electronic devices, and universal waste fluorescent lamps, to the trash, provided they do not dispose of more than thirty (30) universal waste lamps or more than twenty (20) pounds of universal waste batteries per month. (Conditionally exempt generators are prohibited from disposing universal waste mercury thermostats in the trash).

The temporary disposal exemptions allowing these wastes to be disposed in the trash were originally adopted in 2001 to provide time for the infrastructure to collect and recycle these hazardous wastes to develop further. This decision means that after February 8, 2006, these four universal waste streams must be managed in a manner consistent with other universal wastes.

Recently, DTSC held state-wide, public workshops seeking input and comments from



impacted parties regarding the expiration of the temporary disposal exemptions. Generally, environmental groups and waste recycling companies favored allowing the exemptions to expire, while business groups and representatives of local government-sponsored household hazardous waste collection programs supported extending the exemptions.

DTSC based its decision not to extend the disposal exemptions upon the following findings:

- The disposal exemptions had provided adequate time for infrastructure development since 2001. Extending the exemptions would discourage additional infrastructure development in the future.
- The exemptions apply to only four types of universal waste generated by households and small businesses. All other universal wastes and hazardous wastes are already prohibited from disposal in municipal solid waste landfills.
- An infrastructure for collecting and recycling electronic wastes was established by recent legislation (Electronic Waste Recycling Act of 2003).
- Adequate capacity for recycling exists at recycling facilities.

DTSC will continue to work with the household hazardous waste programs, the California Integrated Waste Management Board (CIWMB), industry, Local Enforcement Agencies, Certified Unified Program Agencies (CUPAs), and other interested parties in conducting outreach, education and compliance assistance that will encourage the safe management and recycling of universal wastes.

DTSC will focus its enforcement resources on complaint response and on violations of the hazardous waste regulations that present immediate and significant risks to public health or the environment.

DTSC recognizes that there will be challenges in achieving our goal of maintaining environmental protection while encouraging recycling by providing for the efficient collection and recycling of these wastes. We look forward to working with all stakeholders towards that goal.

DTSC will encourage the public to consult with their local solid waste management officials to identify recycling options in their communities. Additional information on universal waste management may be found at DTSC's website ([www.dtsc.ca.gov](http://www.dtsc.ca.gov)) by clicking on the home page's Universal Waste link found under "Hot Topics." Inquiries may also be sent via email to [uwaste@dtsc.ca.gov](mailto:uwaste@dtsc.ca.gov) or by contacting the DTSC Public and Business Liaisons by calling (800) 728-6942, or (800) 72-TOXIC.



Alan C. Lloyd,  
Ph.D.  
*Secretary for  
Environmental*

# California Integrated Waste Management Board

---

Rosario Marin, Chair  
1001 I Street • Sacramento, California 95814 • (916) 341-6000  
*Mailing Address: P. O. Box 4025, Sacramento, CA 95812-4025*  
[www.ciwmb.ca.gov](http://www.ciwmb.ca.gov)



Arnold  
Schwarzenegger

January 11, 2006

## UNIVERSAL WASTE Sunset of Temporary and Conditional Disposal Exemptions Guidance for Solid Waste Facilities

### Introduction

Existing regulatory exemptions that allow households and other small quantity generators to dispose of some hazardous wastes in municipal solid waste landfills expire on February 9, 2006. As a result, these wastes (listed below) will no longer be allowed to be disposed of in municipal waste landfills after February 8, 2006. This document is intended to provide guidance to solid waste site owners/operators and Local Enforcement Agencies (LEAs) on the implementation of these new requirements.

### Background

**Universal wastes are hazardous wastes** that are generated by a wide variety of people. The universal waste rules allow these common, low-hazard wastes to be managed under less stringent requirements than other hazardous wastes. California's Universal Waste Rule [California Code of Regulations (CCR), Title 22, Division 4.5, Chapter 23], which is overseen by the Department of Toxic Substances Control (DTSC), became effective on February 8, 2002. Under the rule, universal waste may not be discarded in municipal waste landfills. However, temporary and conditional universal waste exemptions are in place that allow the following waste types\*, generated by households or Conditionally Exempt Small Quantity Universal Waste Generators, to be disposed of in a landfill permitted to accept municipal solid waste:

- **Universal waste batteries**
- **Universal waste mercury thermostats (households only)**
- **Universal waste lamps (e.g., fluorescent tubes, high intensity discharge lamps, sodium vapor lamps)**
- **Universal waste electronic devices**

\* For additional information regarding the classification of universal waste types please contact DTSC's regional Public and Business Liaisons at (800) 72TOXIC (1-800-728-6942) or visit [www.dtsc.ca.gov](http://www.dtsc.ca.gov).

---

California Environmental Protection Agency

 *Printed on Recycled Paper*

**Join Governor Schwarzenegger to Keep California Rolling.**

Every Californian can help to reduce energy and fuel consumption. For a list of simple ways you can reduce demand and cut your energy and fuel costs, Flex Your Power and visit [www.fypower.com](http://www.fypower.com).

### Solid Waste Facilities and Operations

Universal wastes will likely enter a solid waste site in one of two ways: they may pass through a site on their way to a Household Hazardous Waste (HHW) facility or other authorized universal waste handler, or enter a site commingled with solid waste.

Universal wastes routed through a solid waste site to a HHW facility or other authorized universal waste handler should not be considered acceptance of hazardous waste. \*

If an operator fails to take steps to prevent hazardous wastes from being received or removed from the commingled waste stream then violations should be noted and appropriate enforcement action should be taken.

All solid waste sites should have load check programs in place to prevent the transfer and disposal of hazardous waste. If an operator already has an effective hazardous waste load check program it should not be necessary to update the Report of Facility Information (RFI). It should not be required for the load check program described in the RFI to identify each and every type of waste that could possibly be defined as hazardous, but the program should be such that it will effectively identify all hazardous wastes so that they can be removed from the waste stream.

Consideration should be given to the area available for storage of hazardous wastes removed during the load checking process, including the possibility that additional area will be needed to accommodate an increase in the volume of universal wastes received. Consideration should also be given to the manner in which the waste is stored such that public health and safety is adequately protected and the storage does not interfere with other facility operations.

*possible permit change*

### Inspections

Following is a list of questions related to the new universal wastes that an LEA should consider during an inspection:

- Does the site have adequate signage relative to the types of materials that will or will not be accepted?
- Is the site owner/operator properly training personnel on the identification and proper management of the new universal wastes?
- Has the owner/operator made the needed modifications to the load checking procedures to avoid the acceptance of these wastes and to identify, remove, and store these wastes?
- Is the site owner/operator appropriately implementing the load check program? — \*
- Are the hazardous waste collection and storage areas identified in site plans or reports?
- Do the hazardous waste handling and storage activities continue to be conducted in a manner that does not interfere with solid waste handling operations?

In the event the LEA has concerns relative to the above questions the LEA should cite a violation or area of concern for the appropriate state minimum standard. The following standards could be applied:

- ~Municipal Waste Disposal~Construction and Demolition Waste Disposal~Inert Debris Disposal~
  - CCR, Title 27

- Section 20520 – Signs
- Section 20610 – Training
- Section 20870 – Hazardous Waste

~Transfer/Processing~Construction and Demolition and Inert Debris Processing~

- CCR, Title 14
  - Section 17410.3 – Training
  - Section 17407.5 – Hazardous, Liquid and Special Waste
  - Section 17409.4 – Signs

Depending on the nature and severity of the deficiencies, the LEA should determine if a referral to the DTSC or Certified Unified Program Agency (CUPA) is warranted.

### **Enforcement**

As with any violation of state minimum standards and/or permit terms and conditions, the LEA should follow the enforcement procedures as described in their Enforcement Program Plan. The LEA should work in conjunction with the DTSC or CUPA to resolve violations or concerns regarding the handling and storage of universal wastes at solid waste sites.

### **Public Education**

Obviously the successful implementation of the new requirements relies heavily on the awareness of households and small quantity generators. DTSC has pledged to work with the HHW facilities and landfill operators to develop guidance for the proper management of these universal wastes. Additional information on universal waste management may be found on DTSC's web site ([www.dtsc.ca.gov](http://www.dtsc.ca.gov)) by clicking on the home page's Universal Waste link found under "Hot Topics." California Integrated Waste Management Board (CIWMB) staff encourages solid waste facility owners/operators to take any opportunity available to support the effort to increase public awareness of the new requirements.

### **Additional Questions**

Owners/operators should direct additional questions to their LEA. LEAs should direct additional questions to their CIWMB Permitting and Inspection Branch staff contact.



Alan C. Lloyd, Ph.D.  
*Secretary for  
Environmental  
Protection*



Arnold Schwarzenegger  
*Governor*

Department of Toxic Substances Control  
Maureen Gorsen, Director  
1001 I Street ● Sacramento, California 95814  
(916) 323-6042

*Mailing Address: P. O. Box 806, Sacramento, CA 95812-0806*  
[www.dtsc.ca.gov](http://www.dtsc.ca.gov)

California Integrated Waste Management Board  
Margo Reid Brown, Chair  
1001 I Street ● Sacramento, California 95814  
(916) 341-6000

*Mailing Address: P. O. Box 4025, Sacramento, CA 95812-4025*  
[www.ciwmb.ca.gov](http://www.ciwmb.ca.gov)

February 22, 2006

## SUNSET OF UNIVERSAL WASTE DISPOSAL EXEMPTIONS

After the temporary disposal exemptions ended on February 8, 2006, universal waste lamps, batteries, thermostats and certain electronic devices generated from households and small businesses may no longer be disposed in the trash. Many questions relating to the implementation and enforcement of this regulatory change have been posed to the Department of Toxic Substances Control (DTSC) and the Integrated Waste Management Board (IWMB).

On January 10, 2006, DTSC issued a memorandum to address the sunset of the disposal exemptions. On January 11, 2006, the IWMB issued an initial guidance letter for Local Enforcement Agencies (LEA) and solid waste facility operators addressing basic questions regarding the impact of the regulatory change on facility operations.

**Today's guidance letter is jointly issued by the DTSC and the IWMB for the purpose of answering additional questions which have been raised and to insure consistency in the interpretation and application of relevant regulations and guidance.** The DTSC and the IWMB jointly developed a Frequently Asked Questions (FAQ) format for addressing these additional questions. The DTSC and IWMB guidance documents and FAQs are posted on both of the following web pages. We will continue to augment the FAQs as new questions and issues arise.

DTSC: <http://www.dtsc.ca.gov/HazardousWaste/UniversalWaste/index.cfm>

IWMB: <http://www.ciwmb.ca.gov/LEACentral/UniWaste>

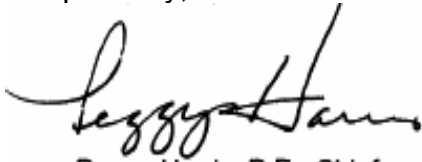
In conjunction with the specific guidance provided in the FAQs, the DTSC and IWMB expect that operators of solid waste facilities will continue to operate in accordance with existing load checking requirements and permit terms and conditions.

The DTSC and IWMB will continue to work together to ensure that implementation and enforcement of this change is consistent and is focused on the protection of public health, safety, and the environment.

Sunset of Universal Waste Disposal Exemptions  
February 22, 2006  
Page 2

Any additional questions regarding this guidance may be directed to Karl Palmer of DTSC at [kpalmer@dtsc.ca.gov](mailto:kpalmer@dtsc.ca.gov) or Robert Holmes of IWMB at [rholmes@ciwmb.ca.gov](mailto:rholmes@ciwmb.ca.gov).

Respectfully,



Peggy Harris, P.E., Chief  
Regulatory and Program Development Division  
Hazardous Waste Management Program  
Department of Toxic Substances Control



Howard Levenson, Ph.D.  
Deputy Director  
Permitting and Enforcement Division  
Integrated Waste Management Board

## Sunset of the Temporary Disposal Exemptions for Universal Waste: Frequently Asked Questions (FAQs)

- [General Questions](#)
- [Questions about Compliance and Enforcement](#)
- [Questions about Requirements for Collection Site](#)
- [Questions about Collections by Solid Waste Haulers of Universal Waste that is Commingled with Trash](#)
- [Other Resources](#)

### General Questions

#### 1. What has changed?

*Until February 8, 2006 households and some small businesses were allowed to put waste batteries, electronic devices, and fluorescent light bulbs in the trash. Homeowners were also allowed to throw away mercury-containing thermostats until that date. As of February 8, these items, called universal wastes, may no longer be placed in the trash.*

#### 2. What are universal wastes and why can't I put them in the trash?

*Universal wastes are hazardous wastes that are generated by several sectors of society, rather than a single industry or type of businesses. Hazardous wastes contain harmful chemicals, which, if put in the trash may harm people or the environment. Universal wastes include:*

- **Common Batteries** – AA, AAA, C cells, D cells and button batteries (e.g. hearing aid batteries). These may contain a corrosive chemical that can cause burns as well as toxic heavy metals like cadmium. (Automotive type batteries are not universal waste. When they become waste, they are regulated under a different law.)
- **Fluorescent Tubes and Bulbs and Other Mercury-Containing Lamps** – Fluorescent light tubes and bulbs, high intensity discharge (HID), metal halide, sodium, and neon bulbs. These lights contain mercury vapor that may be released to the environment when they are broken. Mercury is a toxic metal that can cause harm to people and animals including nerve damage and birth defects. If mercury is released into the environment it can contaminate the air we breathe and enter streams, rivers, and the ocean, where it can contaminate fish that people eat.
- **Electronic Devices** such as: televisions and computer monitors, computers, printers, VCRs, cell phones, telephones, radios, and microwave ovens. These devices often contain heavy metals like lead, cadmium, copper, and chromium.
- **Mercury-Containing Devices** – thermostats, switches, thermometers, dental amalgam, pressure and vacuum gauges, novelty items, counterweights and dampers, medical devices known as dilators and weighted tubing, certain rubber flooring, and gas flow regulators used in older residential gas meters.
- **Non-Empty Aerosol Cans that Contain Hazardous Materials** – Many products in aerosol cans are toxic. And many aerosol cans contain flammables, like butane, as



propellants for products like paint. If your aerosol can is labeled with words like TOXIC or FLAMMABLE, don't put it in the trash unless it is completely empty.

### **3. What happens if I throw universal waste in the garbage?**

*Like used motor oil and paint, universal waste is a kind of hazardous waste. It is illegal to dispose of hazardous waste in the garbage. In addition, by throwing universal waste in the garbage, you can cause additional hazards to your garbage handler. Eventually, chemicals in illegally disposed hazardous waste can be released into the environment and contaminate our air, water, and possibly the food we eat.*

### **4. If I can't throw this stuff in the trash how do I get rid of it?**

*Many local government agencies run programs that help households and small businesses recycle or properly dispose of their hazardous wastes. Additionally, some retailers will collect certain universal wastes, such as batteries. For information on local collection programs, contact your municipal waste service provider or click [here](#) for the list of Household Hazardous Waste Program Web links. You can also check <http://www.earth911.org> for a universal waste collection program near you.*

### **5. How do I know if a particular electronic device can't be thrown in the trash?**

*The Department of Toxic Substances Control (DTSC) has tested many electronic devices including: tube-type and flat panel televisions and computer monitors, laptop computers, computers (CPUs), printers, radios, microwave ovens, VCRs, cell phones, cordless phones, and telephone answering machines. The devices that DTSC tested contained concentrations of metals (lead and copper) high enough to make them hazardous wastes when they are discarded. Unless you are sure they are not hazardous, you should presume these types of devices need to be recycled or disposed of as hazardous waste and that they may not be thrown in the trash. For additional assistance, you can call the Waste Evaluation help line at (916) 322-7676.*

[<Return to top>](#)

## **Questions about Compliance and Enforcement**

### **6. Is there a phase-in period for compliance with the expiration of the disposal exemptions?**

*No, the exemption expired on February 8, 2006. However, in the view of the California Integrated Waste Management Board (CIWMB) and the DTSC, local enforcement agencies (LEAs) and certified unified program agencies (CUPAs) should take into account the need for a short transition period for owners/operators to implement any new requirements and that LEAs and CUPAs should continue to prioritize enforcement on violations that present immediate risks to the public health or the environment.*

### **7. Is there a tolerance level for the amount of universal wastes commingled with loads of non-hazardous solid waste? For example, will an LEA or CUPA issue a violation for finding a CD player or electronic toy in the solid waste?**



*The regulations do not provide for an acceptable amount of universal waste that can be commingled with non-hazardous solid waste. However, other hazardous wastes are currently inadvertently commingled with loads of non-hazardous solid waste (e.g., paint, oil, pesticides). The DTSC and IWMB expect that operators of solid waste facilities will continue to operate in accordance with existing load checking requirements and permit terms and conditions. The LEA will need to continue to exercise their sound discretion and to use their current methods of evaluating the effectiveness of the load checking and other programs designed to identify and remove hazardous waste from the solid waste stream prior to disposal. It should not be required for the load check program described in the Report of Facility Information (RFI) to list each and every type of waste that could possibly be defined as hazardous, but the load checking activity should be reasonably effective in identifying and removing hazardous waste from those loads that are required to be load checked in accordance with permit requirements and as appropriate to protect the health and safety of the facility employees.*

*CD players and electronic toys should be managed based on the handler's knowledge of the waste or on testing results. DTSC does not have specific data showing these devices would be universal waste electronic devices. The devices can be managed as nonhazardous solid waste unless you have information or knowledge that an electronic device is hazardous.*

- 8. The CIWMB January 11, 2006 guidance document states: "If an operator fails to take steps to prevent hazardous waste from being received or removed from the commingled waste stream then violations should be noted and appropriate enforcement action should be taken." Please clarify this statement.**

*Title 14 and Title 27 require operators of transfer facilities and landfills, respectively to implement programs to prevent acceptance of prohibited materials. It is understood that no load check program will be able to prevent all hazardous waste from entering a solid waste facility. The load check program must therefore include procedures for removing hazardous waste that is identified entering a facility. Failure to take steps to in accordance with an approved load checking program or permit requirements in recognition of worker health and safety should be noted and appropriate enforcement action should be taken.*

[<Return to top>](#)

### **Questions about the Requirements for a Collection Site**

- 9.A. May a solid waste facility operator set up a drop off spot at the landfill for universal wastes or would this be considered acceptance of hazardous waste, which is prohibited at a landfill or transfer station?**

*A transfer station and a landfill can accept hazardous waste if the site has been approved to do so pursuant to 14 CCR 17407.5(b) and 27 CCR 20870(b) respectively. Many sites are already approved to accept wastes such as antifreeze, batteries, oil and paint (ABOP). For these sites only minor modifications to the operating record would be required to reflect the additional waste types to be collected. An operator may set up new collection activities for universal wastes without authorization from DTSC or a*

CUPA. The activities must meet the universal waste handler requirements of 22 CCR, Division 4.5, Chapter 23. With respect to solid waste permit documents, sites starting up new universal waste collection activities would follow the same procedure they would follow to add an ABOP program.

**9.B. Would the owner/operator need to modify the solid waste permit to set up the drop off spot?**

*Adding universal waste to the other types of hazardous waste received would not in most circumstances require a permit revision. The Report of Facility Information (RFI) for the facility in which a HHW facility is located must properly identify the HHW facility or other universal waste handling activity within the permitted boundary, but the solid waste facility permit should not need to be changed unless the permit contains specific terms or conditions that would be inconsistent with the establishment of such activities (e.g., no hazardous waste). However, if a program to collect hazardous waste is being proposed for the first time where the permit includes specific restrictions, the permit may need to be revised to remove the restriction prior to allowing the new activity from taking place. In addition, adjustment may need to be made to CEQA documents and conditional use permits.*

**9.C. If the owner/operator adds new services to divert Household Hazardous Waste (HHW) would they also have to update the HHW element of their Integrated Waste Management Plan?**

*Jurisdictions would not have to formally revise their Household Hazardous Waste Elements but they should update these elements by describing the new services in their Annual Reports to the CIWMB.*

**10. In the CIWMB January 11, 2006 guidance document, one of the suggested questions to consider during an inspection asks whether the hazardous waste collection and storage areas are identified in site plans or reports. If the storage areas are not clearly designated is that a violation or a need for a permit change?**

*The current requirement is that hazardous waste handling areas be identified in the RFI. Unless there is a solid waste facility permit condition specifically controlling the storage area, there is no need to change the permit to designate the extent of the storage area. If the storage area is not clearly designated in the RFI or other site plans, the LEA should take into account the need for a transition period and require the owner/operator to update the RFI or site plan in a timely manner.*

**11. Also in the CIWMB guidance document (1/11/06), how is one to determine what “adequate signage” is or if we are “appropriately implementing the load check program”?**

*See answer to question 7.*

**12. What actions are expected of the owner/operator when universal wastes are discovered at the working face of a landfill, the tipping floor of a transfer/processing facility, or other unauthorized area of a solid waste facility/operation?**

*The same actions that are currently taken when any hazardous waste is discovered should continue to be taken in accordance with the site's load checking or hazardous waste identification and exclusion program.*

[<Return to top>](#)

**Questions about Collections by Solid Waste Haulers of Universal Waste that is Commingled with Trash**

**13. What should the driver of a solid waste collection vehicle do if he or she notices universal waste (e.g., fluorescent tubes, microwave ovens, TVs, computers, VCRs) in a solid waste container, commingled with trash?**

- a. Remove the item and transport it in a suitable separate container to the solid waste facility where it can be stored with other hazardous wastes removed during "load-checking"?**

*This would be the safest approach but it may not always be possible.*

- b. Leave the item in the trash and transport the commingled load to a solid waste facility?**

*This depends upon the case-specific factors. If the universal waste can be safely removed, it should be.*

- c. Remove the item from the trash and leave it at the curbside?**

*If the driver cannot properly manage the waste once removed from the container, he or she should not remove it. Universal waste should not be left curbside by the solid waste hauler.*

- d. Leave the container at the curbside with a notice to the generator (either residential or commercial) that the waste in the container is not in compliance with state law and cannot be picked up unless the universal waste(s) are removed?**

*A solid waste hauler is within his rights to refuse to accept a load obviously contaminated with universal wastes or any other hazardous waste.*

*In summary, DTSC and CIWMB recommend that a driver who notices universal waste in a solid waste container do one of the following (in order of preference):*

- a. Remove the item and transport it in a suitable separate container to the solid waste facility where it can be stored with other hazardous wastes removed during "load-checking." Notification should be made to the resident that universal waste may not be placed in the trash.*

- b. *Leave the item in the solid waste container and take the entire load to the load-checking station for subsequent removal. Notification should be made to the resident that universal waste may not be placed in the trash.*

**14. What are the consequences for a solid waste hauler that unknowingly collects universal waste that is commingled with municipal solid waste?**

*Under Health and Safety Code section 25163(e), a solid waste operator who unknowingly transports hazardous waste to a solid waste facility, incidental to the collection of solid waste is not subject to hazardous waste transporter registration requirements.*

*A solid waste hauler that discovers, after the fact, that it has unknowingly transported universal waste in a load of solid waste should remove the universal waste at the solid waste facility and manage it in accordance with the DTSC's regulations. Provided the hauler complies with all applicable universal waste handler and/or CRT material handler standards, there should not be a problem.*

[<Return to top>](#)

**Other resources**

DTSC's web page on universal wastes:

- <http://www.dtsc.ca.gov/HazardousWaste/UniversalWaste/index.cfm>

California Integrated Waste Management Board's universal waste web page:

- <http://www.ciwmb.ca.gov/WPIE/HazSub/UniWaste.htm>
- <http://www.ciwmb.ca.gov/LEACentral/UniWaste/default.htm>

California Recycling:

- <http://www.recycle.ca.gov/>

[<Return to top>](#)



Alan C. Lloyd,  
Ph.D.  
*Secretary for  
Environmental*

# California Integrated Waste Management Board

---

Rosario Marin, Chair  
1001 I Street • Sacramento, California 95814 • (916) 341-6000  
*Mailing Address: P. O. Box 4025, Sacramento, CA 95812-4025*  
[www.ciwmb.ca.gov](http://www.ciwmb.ca.gov)



Arnold  
Schwarzenegger

January 11, 2006

## UNIVERSAL WASTE Sunset of Temporary and Conditional Disposal Exemptions Guidance for Solid Waste Facilities

### Introduction

Existing regulatory exemptions that allow households and other small quantity generators to dispose of some hazardous wastes in municipal solid waste landfills expire on February 9, 2006. As a result, these wastes (listed below) will no longer be allowed to be disposed of in municipal waste landfills after February 8, 2006. This document is intended to provide guidance to solid waste site owners/operators and Local Enforcement Agencies (LEAs) on the implementation of these new requirements.

### Background

**Universal wastes are hazardous wastes** that are generated by a wide variety of people. The universal waste rules allow these common, low-hazard wastes to be managed under less stringent requirements than other hazardous wastes. California's Universal Waste Rule [California Code of Regulations (CCR), Title 22, Division 4.5, Chapter 23], which is overseen by the Department of Toxic Substances Control (DTSC), became effective on February 8, 2002. Under the rule, universal waste may not be discarded in municipal waste landfills. However, temporary and conditional universal waste exemptions are in place that allow the following waste types\*, generated by households or Conditionally Exempt Small Quantity Universal Waste Generators, to be disposed of in a landfill permitted to accept municipal solid waste:

- **Universal waste batteries**
- **Universal waste mercury thermostats (households only)**
- **Universal waste lamps (e.g., fluorescent tubes, high intensity discharge lamps, sodium vapor lamps)**
- **Universal waste electronic devices**

\* For additional information regarding the classification of universal waste types please contact DTSC's regional Public and Business Liaisons at (800) 72TOXIC (1-800-728-6942) or visit [www.dtsc.ca.gov](http://www.dtsc.ca.gov).

---

California Environmental Protection Agency

 *Printed on Recycled Paper*

**Join Governor Schwarzenegger to Keep California Rolling.**

Every Californian can help to reduce energy and fuel consumption. For a list of simple ways you can reduce demand and cut your energy and fuel costs, Flex Your Power and visit [www.fypower.com](http://www.fypower.com).

### Solid Waste Facilities and Operations

Universal wastes will likely enter a solid waste site in one of two ways: they may pass through a site on their way to a Household Hazardous Waste (HHW) facility or other authorized universal waste handler, or enter a site commingled with solid waste.

Universal wastes routed through a solid waste site to a HHW facility or other authorized universal waste handler should not be considered acceptance of hazardous waste. \*

If an operator fails to take steps to prevent hazardous wastes from being received or removed from the commingled waste stream then violations should be noted and appropriate enforcement action should be taken.

All solid waste sites should have load check programs in place to prevent the transfer and disposal of hazardous waste. If an operator already has an effective hazardous waste load check program it should not be necessary to update the Report of Facility Information (RFI). It should not be required for the load check program described in the RFI to identify each and every type of waste that could possibly be defined as hazardous, but the program should be such that it will effectively identify all hazardous wastes so that they can be removed from the waste stream.

Consideration should be given to the area available for storage of hazardous wastes removed during the load checking process, including the possibility that additional area will be needed to accommodate an increase in the volume of universal wastes received. Consideration should also be given to the manner in which the waste is stored such that public health and safety is adequately protected and the storage does not interfere with other facility operations.

*possible permit change*

### Inspections

Following is a list of questions related to the new universal wastes that an LEA should consider during an inspection:

- Does the site have adequate signage relative to the types of materials that will or will not be accepted?
- Is the site owner/operator properly training personnel on the identification and proper management of the new universal wastes?
- Has the owner/operator made the needed modifications to the load checking procedures to avoid the acceptance of these wastes and to identify, remove, and store these wastes?
- Is the site owner/operator appropriately implementing the load check program? — \*
- Are the hazardous waste collection and storage areas identified in site plans or reports?
- Do the hazardous waste handling and storage activities continue to be conducted in a manner that does not interfere with solid waste handling operations?

In the event the LEA has concerns relative to the above questions the LEA should cite a violation or area of concern for the appropriate state minimum standard. The following standards could be applied:

- ~Municipal Waste Disposal~Construction and Demolition Waste Disposal~Inert Debris Disposal~
  - CCR, Title 27

- Section 20520 – Signs
- Section 20610 – Training
- Section 20870 – Hazardous Waste

~Transfer/Processing~Construction and Demolition and Inert Debris Processing~

- CCR, Title 14
  - Section 17410.3 – Training
  - Section 17407.5 – Hazardous, Liquid and Special Waste
  - Section 17409.4 – Signs

Depending on the nature and severity of the deficiencies, the LEA should determine if a referral to the DTSC or Certified Unified Program Agency (CUPA) is warranted.

### **Enforcement**

As with any violation of state minimum standards and/or permit terms and conditions, the LEA should follow the enforcement procedures as described in their Enforcement Program Plan. The LEA should work in conjunction with the DTSC or CUPA to resolve violations or concerns regarding the handling and storage of universal wastes at solid waste sites.

### **Public Education**

Obviously the successful implementation of the new requirements relies heavily on the awareness of households and small quantity generators. DTSC has pledged to work with the HHW facilities and landfill operators to develop guidance for the proper management of these universal wastes. Additional information on universal waste management may be found on DTSC's web site ([www.dtsc.ca.gov](http://www.dtsc.ca.gov)) by clicking on the home page's Universal Waste link found under "Hot Topics." California Integrated Waste Management Board (CIWMB) staff encourages solid waste facility owners/operators to take any opportunity available to support the effort to increase public awareness of the new requirements.

### **Additional Questions**

Owners/operators should direct additional questions to their LEA. LEAs should direct additional questions to their CIWMB Permitting and Inspection Branch staff contact.





Alan C. Lloyd, Ph.D.  
*Secretary for  
Environmental  
Protection*



Arnold Schwarzenegger  
*Governor*

Department of Toxic Substances Control  
Maureen Gorsen, Director  
1001 I Street ● Sacramento, California 95814  
(916) 323-6042

*Mailing Address: P. O. Box 806, Sacramento, CA 95812-0806*  
[www.dtsc.ca.gov](http://www.dtsc.ca.gov)

California Integrated Waste Management Board  
Margo Reid Brown, Chair  
1001 I Street ● Sacramento, California 95814  
(916) 341-6000

*Mailing Address: P. O. Box 4025, Sacramento, CA 95812-4025*  
[www.ciwmb.ca.gov](http://www.ciwmb.ca.gov)

February 22, 2006

## SUNSET OF UNIVERSAL WASTE DISPOSAL EXEMPTIONS

After the temporary disposal exemptions ended on February 8, 2006, universal waste lamps, batteries, thermostats and certain electronic devices generated from households and small businesses may no longer be disposed in the trash. Many questions relating to the implementation and enforcement of this regulatory change have been posed to the Department of Toxic Substances Control (DTSC) and the Integrated Waste Management Board (IWMB).

On January 10, 2006, DTSC issued a memorandum to address the sunset of the disposal exemptions. On January 11, 2006, the IWMB issued an initial guidance letter for Local Enforcement Agencies (LEA) and solid waste facility operators addressing basic questions regarding the impact of the regulatory change on facility operations.

**Today's guidance letter is jointly issued by the DTSC and the IWMB for the purpose of answering additional questions which have been raised and to insure consistency in the interpretation and application of relevant regulations and guidance.** The DTSC and the IWMB jointly developed a Frequently Asked Questions (FAQ) format for addressing these additional questions. The DTSC and IWMB guidance documents and FAQs are posted on both of the following web pages. We will continue to augment the FAQs as new questions and issues arise.

DTSC: <http://www.dtsc.ca.gov/HazardousWaste/UniversalWaste/index.cfm>

IWMB: <http://www.ciwmb.ca.gov/LEACentral/UniWaste>

In conjunction with the specific guidance provided in the FAQs, the DTSC and IWMB expect that operators of solid waste facilities will continue to operate in accordance with existing load checking requirements and permit terms and conditions.

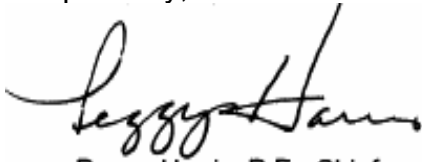
The DTSC and IWMB will continue to work together to ensure that implementation and enforcement of this change is consistent and is focused on the protection of public health, safety, and the environment.



Sunset of Universal Waste Disposal Exemptions  
February 22, 2006  
Page 2

Any additional questions regarding this guidance may be directed to Karl Palmer of DTSC at [kpalmer@dtsc.ca.gov](mailto:kpalmer@dtsc.ca.gov) or Robert Holmes of IWMB at [rholmes@ciwmb.ca.gov](mailto:rholmes@ciwmb.ca.gov).

Respectfully,



Peggy Harris, P.E., Chief  
Regulatory and Program Development Division  
Hazardous Waste Management Program  
Department of Toxic Substances Control



Howard Levenson, Ph.D.  
Deputy Director  
Permitting and Enforcement Division  
Integrated Waste Management Board

## Sunset of the Temporary Disposal Exemptions for Universal Waste: Frequently Asked Questions (FAQs)

- [General Questions](#)
- [Questions about Compliance and Enforcement](#)
- [Questions about Requirements for Collection Site](#)
- [Questions about Collections by Solid Waste Haulers of Universal Waste that is Commingled with Trash](#)
- [Other Resources](#)

### General Questions

#### 1. What has changed?

*Until February 8, 2006 households and some small businesses were allowed to put waste batteries, electronic devices, and fluorescent light bulbs in the trash. Homeowners were also allowed to throw away mercury-containing thermostats until that date. As of February 8, these items, called universal wastes, may no longer be placed in the trash.*

#### 2. What are universal wastes and why can't I put them in the trash?

*Universal wastes are hazardous wastes that are generated by several sectors of society, rather than a single industry or type of businesses. Hazardous wastes contain harmful chemicals, which, if put in the trash may harm people or the environment. Universal wastes include:*

- **Common Batteries** – AA, AAA, C cells, D cells and button batteries (e.g. hearing aid batteries). These may contain a corrosive chemical that can cause burns as well as toxic heavy metals like cadmium. (Automotive type batteries are not universal waste. When they become waste, they are regulated under a different law.)
- **Fluorescent Tubes and Bulbs and Other Mercury-Containing Lamps** – Fluorescent light tubes and bulbs, high intensity discharge (HID), metal halide, sodium, and neon bulbs. These lights contain mercury vapor that may be released to the environment when they are broken. Mercury is a toxic metal that can cause harm to people and animals including nerve damage and birth defects. If mercury is released into the environment it can contaminate the air we breathe and enter streams, rivers, and the ocean, where it can contaminate fish that people eat.
- **Electronic Devices** such as: televisions and computer monitors, computers, printers, VCRs, cell phones, telephones, radios, and microwave ovens. These devices often contain heavy metals like lead, cadmium, copper, and chromium.
- **Mercury-Containing Devices** – thermostats, switches, thermometers, dental amalgam, pressure and vacuum gauges, novelty items, counterweights and dampers, medical devices known as dilators and weighted tubing, certain rubber flooring, and gas flow regulators used in older residential gas meters.
- **Non-Empty Aerosol Cans that Contain Hazardous Materials** – Many products in aerosol cans are toxic. And many aerosol cans contain flammables, like butane, as

propellants for products like paint. If your aerosol can is labeled with words like TOXIC or FLAMMABLE, don't put it in the trash unless it is completely empty.

### **3. What happens if I throw universal waste in the garbage?**

*Like used motor oil and paint, universal waste is a kind of hazardous waste. It is illegal to dispose of hazardous waste in the garbage. In addition, by throwing universal waste in the garbage, you can cause additional hazards to your garbage handler. Eventually, chemicals in illegally disposed hazardous waste can be released into the environment and contaminate our air, water, and possibly the food we eat.*

### **4. If I can't throw this stuff in the trash how do I get rid of it?**

*Many local government agencies run programs that help households and small businesses recycle or properly dispose of their hazardous wastes. Additionally, some retailers will collect certain universal wastes, such as batteries. For information on local collection programs, contact your municipal waste service provider or click [here](#) for the list of Household Hazardous Waste Program Web links. You can also check <http://www.earth911.org> for a universal waste collection program near you.*

### **5. How do I know if a particular electronic device can't be thrown in the trash?**

*The Department of Toxic Substances Control (DTSC) has tested many electronic devices including: tube-type and flat panel televisions and computer monitors, laptop computers, computers (CPUs), printers, radios, microwave ovens, VCRs, cell phones, cordless phones, and telephone answering machines. The devices that DTSC tested contained concentrations of metals (lead and copper) high enough to make them hazardous wastes when they are discarded. Unless you are sure they are not hazardous, you should presume these types of devices need to be recycled or disposed of as hazardous waste and that they may not be thrown in the trash. For additional assistance, you can call the Waste Evaluation help line at (916) 322-7676.*

[<Return to top>](#)

## **Questions about Compliance and Enforcement**

### **6. Is there a phase-in period for compliance with the expiration of the disposal exemptions?**

*No, the exemption expired on February 8, 2006. However, in the view of the California Integrated Waste Management Board (CIWMB) and the DTSC, local enforcement agencies (LEAs) and certified unified program agencies (CUPAs) should take into account the need for a short transition period for owners/operators to implement any new requirements and that LEAs and CUPAs should continue to prioritize enforcement on violations that present immediate risks to the public health or the environment.*

### **7. Is there a tolerance level for the amount of universal wastes commingled with loads of non-hazardous solid waste? For example, will an LEA or CUPA issue a violation for finding a CD player or electronic toy in the solid waste?**

*The regulations do not provide for an acceptable amount of universal waste that can be commingled with non-hazardous solid waste. However, other hazardous wastes are currently inadvertently commingled with loads of non-hazardous solid waste (e.g., paint, oil, pesticides). The DTSC and IWMB expect that operators of solid waste facilities will continue to operate in accordance with existing load checking requirements and permit terms and conditions. The LEA will need to continue to exercise their sound discretion and to use their current methods of evaluating the effectiveness of the load checking and other programs designed to identify and remove hazardous waste from the solid waste stream prior to disposal. It should not be required for the load check program described in the Report of Facility Information (RFI) to list each and every type of waste that could possibly be defined as hazardous, but the load checking activity should be reasonably effective in identifying and removing hazardous waste from those loads that are required to be load checked in accordance with permit requirements and as appropriate to protect the health and safety of the facility employees.*

*CD players and electronic toys should be managed based on the handler's knowledge of the waste or on testing results. DTSC does not have specific data showing these devices would be universal waste electronic devices. The devices can be managed as nonhazardous solid waste unless you have information or knowledge that an electronic device is hazardous.*

- 8. The CIWMB January 11, 2006 guidance document states: "If an operator fails to take steps to prevent hazardous waste from being received or removed from the commingled waste stream then violations should be noted and appropriate enforcement action should be taken." Please clarify this statement.**

*Title 14 and Title 27 require operators of transfer facilities and landfills, respectively to implement programs to prevent acceptance of prohibited materials. It is understood that no load check program will be able to prevent all hazardous waste from entering a solid waste facility. The load check program must therefore include procedures for removing hazardous waste that is identified entering a facility. Failure to take steps to in accordance with an approved load checking program or permit requirements in recognition of worker health and safety should be noted and appropriate enforcement action should be taken.*

[<Return to top>](#)

### **Questions about the Requirements for a Collection Site**

- 9.A. May a solid waste facility operator set up a drop off spot at the landfill for universal wastes or would this be considered acceptance of hazardous waste, which is prohibited at a landfill or transfer station?**

*A transfer station and a landfill can accept hazardous waste if the site has been approved to do so pursuant to 14 CCR 17407.5(b) and 27 CCR 20870(b) respectively. Many sites are already approved to accept wastes such as antifreeze, batteries, oil and paint (ABOP). For these sites only minor modifications to the operating record would be required to reflect the additional waste types to be collected. An operator may set up new collection activities for universal wastes without authorization from DTSC or a*

CUPA. The activities must meet the universal waste handler requirements of 22 CCR, Division 4.5, Chapter 23. With respect to solid waste permit documents, sites starting up new universal waste collection activities would follow the same procedure they would follow to add an ABOP program.

**9.B. Would the owner/operator need to modify the solid waste permit to set up the drop off spot?**

*Adding universal waste to the other types of hazardous waste received would not in most circumstances require a permit revision. The Report of Facility Information (RFI) for the facility in which a HHW facility is located must properly identify the HHW facility or other universal waste handling activity within the permitted boundary, but the solid waste facility permit should not need to be changed unless the permit contains specific terms or conditions that would be inconsistent with the establishment of such activities (e.g., no hazardous waste). However, if a program to collect hazardous waste is being proposed for the first time where the permit includes specific restrictions, the permit may need to be revised to remove the restriction prior to allowing the new activity from taking place. In addition, adjustment may need to be made to CEQA documents and conditional use permits.*

**9.C. If the owner/operator adds new services to divert Household Hazardous Waste (HHW) would they also have to update the HHW element of their Integrated Waste Management Plan?**

*Jurisdictions would not have to formally revise their Household Hazardous Waste Elements but they should update these elements by describing the new services in their Annual Reports to the CIWMB.*

**10. In the CIWMB January 11, 2006 guidance document, one of the suggested questions to consider during an inspection asks whether the hazardous waste collection and storage areas are identified in site plans or reports. If the storage areas are not clearly designated is that a violation or a need for a permit change?**

*The current requirement is that hazardous waste handling areas be identified in the RFI. Unless there is a solid waste facility permit condition specifically controlling the storage area, there is no need to change the permit to designate the extent of the storage area. If the storage area is not clearly designated in the RFI or other site plans, the LEA should take into account the need for a transition period and require the owner/operator to update the RFI or site plan in a timely manner.*

**11. Also in the CIWMB guidance document (1/11/06), how is one to determine what “adequate signage” is or if we are “appropriately implementing the load check program”?**

*See answer to question 7.*

**12. What actions are expected of the owner/operator when universal wastes are discovered at the working face of a landfill, the tipping floor of a transfer/processing facility, or other unauthorized area of a solid waste facility/operation?**

*The same actions that are currently taken when any hazardous waste is discovered should continue to be taken in accordance with the site's load checking or hazardous waste identification and exclusion program.*

[<Return to top>](#)

**Questions about Collections by Solid Waste Haulers of Universal Waste that is Commingled with Trash**

**13. What should the driver of a solid waste collection vehicle do if he or she notices universal waste (e.g., fluorescent tubes, microwave ovens, TVs, computers, VCRs) in a solid waste container, commingled with trash?**

- a. Remove the item and transport it in a suitable separate container to the solid waste facility where it can be stored with other hazardous wastes removed during "load-checking"?**

*This would be the safest approach but it may not always be possible.*

- b. Leave the item in the trash and transport the commingled load to a solid waste facility?**

*This depends upon the case-specific factors. If the universal waste can be safely removed, it should be.*

- c. Remove the item from the trash and leave it at the curbside?**

*If the driver cannot properly manage the waste once removed from the container, he or she should not remove it. Universal waste should not be left curbside by the solid waste hauler.*

- d. Leave the container at the curbside with a notice to the generator (either residential or commercial) that the waste in the container is not in compliance with state law and cannot be picked up unless the universal waste(s) are removed?**

*A solid waste hauler is within his rights to refuse to accept a load obviously contaminated with universal wastes or any other hazardous waste.*

*In summary, DTSC and CIWMB recommend that a driver who notices universal waste in a solid waste container do one of the following (in order of preference):*

- a. Remove the item and transport it in a suitable separate container to the solid waste facility where it can be stored with other hazardous wastes removed during "load-checking." Notification should be made to the resident that universal waste may not be placed in the trash.*

- b. *Leave the item in the solid waste container and take the entire load to the load-checking station for subsequent removal. Notification should be made to the resident that universal waste may not be placed in the trash.*

**14. What are the consequences for a solid waste hauler that unknowingly collects universal waste that is commingled with municipal solid waste?**

*Under Health and Safety Code section 25163(e), a solid waste operator who unknowingly transports hazardous waste to a solid waste facility, incidental to the collection of solid waste is not subject to hazardous waste transporter registration requirements.*

*A solid waste hauler that discovers, after the fact, that it has unknowingly transported universal waste in a load of solid waste should remove the universal waste at the solid waste facility and manage it in accordance with the DTSC's regulations. Provided the hauler complies with all applicable universal waste handler and/or CRT material handler standards, there should not be a problem.*

[<Return to top>](#)

**Other resources**

DTSC's web page on universal wastes:

- <http://www.dtsc.ca.gov/HazardousWaste/UniversalWaste/index.cfm>

California Integrated Waste Management Board's universal waste web page:

- <http://www.ciwmb.ca.gov/WPIE/HazSub/UniWaste.htm>
- <http://www.ciwmb.ca.gov/LEACentral/UniWaste/default.htm>

California Recycling:

- <http://www.recycle.ca.gov/>

[<Return to top>](#)

**Summary Listing of Solid Waste Related Bills  
of Interest to the ESJPA**

March 2006

To obtain a copy of the actual bill language, go to: <http://www.leginfo.ca.gov/bilinfo.html>



March 6, 2006

## ESJPA LEGISLATIVE SUMMARY REPORT

---

CA AB 1333     **AUTHOR:**                 Frommer (D)  
                  **TITLE:**                 Grease Waste Haulers  
                  **LAST AMEND:**         03/02/2006  
                  **FILE:**                     1  
                  **LOCATION:**             Senate Second Reading File  
                  **SUMMARY:**  
Prohibits a grease waste hauler from removing grease from a greasetrap or interceptor unless the hauler removes all grease, grease liquid, water, and solids from the trap or interceptor each time of removal. Subjects a hauler to a civil penalty for a violation. Allows for the enforcement of these provisions only against a grease waste hauling company. Provides distribution of civil penalties. Makes it an offense for a hauler to reinsert or to improperly deposit grease in specified ways. Provides exceptions.  
                  **STATUS:**  
03/02/2006                 In SENATE. From Inactive File. To third reading.  
03/02/2006                 In SENATE. Read third time and amended. To second reading.

<u>Lobbyist</u>	<u>Position</u>	<u>Staff</u>	<u>Subject</u>
Paul	Watch	Mary	CUPA ESJPA

---

CA AB 1341     **AUTHOR:**                 Assembly Environmental Safety and Toxic Materials Committee  
                  **TITLE:**                 Pollution Control Financing Authority: Grants and Loans  
                  **LAST AMEND:**         08/22/2005  
                  **LOCATION:**             Senate Environmental Quality Committee  
                  **SUMMARY:**  
Relates to authorization of the Pollution Control Financing Authority to provide grants and loans to cities and counties to assist in the development of programs to reduce pollution hazards and the degradation of the environment, or to promote infill development to revitalize communities. Requires an annual report to the Legislature regarding the grant and loan program. Extends operation of these provisions. Extends operation of the provisions. Increases the amount of the grants and loans.  
                  **STATUS:**  
03/02/2006                 Withdrawn from SENATE Committee on RULES.  
03/02/2006                 Re-referred to SENATE Committee on ENVIRONMENTAL QUALITY.

<u>Lobbyist</u>	<u>Position</u>	<u>Staff</u>	<u>Subject</u>
Paul	Watch	Mary	CUPA ESJPA

---

CA AB 1688     **AUTHOR:**                 Niello (R)  
                  **TITLE:**                 Illegal Dumping: Enforcement Officers  
                  **LAST AMEND:**         01/04/2006  
                  **LOCATION:**             Senate Public Safety Committee  
                  **SUMMARY:**  
Adds to the list of persons who are not peace officers but may exercise the powers of arrest of a peace officer and the power to serve warrants during the course and within the scope of their employment illegal dumping officers, whose primary duty is the enforcement of illegal dumping laws.  
                  **STATUS:**  
01/26/2006                 To SENATE Committee on PUBLIC SAFETY.

Lobbyist  
Paul

Position  
Support

Subject  
ESJPA

---

CA AB 1992

**AUTHOR:** Canciamilla (D)  
**TITLE:** Solid Waste: Dumping  
**LOCATION:** Assembly Natural Resources Committee  
**SUMMARY:**

Provides that the placing of solid waste on private property, without the owner's consent is a misdemeanor.

**STATUS:**  
02/23/2006 To ASSEMBLY Committee on NATURAL RESOURCES.

Analyst  
Nick

Lobbyist  
Paul

Position  
Watch

Staff  
Mary

Subject  
ESJPA

---

CA AB 2118

**AUTHOR:** Matthews (D)  
**TITLE:** Solid Waste: Diversion: Conversion  
**LOCATION:** Assembly Natural Resources Committee  
**SUMMARY:**

Revises the definition of the term solid waste facility to delete a gasification facility. Includes a conversion technology facility as a solid waste facility. Specifies a percentage of that solid waste in the source reduction and recycling element is to be diverted from disposal and conversion technology and would revise the methods for determining the amount of solid waste required to be diverted to include conversion technology.

**STATUS:**  
02/27/2006 To ASSEMBLY Committees on NATURAL RESOURCES and UTILITIES AND COMMERCE.

Analyst  
Nick

Lobbyist  
Paul

Position  
Watch

Staff  
Mary

Subject  
ESJPA

---

CA AB 2127

**AUTHOR:** Plescia (R)  
**TITLE:** Hazardous Waste: Alkaline Batteries  
**LOCATION:** Assembly Environmental Safety and Toxic Materials Committee  
**SUMMARY:**

Requires a study regarding whether there are any environmental impacts caused by the random disposal of used alkaline batteries in a permitted solid waste landfill facility. Requires evaluation of the cost of developing an infrastructure to collect used alkaline batteries as a non-RCRA hazardous waste from consumers and the likely financial impact on consumer, if they are required to fund the development of that infrastructure through a deposit, fee, or other form of imposed cost.

**STATUS:**  
03/02/2006 To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.

Analyst  
Nick

Lobbyist  
Paul

Position  
Pending

Staff  
Mary

Subject  
ESJPA

---

CA AB 2211      **AUTHOR:**                      Karnette (D)  
**TITLE:**                                      Solid Waste Disposal Site Cleanup  
**LOCATION:**                                  Assembly Natural Resources Committee  
**SUMMARY:**  
Includes, as eligible for emergency action funding, solid waste facilities and sites involving soled waste handling. Specifies, for purposes of expending funds to abate illegal disposal sites, that an illegal disposal site includes storm water related activities, if the grant funds are used for solid waste cleanup activities.  
**STATUS:**  
03/02/2006                                  To ASSEMBLY Committee on NATURAL RESOURCES.

<u>Analyst</u>	<u>Lobbyist</u>	<u>Position</u>	<u>Staff</u>
Nick	Paul	Watch	Mary
<u>Subject</u>			
ESJPA			

---

CA AB 2271      **AUTHOR:**                      Koretz (D)  
**TITLE:**                                      Household Batteries: Recycling  
**LOCATION:**                                  Assembly Natural Resources Committee  
**SUMMARY:**  
Enacts the Household Battery Recycling Act and establishes a refund value for every household battery subject to the act. Requires a distributor of household batteries to pay the refund value to an unspecified department for every household battery sold or offered for sale.  
**STATUS:**  
03/02/2006                                  To ASSEMBLY Committees on NATURAL RESOURCES and PUBLIC SAFETY.

<u>Analyst</u>	<u>Lobbyist</u>	<u>Position</u>	<u>Staff</u>
Nick	Paul	Watch	Mary
<u>Subject</u>			
ESJPA			

---

CA AB 2296      **AUTHOR:**                      Montanez (D)  
**TITLE:**                                      Solid Waste: Landfill  
**LOCATION:**                                  ASSEMBLY  
**SUMMARY:**  
Expresses an intent of the Legislature to enact additional legislation relating to financial assurance demonstration applicable to postclosure maintenance activities at solid waste landfills.  
**STATUS:**  
02/22/2006                                  INTRODUCED.

<u>Analyst</u>	<u>Lobbyist</u>	<u>Position</u>	<u>Staff</u>
Nick	Paul	Watch	Mary
<u>Subject</u>			
ESJPA			

---

CA AB 2845      **AUTHOR:**                      Bogh (R)  
**TITLE:**                                      Beverage Containers: Recycle and Litter Cleanup Grants  
**LOCATION:**                                  ASSEMBLY  
**SUMMARY:**  
Relates to the Beverage Container Recycling Fund. Appropriates funds to the department to pay refund values, processing payments, and for other purposes, including permitting the department to provide payments to cities and counties for container recycling and litter cleanup activities. Increases the amount the department is authorized to expend.



**LAST AMEND:** 01/19/2006  
**LOCATION:** Assembly Natural Resources Committee

**SUMMARY:**

Relates to existing law that authorizes the Integrated Waste Management Board to implement a program to award grants to cities, counties, districts, and other local governmental agencies for the funding of public works projects that use rubberized asphalt concrete. Provides for recommencement of the grant program. Provides for a new inoperative and repeal date.

**STATUS:**

02/16/2006 To ASSEMBLY Committee on NATURAL RESOURCES.

<u>Lobbyist</u>	<u>Position</u>	<u>Staff</u>	<u>Subject</u>
Paul	Support	Mary	ESJPA

---

CA SB 420

**AUTHOR:** Simitian (D)  
**TITLE:** Public Contracts: Procurements: Recycled Products  
**LAST AMEND:** 01/04/2006  
**LOCATION:** Assembly Natural Resources Committee

**SUMMARY:**

Makes a technical, nonsubstantive change to correct an erroneous reference to a state agency in the local public entity provisions regarding the procurement of recycled products.

**STATUS:**

02/16/2006 To ASSEMBLY Committee on NATURAL RESOURCES.

<u>Bill-File</u>	<u>Lobbyist</u>	<u>Position</u>	<u>Staff</u>
Y	Paul	Watch	Mary

<u>Subject</u>	<u>Year-End-Report</u>
ESJPA	Sept.Brd.Mtg

---

CA SB 655

**AUTHOR:** Ortiz (D)  
**TITLE:** Asbestos  
**LAST AMEND:** 09/02/2005  
**FILE:** A-44  
**LOCATION:** Assembly Inactive File

**SUMMARY:**

Requires the Environmental Protection Agency to convene the Naturally Occurring Asbestos Task Force to recommend best management practices. Requires a city or county issuing an activity permit which may result in soil disturbance to provide the applicant with a one-page summary of measures that may be taken to mitigate exposure. Requires disclosure of real property located in an asbestos hazard zone. Provides for real estate sales disclosure. Conditions the limitation on liability for disclosure.

**STATUS:**

01/19/2006 In ASSEMBLY. Reconsideration granted.

01/19/2006 In ASSEMBLY. To Inactive File.

<u>BOARD.PACKET</u>	<u>Lobbyist</u>	<u>Position</u>	<u>Staff</u>
March	Paul	Oppose	Mary

<u>Subject</u>	<u>Year-End-Report</u>
CUPA ESJPA	Sept.Brd.Mtg

---

CA SB 729

**AUTHOR:** Simitian (D)  
**TITLE:** Water Quality  
**LAST AMEND:** 01/19/2006

**LOCATION:** ASSEMBLY

**SUMMARY:**

Relates to the Water Resources Control Board and regional boards. Requires the state board to hold regular meetings, to implement a public information program on water quality matters, to prepare its budget in a certain manner, to establish a water quality coordinating committee, to prepare certain guidelines reflecting prioritization of the cleanup of certain state waters. Relates to the membership of regional boards and abatement of water pollution and nuisance.

**STATUS:**

01/26/2006 In SENATE. Read third time. Passed SENATE. \*\*\*\*\*To ASSEMBLY.

<u>Bill-File</u>	<u>Lobbyist</u>	<u>Position</u>	<u>Subject</u>
Y	Kathy	Watch	ESJPA
<u>Year-End-Report</u>			
Sept.Brd.Mtg			

---

CA SB 1076

**AUTHOR:** Perata (D)  
**TITLE:** Solid Waste  
**LOCATION:** SENATE

**SUMMARY:**

Makes a technical, nonsubstantive change in the California Integrated Waste Management Act that requires each county, city, district, or other local government agency that provides solid waste handling services to provide for those services, including, but not limited to, source reduction, recycling, composting activities, and the collection, transfer, and disposal of solid waste within or without the territory subject to its solid waste handling jurisdiction.

**STATUS:**

01/31/2006 In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56.

<u>Lobbyist</u>	<u>Position</u>	<u>Staff</u>	<u>Subject</u>
Paul	Watch	Mary	ESJPA

---

CA SB 1305

**AUTHOR:** Figueroa (D)  
**TITLE:** Medical Waste  
**LOCATION:** Senate Environmental Quality Committee

**SUMMARY:**

Excludes household waste, except for home-generated sharps, as defined, from the definition of medical waste. Prohibits a person from knowingly placing home-generated sharps in certain types of containers used for the collection of solid waste, construction, and demolition debris, greenwaste, or other recyclable materials.

**STATUS:**

02/22/2006 To SENATE Committee on ENVIRONMENTAL QUALITY.

<u>Analyst</u>	<u>Lobbyist</u>	<u>Position</u>	<u>Staff</u>
Nick	Paul	Pending	Mary
<u>Subject</u>			
ESJPA			

---

CA SB 1515

**AUTHOR:** Kehoe (D)  
**TITLE:** Solid Waste: Facilities: Operating Hours  
**LOCATION:** SENATE

**SUMMARY:**

Requires the Integrated Waste Management Board to conduct a study of the environmental benefits of expanding the operating hours of solid waste facilities, as a

means of reducing traffic congestion and enabling collection and transfer vehicle fleet operators to access the facilities during off-peak hours.

**STATUS:**

02/23/2006

INTRODUCED.

Analyst

Nick

Lobbyist

Paul

Position

Watch

Staff

Mary

Subject

ESJPA

---

CA SB 1797

**AUTHOR:**

Perata (D)

**TITLE:**

Hazardous Waste: Landfill Cover: Metallic Recyclables

**LOCATION:**

SENATE

**SUMMARY:**

Requires residue generated from the shredding of discarded automobiles, appliances, or other metallic recyclables to be regulated as hazardous waste only if the residue exhibits the characteristics of toxicity specified in certain regulations adopted pursuant to the federal Resource Conservation and Recovery Act.

**STATUS:**

02/24/2006

INTRODUCED.

Analyst

Nick

Lobbyist

Paul

Position

Pending

Staff

Mary

Subject

ESJPA

---

## **Complete Text of Selected Solid Waste Bills**

- AB 2118 (Matthews) Solid Waste: Diversion: Conversion  
[http://www.leginfo.ca.gov/pub/bill/asm/ab\\_2101-2150/ab\\_2118\\_bill\\_20060217\\_introduced.pdf](http://www.leginfo.ca.gov/pub/bill/asm/ab_2101-2150/ab_2118_bill_20060217_introduced.pdf)
- AB 2127 (Plescia) Hazardous Waste: Alkaline Batteries  
[http://www.leginfo.ca.gov/pub/bill/asm/ab\\_2101-2150/ab\\_2127\\_bill\\_20060221\\_introduced.pdf](http://www.leginfo.ca.gov/pub/bill/asm/ab_2101-2150/ab_2127_bill_20060221_introduced.pdf)
- AB 2271 (Koretz) Household Batteries: Recycling  
[http://www.leginfo.ca.gov/pub/bill/asm/ab\\_2251-2300/ab\\_2271\\_bill\\_20060222\\_introduced.pdf](http://www.leginfo.ca.gov/pub/bill/asm/ab_2251-2300/ab_2271_bill_20060222_introduced.pdf)
- AB 3001 (Pavley) Electronic Waste: Personal Computers  
[http://www.leginfo.ca.gov/pub/bill/asm/ab\\_3001-3050/ab\\_3001\\_bill\\_20060224\\_introduced.pdf](http://www.leginfo.ca.gov/pub/bill/asm/ab_3001-3050/ab_3001_bill_20060224_introduced.pdf)
- SB 1305 (Figueroa) Medical Waste  
[http://www.leginfo.ca.gov/pub/bill/sen/sb\\_1301-1350/sb\\_1305\\_bill\\_20060216\\_introduced.pdf](http://www.leginfo.ca.gov/pub/bill/sen/sb_1301-1350/sb_1305_bill_20060216_introduced.pdf)



**Summary Listing of Solid Waste Related Bills**  
**Potentially of Interest to the ESJPA**

March 2006

To obtain a copy of the actual bill language, go to: <http://www.leginfo.ca.gov/bilinfo.html>

## ESJPA POTENTIAL BILL LIST

March 1, 2006

### ASSEMBLY BILLS:

**AB 722 Bermudez – biomass conversion** (died)

**AB 1090 Matthews – conversion technology** (died)

**AB 1901 Horton – Air pollution: truck retrofit revolving loan program.** Establishes until 1/1/12 the Truck Retrofit Revolving Loan Program to help finance retrofitting of trucks with emission reduction equipment kits.

**AB 2144 Montanez – hazardous materials: land use.** Revises state agency public participation procedures required to be included in the response plan for property owners who seek to qualify for the immunity from liability provided by the CA Land Reuse and Revitalization Act; requires the agency to consider environmental justice issues; and allows DTSC to require submission of reports in electronic format.

**AB 2145 Montanez – hazardous material: liability.** Spot bill. CA Land Reuse and Revitalization Act

**AB 2147 Harman – solid waste: compostable plastic food and beverage containers.** Prohibits a person from selling labeled compostable plastic food and beverage containers unless the container meets the American Society of Testing Material (ASTM) standard specifications.

**AB 2151 Villines – State Air Resource Board: regulations.** Imposes cost effectiveness considerations to the state board.

**AB 2155 Wolk – hazardous waste: treatment.** As are biotechnology elementary neutralization activities, additionally exempts pharmaceutical neutralization activities from hazardous waste control laws.

**AB 2160 Lieu – Environment: green building guidelines.** Intent to require state agencies to develop voluntary, model statewide residential green building guidelines.

**AB 2202 Saldana – hazardous waste: electronic devices.** Revises the definition of electronic device for purposes of the prohibition sale of devices prohibited by European Union; and extends the prohibition of sale until 2008.

**AB 2289 Ruskin – solid waste: plastic reprocessing.** Requires a person who engages in plastic reprocessing in this state to obtain a permit from the board that authorizes the activity.

**AB 2335 Saldana – medical waste.** Specify that pharmaceutical does not include any pharmaceutical not regulated as a specified type of hazardous waste; authorize a person to store biohazardous waste at

an offsite location for not longer than 90 days when the container is ready for disposal without obtaining written approval.

**AB 2394 Aghazarian – hazardous waste: agricultural.** Spot bill.

**AB 2449 Levine – recycling: plastic bags.** Spot bill to enact legislation to create a program to recycle Low Density Polyethylene bags.

**AB 2490 Ruskin – California Toxic Release Inventory Program.** Enact the California Toxic Release Inventory Program Act of 2006 to require Cal EPA to establish the California Toxic Release Inventory Program to impose the same, or more stringent, requirements as the federal Emergency Planning and Community Right-to-Know Act of 1986 by July 1, 2007.

**AB 2516 Tran – Toxic substances: PBDEs.** Exempt from the prohibition the processing of recycled material containing pentaBDE or octaBDE in compliance with applicable state and federal law, and is recycled on or before January 1, 2011.

**AB 2724 Klehs – Hazardous materials: underground storage tank system: civil penalties.** Spot bill to increase civil penalties to an unspecified amount.

**AB 2734 Hancock – solid waste: rigid plastic packaging containers.** Spot bill.

**AB 2928 Laird – solid waste: green building construction.** Require the CIWMB and local agencies to maximize the use of green building construction.

**AB 2988 Lieu – dry cleaning operations.** Delete the condition for exemption that the effluent is hazardous waste solely due to its perchloroethylene (PCE) content.

#### **SENATE BILLS:**

**SB 1294 – Ducheny – Geothermal wastes: exemption.** Exempts from the hazardous waste control laws geothermal waste generated from the exploration, development, or production of geothermal energy that does not result from drilling for geothermal resources, meeting specified management requirements and conditions.

**SB 1344 Chesbro – recycling: plastic packaging containers.** Revise the conditions by which a manufacturer may demonstrate compliance with the 25% postconsumer material requirement.

**SB 1345 Chesbro – public contracts: recycled products: compost.** Increases from 80% to 90% the minimum content of compostable materials, that would otherwise normally be disposed of in landfills, must consist; requires the DOT to maintain specification for the purchase of compost by the state.

**SB 1436 Figueroa – small business: regulation process.** Spot bill to enact legislation to assist small businesses in complying with regulatory standards.

**SB 1478 Speier – toxic chemicals: release form.** Enact the Protect California’s Right-to-Know Act of 2006 to require Cal EPA to establish the California Toxic Release Inventory Program to impose the same, or more stringent, requirements as the federal Emergency Planning and Community Right-to-Know Act of 1986 by July 1, 2007.

**SB 1532 Bowen – household substances: packaging.** Revise the definition of “package” to include any empty container that is designed to contain any household substance for consumption, use, or storage.

**SB 1573 Alarcon – solid waste: packaging.** Require the CIWMB to adopt regulations to establish guidelines for the manufacture, purchase, and disposal of packaging; prohibit excess, require manufacturers to use specific percentages of recyclable material, and create incentives; require compliance by January 1, 2009.

**SB 1778 Alarcon – solid waste: beverage containers.** Add a designation of “8” or “PLA” to indicate that the plastic bottle or container is made of polylactic acid.

**SB 1835 Florez – solid waste facility permit: enforcement agency.** Prohibit an enforcement agency and the CIWMB from issuing a solid waste facilities permit for a facility approved by an initiative measure, unless the facility is consistent with local, state, and federal laws.

**ESJPA**  
**Legislative Task Force**

Current members: Mary Pitto, Alan Abbs, Larry Sweetser, Paul Smith, Nick Konovaloff, Tracy Harper, Tom Hunter, Kevin Hendrick

**Up-coming Conference Call Meetings**

- Thursday April 13, 2006 at 10:00 am
- Thursday May 4, 2006 at 10:00 am
- Thursday June 8, 2006 at 10:00 am
- Thursday July 13, 2006 at 10:00 am

Please dial (916) 326-5825 to join the conference call.

**CHAIR** – BOB PICKARD, MARIPOSA COUNTY  
**VICE CHAIR** – CHRISTY SKOFIELD, COLUSA COUNTY  
**EXECUTIVE DIRECTOR** – BRENT HARRINGTON



**PROGRAM MANAGER** – MARY PITTO  
**TECHNICAL ADVISORY GROUP CHAIR** – ALAN ABBS,  
TEHAMA COUNTY

## Rural Counties' Environmental Services Joint Powers Authority Technical Advisory Group

Steve Engfer, Chair

Bill Mannel, Vice Chair

**Fifth Floor Conference Room, 801 12th Street, Sacramento, CA 95814**

**12:15 pm – 4:00 pm**

**Thursday, March 16, 2006**

### **12:15 pm Working Lunch- CIWMB DRS Training**

1:30 pm

1. Review/Revise/Prioritize Agenda Items -- Alan Abbs
2. Status of California Integrated Waste Management Board appointees-- Mary Pitto
3. Update on off-road and on-road diesel emissions regulations – Mary Pitto
4. Update on CIWMB Post Closure Financial Assurances- Larry Sweetser/Alan Abbs
5. CIWMB Postclosure Land Use Symposium- Alan Abbs
6. Update on AB939 Program Changes- Alan Abbs
7. U-Waste Updates- Larry Sweetser
8. Significant Changes for SW Facilities/AB1497 -- Alan Abbs/Larry Sweetser
9. Discussion Regarding Potential ESJPA Group Purchasing – Stacey Miner/Steve Engfer
10. Highlights of Jan/Feb/Mar Waste Board meetings -- Larry Sweetser
11. Discussion Regarding Formation of ESJPA Goals Ad Hoc Committee- Steve Engfer
12. Any other issues/items of interest or concern
13. Topic suggestions for next Technical Advisory Group meeting

**-- adjourn --**

ALPINE, AMADOR, BUTTE, CALAVERAS, COLUSA,  
DEL NORTE, EL DORADO, GLENN, IMPERIAL, INYO, LASSEN

CHAIR — BOB PICKARD, MARIPOSA COUNTY

VICE CHAIR — CHRISTY SCOFIELD, COLUSA COUNTY

EXECUTIVE DIRECTOR — BRENT HARRINGTON



MADERA, MARIPOSA, MODOC, MONO, NEVADA, PLUMAS,  
SIERRA, SISKIYOU, TEHAMA, TRINITY, TUOLUMNE

PROGRAM MANAGER — MARY PITTO

TECHNICAL ADVISORY GROUP CHAIR — STEVE ENGFER,  
MARIPOSA COUNTY

## Resolution #06-01

**AUTHORIZING THE SUBMITTAL OF REGIONAL GRANT APPLICATIONS  
TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD  
FOR ALL AVAILABLE GRANTS UNDER THE CALIFORNIA OIL RECYCLING  
ENHANCEMENT ACT AND ALL AVAILABLE GRANTS UNDER THE HOUSEHOLD  
HAZARDOUS WASTE GRANTS WITH THE RURAL COUNTIES' ENVIRONMENTAL  
SERVICES JOINT POWERS AUTHORITY AS THE LEAD AGENCY AND GRANT  
ADMINISTRATOR ON BEHALF OF PARTICIPATING JURISDICTIONS**

**WHEREAS**, the people of the State of California have enacted the California Oil Recycling Enhancement Act which provides grant funds to cities and counties for establishing and maintaining local used oil collection programs that encourage recycling or appropriate disposal of used oil; and

**WHEREAS**, the people of the State of California have enacted Assembly Bill 1220 (Eastin, Statutes of 1993, Chapter 656) that provides grants to local governments to establish and implement waste diversion and separation programs to prevent disposal of hazardous waste, including household hazardous waste, in solid waste landfills; and

**WHEREAS**, the California Integrated Waste Management Board has been delegated the responsibility for administering these grant programs, which includes procedures governing the application by and payment to cities and counties; and

**WHEREAS**, the Rural Counties' Environmental Services Joint Powers Authority (ESJPA), a governmental entity comprised of 22 rural counties, was created to assist member counties with solid waste management programs; and,

**WHEREAS**, the ESJPA desires to join with participating cities and counties in the implementation of regional household hazardous waste and used oil collection programs; and

**WHEREAS**, the ESJPA proposes to use the contract services of the Regional Council of Rural Counties to provide required grant administration and program implementation services; and,

**WHEREAS**, if awarded a grant, the ESJPA will enter into a Grant Agreement with the California Integrated Waste Management Board for the implementation of said grants;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the ESJPA hereby authorizes the submittal of regional applications on behalf of the ESJPA and the participating cities and counties to the California Integrated Waste Management Board for all available grants under the California Oil Recycling Enhancement Act and all available HHW grants for the period of March 16, 2006 to June 30, 2011.

**BE IT FURTHER RESOLVED** that the Executive Director of the ESJPA or their designee, is hereby authorized and empowered to execute in the name of the ESJPA and the participating jurisdictions all grant documents necessary to secure grant funds and implement the approved grant project.

The foregoing Resolution was passed by the Board of Directors of the Rural Counties' Environmental Services Joint Powers Authority this 16<sup>th</sup> day of March 2006.

Effective March 16, 2006

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Bob Pickard, Chair  
Rural Counties' Environmental Services Joint Powers Authority