

CUPA News

Ventura County Environmental Health • Santa Paula Fire Department • San Buenaventura Fire Department

Summer 2006 Volume 9 Number 1

New Universal Waste / E-Waste Requirements

On February 8, 2006, the exemption that allowed small business and households to dispose of universal waste or electronic waste (e-waste) as solid waste was eliminated. These wastes are now required to comply with State regulations adopted in 2000. Universal wastes are hazardous wastes that pose less risk to human health and the environment than other hazardous wastes; but they still contain harmful substances, such as heavy metals, that require special handling and safe disposal.

Universal Wastes include:

- Batteries such as AA, AAA, C/D cell, and button batteries (found in watches and hearing aids).
- Fluorescent tubes, high intensity discharge sodium bulbs and tubes, and neon light bulb (these contain mercury).
- Old style thermostats, electrical switches, pilot light sensors, and gauges such as barometers, manometers, blood pressure gauges, and vacuum gauges (these also contain mercury).
- Electronic devices such as television and computer monitors (cathode ray tube), computers, printers, VCRs, cell phones, telephones, radios, and microwave ovens. (these contain heavy metals such as lead, cadmium, copper, and chromium).
- Aerosol cans still containing product.

The universal waste regulations were adopted by the California Department

of Toxic Substances Control in 2000 to reduce the regulatory burden on all universal waste generators while still providing needed protections. Without these regulations, universal wastes would be managed under the same stringent standards as other hazardous waste generated by businesses, including waste corrosives, waste flammables, waste toxics, waste which react with water and waste containers under pressure.

These regulations classify universal waste generators into the following categories:

- Large quantity handlers of universal waste (LQHUW) which produce more than 5,000 kilograms (5.5 tons) of universal waste per year;
- Small quantity handlers of universal waste (SQHUW) which produce between 5,000 kg and 100 kg (220 pounds) of universal waste per year;
- Conditionally exempt small quantity universal waste generators (CESQUWG) which produce less than 100 kg (about 5 cathode ray tubes) of universal waste per year; and,
- Universal Waste generated at Households.

Effective February 8, 2006, all universal wastes are required to be sent to an authorized recycling facility or to a universal waste consolidator for shipment to an authorized recycling facility. Universal waste can no longer be placed in a trash dumpster, disposed at a municipal solid waste landfill, or sent to a non-hazardous waste recycling center.

Do's and Don'ts of Universal Waste Disposal and Handling

■ **Do Not** dispose of universal waste in trash receptacles or at a landfill. An EPA ID Number is not needed if only universal waste is generated.

■ **Do Not** store universal waste longer than one year onsite. Contact the Environmental Health Division at 805/654-2813 if you have questions about this; extensions can be granted in writing pursuant to the California Code of Regulations (CCR) Section 66273.15 (CESQUWG and households are exempted).

■ **Do Not** treat universal waste except when cleaning up releases or managing specific wastes as provided in CCR Section 66273.13 (i.e., removing mercury switches from thermostats/lights/washers and dryers) pursuant to CCR Section 66273.11.

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■ Do clean up any release from leaking batteries or broken fluorescent tubes. Damaged universal waste should be repackaged and managed as universal waste. Any other materials generated during cleanup, such as cleanup supplies and contaminated soil, should be managed as hazardous waste if it is a hazardous waste pursuant to CCR Sections 66273.13 and 66273.17.

■ Do label containers as "UNIVERSAL WASTE" and what type of waste (i.e., batteries, non-empty aerosol cans, mercury-containing items, cathode ray tubes, fluorescent tubes, or mercury and sodium lamps). Labels can be made using a computer/printer and a word processor pursuant to CCR Section 66273.14 (CESQUWG and households are exempted).

■ Do train employees in proper universal waste management procedures which include handling, packaging, storing, and labeling, as well as how to respond to any releases pursuant to CCR Section 66273.16.

■ Do prepare (or have prepared) proper shipping papers such as a bill of lading for the shipping of the waste pursuant to CCR Section 66273.18. Records of universal waste removal must be maintained onsite for a minimum of 3 years pursuant to CCR Section 66273.19 (CESQUWG and households exempted).

A registered hazardous waste hauler is not required to transport universal waste. Instead, universal waste can be transported in a private or company vehicle (using a bill of lading) or any common carrier allowed by the U.S. Department of Transportation, the California Highway Patrol, and California law to transport non-hazardous waste.

For further information about Universal Waste, contact:

■ DTSC at www.dtsc.ca.gov/ and review Hot Topics-Universal Waste or call 1-800/728-6942

■ California Integrated Waste Management Board at: www.ciwmb.ca.gov/

For local disposal locations, contact the ■ Ventura County Public Works Agency, Environmental and Energy Resources Division at www.wasteless.org or contact Don Sheppard at

don.sheppard@ventura.org

■ Ventura County Environmental Health Division at www.ventura.org/envhealth

Underground Storage Tank Tampering

Tampering with an underground storage tank (UST) leak detection system can lead to contamination of groundwater or surface water that is very expensive to clean up. Moreover, tampering with leak detection systems is a violation of the California Health and Safety Code, Chapter 6.7, Section 25299 and could result in civil and criminal penalties ranging from \$500 to \$10,000 dollars per occurrence per day, and/or imprisonment in the county jail for up to one year. Raising sensors, disconnecting sensors, bypassing the leak detection system, or disconnecting the leak detection system are all considered tampering. Please be advised that the Ventura County Environmental Health Division (EHD) will initiate enforcement action against anyone suspected of such tampering. In the past, these enforcement actions have resulted in the payment of more than \$100,000 in fines.

Tank owners and operators are responsible for maintaining UST leak

detection systems, including checking the systems for tampering. Sensors must be placed at the bottom of sumps, tanks, and under dispenser containment (UDC) for earliest leak detection. Monitoring panels must be operating (power light) and checked for any alarms or malfunctions. Anyone who works on or adjusts the monitoring system must document that all parts of the leak detection system are functioning and properly positioned.

Most tampering occurs when liquid causes the sensor to go into alarm mode, triggering pump shutoff. Sensors are NOT to be adjusted or disconnected to stop the alarm and enable the pump to be activated. If water intrusion is a problem, better fitting lids can be installed, entry points can be sealed; tarps or mats can be placed over sump lids when it rains; tank slabs can be swept instead of washed down; and the bottom of dispensers can be wrapped to stop rainwater from entering your UDC. Contact the EHD Hazardous Materials Section for additional information on USTs.

Info On The Net

Flexible Piping Advisory:

www.waterboards.ca.gov/ust/leak_prevention/docs/ca_advisory_re_tfp.pdf

Electronic Waste Recycling:

www.ciwmb.ca.gov/electronics/Act2003

CUPA Inspections:

www.ventura.org/envhealth/programs.htm

Link to "*On-line record search*"

Link to "*Hazardous Materials Program (CUPA)*"

Upcoming Manifest Changes

Effective September 6, 2006, the Uniform Hazardous Waste Manifest form and procedures will have a new look. The U. S. Environmental Protection Agency (U.S. EPA) published final regulations changing the manifesting of hazardous waste, and California's Department of Toxic Substances Control (DTSC) will incorporate these changes into the existing manifesting system.

Who will this impact?

The changes will impact everyone who generates or transports manifested hazardous waste. The regulations standardize the Uniform Hazardous Waste Manifest form and prohibit states from modifying it. Businesses must continue using the current manifest procedures and forms until the revised form is effective.

What are the changes?

1. Standardized appearance and content of the manifest form and continuation sheet (Forms 8700-22 and 22a).
2. Adoption of new procedures for tracking certain types of waste shipments on the manifest. These shipments include hazardous wastes:
 - Rejected by destination facilities
 - Consisting of residues from non-empty hazardous waste containers
 - Entering or leaving the United States
3. Adoption of standardized handling codes for use by receiving facilities.
4. Elimination of certain information fields, except State waste codes.
5. States are prohibited from requiring additional information be added to, or accompanied with the uniform manifest.

6. Space is provided for the generator's 24-hour telephone number and site information if different from the mailing address.

How can I obtain the new form?

Private businesses and facilities will be able to print manifests from a number of sources. See a sample www.epa.gov/epaoswer/hazwaste/gener/manifest/forms.htm

DTSC will hold workshops and provide a comment period on the draft regulation. Go to www.dtsc.ca.gov for more information. Look under Laws, Regulations, and Policies, Proposed Regulations. After the adoption of the regulations, DTSC will issue more guidance about the new manifest form and procedures to the permitted facilities and the CUPAs.

Common Hazardous Waste Violations



Labeling

Containers storing hazardous waste must: be clearly labeled "Hazardous Waste." Labels must provide the following information: contents of container, physical state, hazardous properties, accumulation start date, and generator information (including name and address).



Manifest Record keeping

Generators are required to maintain copies of all hazardous waste manifests/receipts and copies should be available for review during an inspection. Mail a copy of the Uniform Hazardous Waste Manifests to the Department of Toxic Substances Control within 30 days after waste removal. Uniform Manifest copies must be signed by the treatment, storage, disposal facility.



Training Small Quantity Generators and Conditionally Exempt Small Quantity Generators

Facilities that generate less than 1,000 kg/month of hazardous waste must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies. (Code of Federal Regulations, Title 40, Section 262.34(d)(5)(iii)).

New Legislation of interest

AB 1125, (Pavley) Rechargeable Battery Recycling Act.

Existing law requires rechargeable batteries to be appropriately labeled and requires the instruction manual for a rechargeable consumer product to include information regarding the proper recycling and disposal of the rechargeable battery.

The act would require, on and after July 1, 2006, a retailer, defined as a person who makes a retail sale of a rechargeable battery to a consumer in California, to have in place a system for the acceptance and collection of used rechargeable batteries for reuse, recycling, or proper disposal with specified elements, including the take-back at no cost to the consumer of a used rechargeable battery, the type or brand of which the retailer sold or previously sold.

The bill would allow a retailer who is participating in an existing battery recycling system that includes rechargeable batteries, in addition to any other type of batteries, to continue to participate in that existing system, if the system otherwise complies with the act.

The bill would prohibit the sale by a retailer of a rechargeable battery to a consumer after July 1, 2006, unless the retailer complies with the act.

The bill would require the Department of Toxic Substances Control, by July 1, 2007, and each July 1 thereafter, to survey, as specified, battery handling or battery recycling facilities, and

to post on its Internet Web site the estimated amount, by weight, of each type of rechargeable batteries returned for recycling.

AB 575, (Wolk) Electronic waste recycling.

Existing law, the Electronic Waste Recycling Act of 2003, requires a retailer selling a covered electronic device in California to collect a covered electronic waste recycling fee from the consumer, as specified. Under existing law, the fees are deposited in the Electronic Waste Recovery and Recycling Account. The California Integrated Waste Management Board and the Department of Toxic Substances Control are continuously appropriated money in the account to make electronic waste recovery payments and recycling payments to cover the net cost of an authorized collector in operating a free and convenient system for collecting, consolidating, and transporting covered electronic wastes, and to make electronic waste recycling payments to cover an e-waste recycler's net cost of receiving, processing, and recycling covered electronic waste.

Existing law defines the term "retailer" as a person who makes a retail sale of a covered electronic device.

This bill would define the term "vendor" as a person who makes a sale of a covered electronic device for the purpose of resale to a retailer who is the lessor of the device to a consumer under a lease that is a continuing sale and purchase. The bill would allow a retailer to elect to pay the covered electronic waste recycling fee on behalf of the consumer by paying the covered

electronic waste recycling fee to the retailer's vendor. The bill would provide that if the retailer makes this election, the covered electronic waste recycling fee is a debt owed by the vendor to the State, and the retailer is not liable for the fee. The bill would provide that if the retailer makes this election, the vendor may retain 3 percent of the covered electronic waste recycling fee for costs associated with the collection of the fee.

This bill would authorize the State Board of Equalization to disclose the name, address, account number, and account status of a person registered with the State Board of Equalization to collect and remit the covered electronic waste recycling fee.

The bill would declare that it is to take effect immediately as an urgency statute.

AB 1415, (Pavley) Hazardous waste: mercury relays and switches.

On and after January 1, 2006, existing law prohibits (1) a person from selling, offering to sell, or distributing for promotional purposes, in California, a mercury-added thermostat, as defined, unless the mercury-added thermostat meets specified criteria. A violation of the hazardous waste control laws is a crime.

This bill would prohibit a person from selling, offering to sell, or distributing for promotional purposes in California certain new or refurbished mercury-added products, unless the use of the product is required under a federal law or federal contract specification or if the only mercury-added component in the product is a button cell battery.

The bill would also prohibit a person from selling, offering to sell, or distributing for promotional purposes in California, on or after July 1, 2006, a mercury switch or mercury relay, as defined.

The bill would exclude from this prohibition a switch or relay, as specified, that was in use prior to July 1, 2006, and a mercury switch or mercury relay if use of the switch or relay is required under federal law or federal contract specification, or a mercury switch or mercury relay meeting specified conditions.



This bill would require the Department of Toxic Substances Control to grant an exemption from the prohibition for a product that contains a mercury switch or a mercury relay if specified conditions are met.

The bill would also prohibit a person from selling, offering to sell, distributing for promotional purposes in California, on or after January 1, 2008, a mercury diostat, as defined, or a new or refurbished oven or gas range containing a mercury diostat.

(2) Since a violation of the requirements imposed by the bill would be a crime, the bill would impose a state-mandated local program.

Ventura County CUPA

CUPAs (Certified Unified Program Agencies)

administer the following six programs: Hazardous Materials Business Plan, Hazardous Waste, Tiered Permit, Underground Storage Tank (UST), California Accidental Release Program (Cal-ARP), and Aboveground Petroleum Storage Tank (APST) programs.

In 1997, Cal-EPA certified the Ventura County Environmental Health Division (EHD) as a CUPA. The City of San Buenaventura (Ventura) Fire Department and City of Santa Paula Fire Department signed on with EHD as Participating Agencies (PAs) and administer some programs within their respective cities. The City of Oxnard Fire Department is a separate CUPA and administers the six programs within the Oxnard city limits.

CUPA Programs & the Administering Agencies

	Ventura County EHD (CUPA)*	Ventura City Fire (PA)*	Santa Paula City Fire (PA)*	Oxnard City Fire (CUPA)*
Hazardous Materials Business Plan	X	X	X	X
Hazardous Waste	X			X
Tiered Permit	X			X
Cal ARP	X	X	X	X
Underground Storage Tank	X	X		X
Aboveground Storage Tank	X	X	X	X

* EHD provides oversight for unchecked programs.

Billing Questions:

CUPAs issue the annual CUPA invoices, so depending on your location, you may see invoices that reflect only CUPA fees or CUPA and PA fees. For billing or program questions, please contact the appropriate agency.