
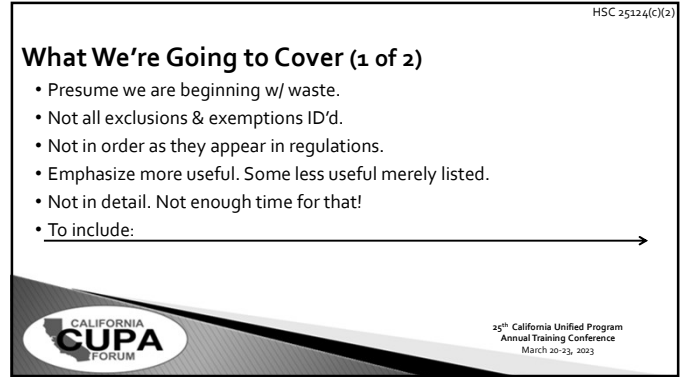

**Conditionally Excluded
Hazardous Waste**
(also: exemptions & recycling)
(W-B2) March 22, 2023
By Daniel Stoehr of Daniels Training Services

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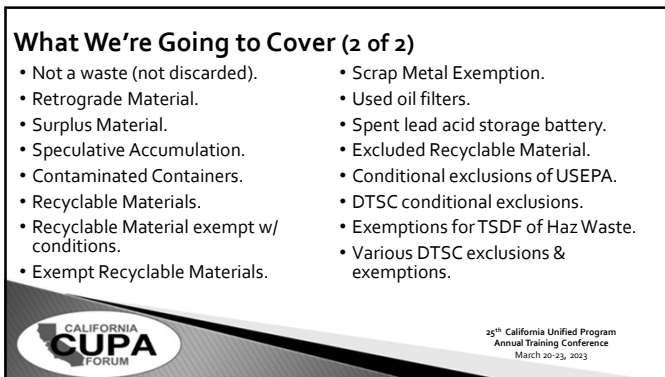
HSC 25224(c)(2)

What We're Going to Cover (1 of 2)

- Presume we are beginning w/ waste.
- Not all exclusions & exemptions ID'd.
- Not in order as they appear in regulations.
- Emphasize more useful. Some less useful merely listed.
- Not in detail. Not enough time for that!
- To include: →


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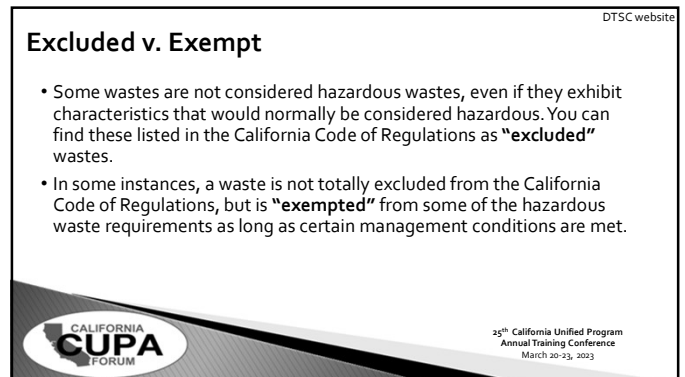


What We're Going to Cover (2 of 2)

- Not a waste (not discarded).
- Retrograde Material.
- Surplus Material.
- Speculative Accumulation.
- Contaminated Containers.
- Recyclable Materials.
- Recyclable Material exempt w/ conditions.
- Exempt Recyclable Materials.
- Scrap Metal Exemption.
- Used oil filters.
- Spent lead acid storage battery.
- Excluded Recyclable Material.
- Conditional exclusions of USEPA.
- DTSC conditional exclusions.
- Exemptions for TSD of Haz Waste.
- Various DTSC exclusions & exemptions.

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DTSC website

Excluded v. Exempt

- Some wastes are not considered hazardous wastes, even if they exhibit characteristics that would normally be considered hazardous. You can find these listed in the California Code of Regulations as **"excluded"** wastes.
- In some instances, a waste is not totally excluded from the California Code of Regulations, but is **"exempted"** from some of the hazardous waste requirements as long as certain management conditions are met.


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HSC 25124(c)

Not a Waste
Be careful what you "discard"! Some materials are not a waste at all.




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HSC 25124(c)(1)

Following are not Waste (i.e., not Discarded): (1 of 2)

- Intermediate manufacturing process stream. →




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HSC 25116.5(a)(1-3)

**What is Intermediate Manufacturing Process Stream?
(1 of 2)**

- Produced as part of manufacturing process.
- Used onsite on batch or continuous basis to produce commercial product.
- Not recyclable material.




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HSC 25116.5(a)(4)

**What is Intermediate Manufacturing Process Stream?
(2 of 2)**

- Person who produced material able to demonstrate all of following:
 - Used in manufacturing process designed for its use.
 - Not accumulated in amounts greater than can be used.
 - Handled consistent w/ intended use of manufacturing process.
 - Not burned or incinerated in order to abandon or relinquish.




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HSC 25116.5(b)

What is not an Intermediate Manufacturing Process Stream?

- Material released in violation of regulations or order.
- Unless...
- Released into containment area.
- Promptly recovered.
- Returned to manufacturing process w/o treatment for use in originally intended manufacturing process.



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HSC 25124(c)(2)

Following are not Waste (i.e., not Discarded): (2 of 2)

- Coolant, lubricant, or cutting fluid.
- Necessary to operation of manufacturing equipment.
- Processed to extend its life for continued use.
- Processed in same manufacturing equipment in which material is used or in connected equipment that returns it to original manufacturing equipment for continued use.

Unless any of following... →



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HSC 25124(c)(2)(B)

What is not Exempt as Coolant, Lubricant, &etc...?

- Processed in equipment not directly & permanently connected to original manufacturing equipment.
- Allows release of any material to environment.
- Is Haz Waste prior entering manufacturing or connected equipment.
- Removed from equipment for storage, treatment, disposal, or burn outside of equipment.
- Remains in manufacturing equipment >90 days after operation ceases.
- Processed by other than physical procedures.

Discarded. A waste.




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22 CCR 66260.10
HSC 25121.5

Retrograde Material

An exclusion from regulation as a hazardous waste for hazardous materials that are not able to be used for their intended purpose.



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22 CCR 66260.10
HSC 25121.5

What is Retrograde Material?

- Any hazardous material not to be used, sold or distributed for original intent or purpose & meets any one or more of following criteria:
 - Has undergone chemical, biochemical, physical or other change due to passage of time or environmental conditions as stored.
 - Has exceeded specified or recommended shelf life.
 - Is banned by law, regulation, ordinance or decree.
 - Can't be used for reasons of economics, health or safety or environmental hazard.




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22 CCR 66260.10
HSC 25121.5

What isn't Retrograde Material?

- Any Commercial Chemical Product listed in 22 CCR 66261.33 (P- & U-List) if either of following conditions met:
 - Material is used in manner constituting disposal & material is not normally used in manner constituting disposal.
 - e.g., landfill cover or roadbed filler.
 - Material is burned for energy recovery & material is not normally burned for energy recovery.
 - e.g., paint or solvent.




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HSC 25120.5
DTSC Letter of 05.10.99
22 CCR 66261.2(g)

Conditions for Retrograde Material Exclusion

- Original manufacturer or owner must use, distribute, or reclaim thru treatment by later of following periods:
 - ≤1 year of date became retrograde material.
- Or...
 - ≤1 year of return to original manufacturer.
- Have documentation to show meet terms of exclusion:
 - Known market or disposition for material.
 - Contract showing use as required by exclusion.




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22 CCR 66266.6(a)(2)
22 CCR 66260.10

Surplus Material

Excluded from regulation as hazardous waste if managed as defined.



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22 CCR 66260.10

What is Surplus Material? (1 of 2)


- Unused raw material or commercial product.
- Obtained by person who intended to use or sell it.

But...

- No longer needs it.

And...

- Transfers ownership of it to another person for use in manner for which material or product is commonly used.




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22 CCR 66260.10

What is Surplus Material? (2 of 2)

- Surplus material is excess material.
- Surplus material is neither of following:
 - Retrograde material.
 - Recyclable material.




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DTSC Revised Advisory on the Management of Spent Fuels – April 6, 2022

Examples of Surplus Material

- Gasoline removed from automobile tank at salvage yard & transferred to another person for use as gasoline in a gasoline engine w/o prior processing (e.g., filtration).
- Diesel fuel transferred from one vehicle that burns diesel fuel to person who uses it in manner for which diesel fuel is intended.
- Unused acetone purchased by one person for use as thinner for polyester resin & transferred to another person who uses the excess acetone to remove rosin flux after soldering.




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22 CCR 66260.10

Speculative Accumulation

Many recycling exclusions or exemptions are lost if the person managing the material is determined to be practicing speculative accumulation.




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22 CCR 66260.10

What is Speculative Accumulation? aka: Accumulated Speculatively

- Any storage before recycling = speculative accumulation.
- Storage before recycling ≠ speculative accumulation if demonstrate both:
 1. Potentially recyclable & feasible means to recycle.
 2. 75% by weight or volume present January 1 recycled on-site or off-site by December 31.
- If threshold not reached remainder is solid waste.




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22 CCR 66260.10

More on Speculative Accumulation

- In calculating percentage of turnover, 75 % requirement applies to each material of same type (e.g., slags from single smelting process) recycled in same way (i.e., same material is recovered or used in same way).
- Don't include in calculation:
 - Materials exempt per Wastes in Active Manufacturing Tanks, Vessels, Pipelines (aka: Process Unit Exclusion).
 - Materials already defined as waste.
 - Once removed from accumulation for recycling.




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22 CCR 66261.7

Contaminated Containers (aka: California Empty)

"California Empty" containers are exempt from regulation as a hazardous waste if managed as specified.

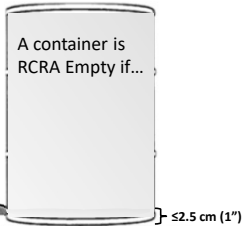


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40 CFR 261.7

What is RCRA Empty?




A container is RCRA Empty if...

1. All Haz Wastes have been removed that can be removed using common practices.

And...

2. ≤2.5 cm (1 in) of residue remains on bottom of container.




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22 CCR 66261.7(a)
22 CCR 66260.10

What is Eligible for the Exemption?

- Container:
 - Any device that is open or closed, & portable in which material can be stored, handled, treated, transported, recycled or disposed of.
- Inner liner:
 - Continuous layer of material placed inside tank or container which protects construction materials of tank or container from contained waste or reagents used to treat waste.
- Previously held hazardous material including Haz Waste.





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22 CCR 66261.7(b)(1)

How Achieve California Empty if the HazMat is Pourable?

- No HazMat can be poured or drained from container or inner liner when held in any orientation.
 - e.g., tilted, inverted, &etc.




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22 CCR 66261.7(b)(2)

How Achieve California Empty if the HazMat is not Pourable?

- No HazMat remains in or on container or inner liner that can feasibly be removed by physical methods (excluding rinsing).
 - Methods must comply w/ applicable air pollution control laws.
 - Methods are commonly employed to remove materials from that container or inner liner.
 - Physical methods to achieve empty (if treatment) don't require permit.
- Thin uniform layer or dried material or powder OK.



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22 CCR 66261.7(h)


What if Inner Liner Prevents Contact with Container?

If...

- Inner liner prevents contact of HazMat w/ inner surface of container.

Then...

- Container is uncontaminated. Is not Haz Waste.



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22 CCR 66261.7(d)

How Achieve California Empty if Acute or Extremely Hazardous Waste?

- Container or inner liner 3x rinsed w/ solvent capable of removing waste & all pourable residues removed.
 - 3x rinsing requires specific authorization from DTSC unless process is excluded as generator recycling on-site.

Or...

- Container or inner liner cleaned by another method approved by DTSC.




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22 CCR 66261.7(e)

To Retain California Empty for Container of ≤5 Gallon Capacity



- On-site or off-site reclaim for scrap value.
- On-site or off-site recondition or remanufacture for reuse.
- Off-site disposal in non-Haz Waste landfill.
- Off-site to supplier or intermediate collection facility.

All off-site comply w/ USDOT



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22 CCR 66261.7(e,f,g)

To Retain California Empty for Container of >5 Gallon Capacity

- On-site or off-site reclaim for scrap value.
- On-site or off-site recondition or remanufacture for reuse.
- Off-site to supplier or intermediate collection facility.
- Mark container w/ date emptied.
- Manage ≤1 year of empty.
- Provide upon request to DTSC, USEPA, or other:
 - Name, address, telephone number of container's off-site destination.

All off-site comply w/ USDOT



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22 CCR 66261.7(i)

Non-California Empty Containers Sent Back to Supplier for Refilling are Exempt if... (1 of 2)

- Container last used for HazMat acquired from supplier.
- Container is RCRA Empty per USEPA regulations.
- Container is returned to supplier to be refilled.
- Supplier reuses container per USDOT regulations @ 49 CFR 173.28.
- Container is not treated prior to return to HazMat supplier.

All off-site comply w/ USDOT



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22 CCR 66261.7(l,j)

Non-California Empty Containers Sent Back to Supplier for Refilling are Exempt if... (2 of 2)


- Container not treated by HazMat supplier w/o specific authorization from DTSC.
- Container refilled by HazMat supplier w/ HazMat compatible w/ previous contents unless adequately decontaminated.

If...

- HazMat supplier unable to refill container.

Then...

- Supplier must empty container & manage per this section.




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22 CCR 66261.7(k)

Empty Household Hazardous Material Container

- Household HazMat & pesticide container w/ ≤5 gal capacity exempt from all regulation if:
 - Remove all content that can be removed using practices commonly employed to remove materials from that type of container.



What about >5 gallon?




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22 CCR 66261.7(l)

California Empty for Compressed Gas Cylinder



- When pressure in container approaches atmospheric.

Same as RCRA exemption





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22 CCR 66261.7(m)

California Empty for Aerosol Container

- Empty contents & propellant to max extent practical under normal use.
 - i.e., spray mechanism not defective & allows discharge of contents & propellant.
- Not exempt if:
 - RCRA Haz Waste.
 - Acute Haz Waste.
 - Extremely Haz Waste.





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22 CCR 66261.7(n),o)

Not Eligible for California Empty Exemption (1 of 2)



- Containers made of wood, paper, cardboard, fabric, or any other absorbent material if in direct contact w/ & has absorbed HazMat.

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22 CCR 66261.7(n),o)

Not Eligible for California Empty Exemption (2 of 2)

- Following items are not containers for purposes of this section:
 - Used oil filters.
 - PCB or PCB contaminated electrical equipment, including but not limited to, transformers & capacitors.
 - Chemotherapy drug intravenous (IV) bags or tubing.


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22 CCR 66260.10

What is a Bulk Container?

- "Bulk container" is any container or container-like vehicle, other than vessel or barge, w/ capacity >119 gal (450 L) used to transport Haz Waste, HazMat, hazardous substance(s), or recyclable material(s) in bulk by air, highway, rail, or water.
- Includes but not limited to:
 - Cargo tanks, vacuum trucks, roll-off bins, rail tank cars, & intermodal containers.



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22 CCR 66261.7(p)(1)(A)

California Empty for Bulk Container (1 of 3)

If...

- Bulk container contained acute Haz Waste or Extremely Haz Waste.

Then...

- Empty as required for acute or extremely Haz Waste.

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22 CCR 66261.7(p)(1)(B)

California Empty for Bulk Container (2 of 3)

If...


- Bulk container contained other than acute Haz Waste or Extremely Haz Waste.

Then...

- Residue is $\leq 0.3\%$ by weight of total capacity of bulk container.

However...

- Even if $\leq 0.3\%$ residue remains, it is Haz Waste if...




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22 CCR 66261.7(p)(2)

California Empty for Bulk Container (3 of 3)

- Bulk container no longer used for Haz Waste or HazMat transport.
- Residue was Haz Waste for characteristic of toxicity & bulk container will be used to hold product or recyclable material which would be reduced in quality, value, or usefulness, rendered non-recyclable, or which would potentially have an adverse effect on human health and/or environment by commingling w/ residue.
- Bulk container is used to hold material chemically incompatible w/ residue.




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22 CCR 66260.10
HSC 25143.9

Recyclable Materials

A hazardous waste that is eligible for an exclusion or exemption from regulation if recycled. The nature of the exclusion or exemption depends upon the type of waste and its management. Recyclable materials are a hazardous waste if disposed.




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22 CCR 66260.10

Recyclable Material (1 of 2)

- Haz Waste capable of being recycled. But may not be.
- Includes, but not limited to:
 - Residue.
 - Spent material. e.g., used or spent stripping or plating solution or etchant.
 - Material contaminated so it can no longer be used for purpose it was originally purchased or manufactured.
 - Byproduct listed in section 66261.31 (F-listed) or section 66261.32 (K-listed).



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22 CCR 66260.10

Recyclable Material (2 of 2)

- Includes retrograde material not used, distributed, or reclaimed thru treatment by original manufacturer or owner by later of following dates:
 - 1 year after material became retrograde material.
 - 1 year after material returned to original manufacturer.

TRANSLATION:

- Retrograde Material not managed w/i 1-year window reverts to Recyclable Material.




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22 CCR 66266.2(b)

List of Recyclable Material DTSC thinks economically & technologically feasible to recycle.

• acetone	• ethylene glycol (used antifreeze)	• mixed hydrocarbon solvents
• benzene	• Freons	• paint thinner
• butanol	• hexanes	• perchloroethylene
• carbon tetrachloride	• lead-acid batteries	• trichloroethane
• chloroform	• methanol	• toluene
• ethanol	• methylene dichloride	• xylenes
• ethyl acetate	• methyl ethyl ketone	• used oil



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22 CCR 66266.1


What if Dispose of – Instead of Recycle - Listed Recyclable Material?

If...

- Generator chooses not to recycle – but dispose of - listed Recyclable Material.

Then, may be...

- Required to submit justification statement to DTSC.
- Pay 5x normal disposal fee.




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22 CCR 66261.6(a)(2)

Recyclable Materials Exempt Subject to Conditions

- Haz Waste burned for energy recovery.
- ★ Spent lead-acid battery if reclaimed.
- ★ Recyclable Material used in agriculture. →
- Waste elemental mercury if recycled.



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22 CCR 66266.115-117

Exempt Hazardous Waste Agricultural Waste

- Recyclable Material applied to land as fertilizer, soil amendment, agricultural mineral, auxiliary soil & plant substance, or used to make food for domestic livestock or wildlife.
- Manage as Haz Waste.

Unless...

- DTSC reviews, considers safe, & approves use.
 - Then exempt from regulation as Haz Waste.




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22 CCR 66266.6(a)(1)

Excluded Non-RCRA Hazardous Waste Agricultural Waste

- Product processed from non-RCRA Haz Waste.
- To be applied to land as fertilizer, soil amendment, agricultural mineral, auxiliary soil & plant substance, or used to make food for domestic livestock or wildlife.
- Processed at facility:
 - Authorized for such by DTSC.
 - Licensed by CA Dept. of Food & Agriculture.




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22 CCR 66261.6(a)(3)(A,B)

Exempt Recyclable Materials (1 of 2)

- ★ "Excluded Recyclable Material".
- Specified petroleum refinery waste.
- ★ Scrap metal.



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22 CCR 66261.6(a)(3)(C)

Exempt Recyclable Materials (2 of 2)

If...


- RCRA Haz Waste for characteristic of Toxicity only.
 - Not characteristic Haz Waste per DTSC.

And...

- Not listed mercury-containing product @: 22 CCR 66261.50.

And...

- One of Recyclable Material ID'd at 40 CFR 261.6(a)(3). →




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22 CCR 66261.6(a)(3)(C)
40 CFR 261.6(a)(3)

Exempt Recyclable Materials of USEPA

- Industrial ethyl alcohol.
- ★ Scrap metal.
- Fuels from refining of oil-bearing Haz Waste @ petroleum refinery.
- Haz Waste fuel from petroleum refinery.



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22 CCR 66260.10
22 CCR 66261.6(a)(3)(B)

Scrap Metal Exemption

A type of Recyclable Material. It is exempt from regulation as Haz Waste if it meets the definition of scrap metal and the conditions of the exemption.

DTSC's definition of scrap metal differs from that of USEPA. A recent revision tried to change that but has expired.



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What's Going on With Scrap Metal?

- DTSC issued notice of Scrap Metal Definition Revision 08.09.21.
- Emergency Regulation for Scrap Metal Definition Revision approved on 10.25.21.

However...

- Scrap Metal Definition Revision expired 04.25.22. Isn't in effect.
- Definition of scrap metal at 22 CCR 66260.10 remains in effect. →



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22 CCR 66260.10(a)

Scrap Metal Includes: "any one or more of the following"

- Manufactured, solid metal objects & products.
- Metal workings, including cuttings, trimmings, stampings, grindings, shavings & sandings.
- Solid metal residues of metal production.
- Printed circuit boards that are recycled .
 - Except for printed circuit boards removed from universal waste by universal waste handler.




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22 CCR 66260.10(b)(1)

Scrap Metal Does not Include:
 "all of the following" (1 of 7)

- Lead-acid storage batteries.
- Waste elemental mercury.
- Water-reactive metals such as:
 - Sodium
 - Potassium
 - Lithium



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22 CCR 66260.10(b)(2)

Scrap Metal Does not Include:
 "all of the following" (2 of 7)

magnesium
12
Mg
 24.305

- Magnesium borings, trimmings, grindings, shavings & sandings.

And...

- Any other forms capable of producing independent combustion.

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22 CCR 66260.10(b)(3)

Scrap Metal Does not Include:
 "all of the following" (3 of 7)

- Beryllium borings, trimmings, grindings, shavings, & sandings.

And...

- Any other forms capable of producing adverse health effects or environmental harm in opinion of DTSC.

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22 CCR 66260.10(b)(4)

Scrap Metal Does not Include:
 "all of the following" (4 of 7)

DANGER
ASBESTOS
CAUSE OF LUNG AND OTHER HAZARD
AUTHORIZED PERSONNEL ONLY
RESPIRATORS AND PROTECTIVE CLOTHING ARE REQUIRED IN THIS AREA.

- Metal contaminated w/ Haz Waste so metal exhibits any characteristic of Haz Waste.
 - e.g., polychlorinated biphenyls (PCBs), refrigerants, friable asbestos.

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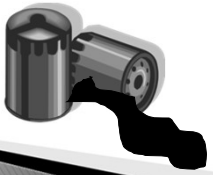
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22 CCR 66260.10(b)(5)

Scrap Metal Does not Include: "all of the following" (5 of 7)

- Any metal contaminated w/ oil that is...
 - Haz Waste.
 - Free flowing.




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22 CCR 66260.10(b)(6)

Scrap Metal Does not Include "all of the following" (6 of 7)



- Sludges, fine powders, semi-solids & liquid solutions that are Haz Waste.

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22 CCR 66260.10

More Definitions for Scrap Metal

- Sludge:
 - Any solid, semi-solid or liquid waste generated from municipal, commercial or industrial wastewater treatment plant, water supply treatment plant or air pollution control facility exclusive of treated effluent from wastewater treatment plant.
- Fine powder:
 - Metal in dry, solid form w/ particle size <100 micrometers (0.004 in) in diameter.

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22 CCR 66260.10(b)(7)

Scrap Metal Does not Include: "all of the following" (7 of 7)

- Printed circuit board removed from universal waste electronic device or PV module by universal waste handler.



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R-2021-08E

Definition of Scrap Metal – REVISED

Scrap Metal Includes: “any one or more of the following”

- Bits & pieces of metal parts (e.g., bars, turnings, rods, sheets, wire).
- Metal pieces that may be combined together w/ bolts or soldering (e.g., radiators, scrap automobiles, railroad box cars).
- Which, when worn or superfluous can be recycled.

Or...

- Printed circuit boards that are recycled.
 - Not those removed from universal waste.



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R-2021-08E

Definition of Scrap Metal – REVISED

“Scrap Metal Excludes”

- Printed circuit board removed from universal waste electronic device or PV module by universal waste handler.



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22 CCR 66261.6(a)(3)(B)


What is the Scrap Metal Exemption? (1 of 2)

If...

- Meets definition of scrap metal & is non-RCRA Haz Waste.

Then...

- Exempt from all regulation as Haz Waste.
 - Regardless of recycle or disposal.



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22 CCR 66261.6(a)(3)(B)


What is the Scrap Metal Exemption? (2 of 2)

If...

- Meets definition of scrap metal & is RCRA Haz Waste.

Then...

- Exempt from all regulation as Haz Waste only when recycled.




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22 CCR 66266.81

Spent Lead-Acid Battery Exemption

A type of Recyclable Material exempt from regulation as a hazardous waste under certain conditions.



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22 CCR 66266.81(a)

What Battery is Eligible for Lead-Acid Storage Battery Exemption?



- Equivalent in size & type (or smaller) to common vehicle battery.
- Includes:
 - Utility battery
 - Used in emergency power supplies.
- N/A to small sealed lead acid battery.
 - May be universal waste.



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22 CCR 66266.81(a)(1)

Spent Lead-Acid Storage Battery Exemption for ≤10/year/trip/one-time

- Exempt from regulation as Haz Waste for generation, storage & transport, if:
 - Managed for recycling (intent to recycle is enough).

And...

- Generate in 1-year, store at one time, or transport at 1 time in 1 vehicle ≤10 spent lead-acid batteries.





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22 CCR 66266.81(a)(2)

Spent Lead-Acid Storage Battery Exemption for Exchange or Partial Exchange (1 of 2)

- Exempt from regulation as Haz Waste for generation, storage & transport, if:
 - Transfer to person for exchange or partial exchange for operable battery.


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22 CCR 66266.81(a)(3)

Spent Lead-Acid Storage Battery Exemption for Exchange or Partial Exchange (2 of 2)

- Exempt from **most** regulation as Haz Waste for generation & storage, if:
 - Accept battery in exchange or partial exchange for operable battery.
- Unless...**
 - Store >1 ton at any one location for >180 days.
 - Store ≤1 ton at any one location for >1 year.
 - Removes electrolyte.
- More packaging requirements if battery is damaged.

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22 CCR 66266.81(a)(4)

Spent Lead-Acid Storage Battery Exemption for All Other Generators (Includes Exchange Site)

- Exempt from **most** regulation as Haz Waste for generation & storage, if:
 - Sent for storage, use, reuse, recycle, or reclaim of battery or components.
- And...**
 - Use manifest or bill of lading for off-site transport & keep as record for ≥3 years.
- More packaging requirements if battery is damaged.

Haz Waste if sent for disposal

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22 CCR 66266.81(a)(5)

Spent Lead-Acid Storage Battery Exemption for Transporter

- Exempt from **most** regulation as Haz Waste for transport, if:
 - Sent for storage, use, reuse, recycle, or reclaim of battery or components.
 - Use manifest or bill of lading for off-site transport & keep as record for ≥3 years.
- And...**
 - Submit annual report to DTSC by March 1st.
- More packaging requirements if battery is damaged.

Haz Waste if sent for disposal

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22 CCR 66266.81(a)(6)

Spent Lead-Acid Storage Battery Exemption for Small/Short Term Storage Site (1 of 2)

- Exempt from **most** regulation as Haz Waste storage facility, if:
 - Store >1 ton at 1 location for ≤180 days or ≤1 ton at 1 location for ≤1 year.
 - Sent for storage, use, reuse, recycle, or reclaim of battery or components.
 - Use manifest or bill of lading for off-site transport & keep as record for ≥3 years.
- Submit annual report to DTSC by March 1st. **And...** →

Haz Waste if sent for disposal


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22 CCR 66266.81(a)(6)

Spent Lead-Acid Storage Battery Exemption for Small/Short Term Storage Site (2 of 2)

- Store batteries per packaging requirements of USDOT at 49 CFR 173.260.
 - **This regulation doesn't exist.** 49 CFR 173.159 maybe?
- Label packaged battery w/ date received in ink, paint, or other weather-resistant material.
 - Date must be legible & conspicuous.
- More packaging requirements if battery is damaged.



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22 CCR 66266.81(a)(7)

Spent Lead-Acid Storage Battery Exemption for Large/Long Term Storage Site (1 of 3)

If storage facility that:


- Store >1 ton at 1 location for >180 days or ≤1 ton at 1 location for >1 year.

Or...

- Removes electrolyte for purpose of recycling.

Then...

- Subject to regulation as Haz Waste facility. Except as follows... →




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22 CCR 66266.81(a)(7)

Spent Lead-Acid Storage Battery Exemption for Large/Long Term Storage Site (2 of 3)

- Use manifest or bill of lading for off-site transport & keep as record for ≥3 years.
- Submit annual report to DTSC by March 1st.
 - **Per DTSC website this is N/A.**
- Store batteries per packaging requirements of USDOT at 49 CFR 173.260.
 - **This regulation doesn't exist.** 49 CFR 173.159 maybe?




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22 CCR 66266.81(a)(7)

Spent Lead-Acid Storage Battery Exemption for Large/Long Term Storage Site (3 of 3)

- Label packaged battery w/ date received in ink, paint, or other weather-resistant material.
 - Date must be legible & conspicuous.
- More packaging requirements if battery is damaged.




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49 CFR 173.159 – Batteries, wet 49 CFR 173.159

- Packaged to prevent dangerous evolution of heat & short circuits.
- Includes:
 - Pack – when practical – in fully enclosed, non-conductive inner packaging.
 - Separate or pack to prevent contact w/ conductive materials (metal) in other batteries or packaging.
 - Protect exposed terminals w/ covers or in rigid plastic packaging.
 - Secured on skids or pallets.




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Spent Lead-Acid Storage Battery Exemption for Treatment 22 CCR 66266.81(a)(8)

- Treatment of spent or damaged lead-acid storage battery subject to all Haz Waste regulation.




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What is a Damaged Battery? 22 CCR 66266.81(d)

- Cracked or damaged battery that may leak acid.
- Includes:
 - Battery damaged any time before lead plates removed.
 - Battery missing ≥ 1 caps.




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Spent Lead-Acid Storage Battery Exemption for Damaged Battery 22 CCR 66266.81(b,c)

- May store & transport w/ intact battery exempt from **most** Haz Waste regulation, if:
 - In nonreactive, structurally secure, closed container, capable to prevent release of acid & lead.
 - Label container w/ initial date of accumulation in ink, paint, or other weather-resistant material.
 - Date legible & conspicuous.
 - Container packed for transport to prevent tip, spill, or break.
 - Transport per USDOT regulations as hazardous material.




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DTSC Management of Spent Lead-Acid Batteries Fact Sheet

Spent Lead-Acid Storage Battery Exemption DTSC Guidance

- Undamaged batteries should be stored upright on covered pallet over non-reactive, curbed & sealed surface such as coated concrete or asphalt.
- Care should be taken to prevent terminals from short-circuiting.
- Must store & transport damaged batteries in non-reactive, structurally-secure, closed containers such as polyethylene buckets or drums.




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22 CCR 66261.6(a)(3)(A)
HSC 25143.2(b)
HSC 25143.9

Excluded Recyclable Material

A type of Recyclable Material excluded from regulation as a waste if recycled and managed in a specified manner.




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HSC 25143.2(b)(1)

What is an Excluded Recyclable Material? (1 of 3)

- Is or will be recycled by being used or reused as ingredient in industrial process to make product if not being reclaimed.
 - e.g., distillation bottoms from one process used as feedstock in another process.



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"...if not reclaimed."

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HSC 25143.2(b)(2)

What is an Excluded Recyclable Material? (2 of 3)

- Is or will be recycled by being used or reused as safe & effective substitute for commercial product if not being reclaimed.
 - e.g., spent pickle liquor used as phosphorous precipitant & sludge conditioner in wastewater treatment.



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"...if not reclaimed."

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HSC 25143.2(b)(3)


What is an Excluded Recyclable Material? (3 of 3)

- Is or will be recycled by being returned to original process from which generated if not reclaimed.

If...

- Returned as substitute for raw material feedstock, & process uses raw materials as principal feedstock.

“...if not reclaimed.”



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HSC 25143.2(e)(1-5)

What is not an Excluded Recyclable Material?

- RCRA or non-RCRA Haz Waste used in manner constituting disposal or applied to land.
 - DTSC may adopt regulations to exclude non-RCRA Haz Waste in this case.
- Burned for energy recovery or used as fuel unless specified petroleum refinery waste.
- Accumulated speculatively.
- Inherently waste-like.

Remain Haz Waste



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HSC 25143.2(e)(6)

Used or Spent Etchant, Stripping or Plating Solution is not an Excluded Recyclable Material

If...

- Transport to off-site facility not operated by generator of waste.
- And one of following:
 - Etchant or solution no longer fit for original purpose.
 - If reused, generator & user can't document it's used for original purpose w/o prior treatment.

Remain Haz Waste



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HSC 25143.2(e)(7)

Used Oil is not an Excluded Recyclable Material

Unless one of following...

- Excluded petroleum refinery waste.
- Transferred between sites operated by same person for consolidation.
- Exempt used oil.
- Virgin used oil returned to use.
- Used or reused on site where generated w/ conditions.



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HSC 25143.9(a)

Management of Excluded Recyclable Material (1 of 6)


- Tank or container labeled, marked, & placarded same as Haz Waste.

Except...

- "Excluded Recyclable Material" instead of "Hazardous Waste"

And...

- Manifest document # N/A.



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HSC 25143.9(a)


Management of Excluded Recyclable Material (2 of 6)

If...

- Used oil

Then...

- Containers, aboveground tanks, & fill pipes used to transfer oil into underground storage tanks labeled, "Used Oil".




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HSC 25143.9(b)

Management of Excluded Recyclable Material (3 of 6)

- Facility has business plan (aka: Hazardous Materials Business Plan).



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HSC 25143.9(c)

Management of Excluded Recyclable Material (4 of 6)

- Material stored per all local ordinances & codes.

Or...

- DTSC interim standards for Haz Waste if no local ordinance or code.


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HSC 25143.2(f)(9)

Management of Excluded Recyclable Material (5 of 6)

- Provide to DTSC or CUPA upon request:
 - Name, address, telephone number of owner/operator of facility that manages material.
 - Any other information requested.
- Maintain adequate records to demonstrate market exists for material & requirements of exemption or exclusion met.
- Facility, site, or vehicle subject to inspection by DTSC.
- Material may be a hazardous substance.



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HSC 25143.30


Management of Excluded Recyclable Material (6 of 6)

If...

- Recycle >100 kg/mo excluded recyclable material.

Then...

- Submit biennial written report in provided format to CUPA by July 1st:
 - Name, address (site & mail), & telephone # of facility owner or operator.
 - Name & address of generator of recyclable material.
 - Documentation that requirements of exclusion/exemption met.



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22 CCR 66266.130

Used Oil Filters

Exempt from hazardous waste regulations under certain conditions.

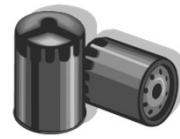


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22 CCR 66266.130(b)

What is a Used Oil Filter?



- Contains residue of used oil.
- Exempt under USEPA Scrap Metal Exemption.
 - ≥50% scrap metal value.
 - Sent for recycling.



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22 CCR 66266.130(a)

Options for Management of Used Oil Filters

- Manage as Haz Waste unless:
 - Determined to be non-Haz Waste.
 - ★ Managed & recycled per exemption conditions.
 - Household waste.

→



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22 CCR 66266.130(a)(3)

Used Oil Filters – What is Household Waste?

- Generated at own place of residence.


And...

- Taken to collection location.

Or...

- Picked-up by curbside collection & transferred for recycling.
- Filters contained after initial acceptance or collection to collect oil.
- Exemption available once proper location for drainage reached.

→



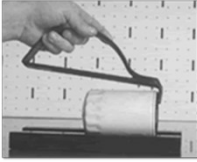

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22 CCR 66266.130(c)(1)

Exemption Conditions for Used Oil Filter (1 of 4)

- Drained of all free-flowing used oil.
- "Free-flowing" = continuous stream of oil exiting filter when inverted.
- "Free-flowing" ≠ drop by drop.
- Must overcome anti-drain back valve to allow for flow.
- Manage drainage as Used Oil.


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22 CCR 66266.130(c)(3,4,6)

Exemption Conditions for Used Oil Filter (2 of 4)

- Drained filters stored in closed, rainproof container able to contain any separated used oil.
 - Manage separated used oil as Used Oil only after filters removed from container.
- Label: "Drained used oil filters".
- Mark w/ initial date of accumulation or receipt.
- If store <1 ton, then ≤1 year on-site.
- If store ≥1 ton, then ≤180 days on-site.



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22 CFR 66266.130(c)(2,3,5)

Exemption Conditions for Used Oil Filter (3 of 4)

- During transport:
 - Drums sealed so no spill of used oil when laid on side.
 - Drums secured to prevent movement or tipping.
- Bill of lading to record transport.
 - Required information specified.
 - Copies retained by all persons for ≥3 years.
- Transport for metal reclamation.
- Energy recovery OK if then sent for metal reclamation.




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22 CFR 66266.130(d)

Exemption Conditions for Used Oil Filter (4 of 4)

- Treatment of drained used oil filters OK if used oil or other residue collected managed as Haz Waste.




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HSC 25250.22

What About Fuel Filters?

- Filter w/ residue of gasoline or diesel may be managed in same manner as used oil filter.
- Fuel filter OK w/ used oil filter if:
 - In containers designed to prevent ignition of gasoline.
 - Store per applicable state & local fire code regulations.
 - Label: "Used Oil and Gasoline Filters"
 - Perform Haz Waste determination for gas & gas/used oil separated from filters.
 - Transport per USDOT regulations.



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40 CFR 261.4(a-b)

Federal Waste Exclusions

Federal regulations of the USEPA conditionally exclude some materials from regulation as waste and some waste from regulation as a hazardous waste.

DTSC accepts some – but not all – of the USEPA conditional exclusions.



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40 CFR 261.4(a)

Conditionally Excluded Waste per USEPA (1 of 2)
Not a Waste at all!

- Domestic sewage
- Point source discharge
- Irrigation return flow
- Radioactive waste
- In-situ mining
- Pulping liquors
- Spent sulfuric acid
- Reclamation in enclosed tanks
- Spent wood preservatives
- Coke by-product wastes
- Splash condenser dross residue
- Oil-bearing secondary materials
- Excluded scrap metal
- Shredded circuit boards
- Kraft mill steam stripper condensate

Not allowed by DTSC



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40 CFR 261.4(a)

Conditionally Excluded Waste per USEPA (2 of 2)
Not a Waste at all!

- Mineral processing spent materials
- Petrochemical recovered oil
- Spent caustic solutions from petroleum refining
- Hazardous secondary materials used to make zinc fertilizers
- Zinc fertilizers made from Haz Waste
- Used cathode ray tubes
- Hazardous secondary material reclaimed under generator control
- Hazardous secondary material transferred for reclamation
- Solvent-contaminated wipes sent for clean & reuse
- Remanufacture of spent solvents

Not allowed by DTSC



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40 CFR 261.4(b)

Conditionally Excluded RCRA Hazardous Waste (1 of 2)
A Waste, but not a RCRA Hazardous Waste

- Household waste
- Agricultural waste
- Mining overburden
- Fossil fuel combustion waste
- Oil, gas, & geothermal wastes
- Trivalent chromium wastes
- Mining & mineral-processing wastes
- Cement kiln dust
- Arsenic-treated wood
- Petroleum-contaminated waste from underground storage tanks

Not allowed by DTSC



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40 CFR 261.4(b)

Conditionally Excluded RCRA Hazardous Waste (2 of 2)
A Waste, but not a RCRA Hazardous Waste

- Hydrocarbon recovery operations
- Spent chlorofluorocarbon refrigerants
- Used oil filters
- Used oil distillation bottoms
- Leachate or gas condensate from landfills w/ certain K-listed Haz Waste
- OMP Spring House exclusions
- Disposable wipes w/e trichloroethylene

Not allowed by DTSC



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22 CCR 66261.4(a)

DTSC Conditional Waste Exclusions

Overall, California has less conditional exclusions from regulation than USEPA. However, some conditional exclusions of DTSC are the same as USEPA. Some exclusions are unique to DTSC. And some exclusions of DTSC refer to the exclusions of USEPA.



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22 CCR 66261.4(a)(1)

Excluded Waste Industrial Wastewater Discharge

- Industrial wastewater discharges from point source discharges subject to USEPA Clean Water Act.
- Applies only to actual point source discharge.
- Does not exclude:
 - Industrial wastewater while collected, stored or treated before discharge.
 - Sludge generated by industrial wastewater treatment.

Same as RCRA exclusion




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22 CCR 66261.4(a)(2)

Excluded Waste Nuclear or Byproduct Material



- Source, special nuclear or by-product material as defined by the federal Atomic Energy Act of 1954.

Same as RCRA exclusion



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22 CCR 66261.4(a)(3)


Excluded Waste Spent Sulfuric Acid

- Spent sulfuric acid used to produce virgin sulfuric acid.

Unless...

- Accumulated speculatively.

Same as RCRA exclusion



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22 CCR 66261.4(a)(4)

Excluded Waste Pulping Liquors

- Pulping liquors (e.g., black liquor) reclaimed in pulping liquor recovery furnace.


And...

- Reused in pulping process.

Unless...

- Accumulated speculatively.

Same as RCRA exclusion



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22 CCR 66261.4(a)(5)

Excluded Waste Secondary Materials

- Secondary material reclaimed & returned to original process in which generated & reused in production process provided:
 - Tank storage only.
 - Entire process closed: entirely connected w/ pipes or other enclosed means of conveyance.
 - Reclamation does not involve controlled flame combustion (such as boilers, industrial furnaces, or incinerators).
 - Materials not accumulated in such tanks for >12 months w/o reclamation.
 - Reclaimed material not used to produce fuel or produce products used in manner constituting disposal.

Same as RCRA exclusion




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22 CCR 66261.4(b)

DTSC Conditional Hazardous Waste Exclusions

Overall, California has less conditional exclusions from regulation than USEPA. However, some conditional exclusions of DTSC are the same as USEPA. Some exclusions are unique to DTSC. And some exclusions of DTSC refer to the exclusions of USEPA.



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22 CCR 66261.4(b)(1)


Excluded Hazardous Waste Infectious Waste

- Infectious waste consisting solely of carcasses of animals.
- Not otherwise hazardous.

And...

- Handled, stored & disposed of according to all applicable requirements established by Department of Food and Agriculture.

Not a RCRA exclusion



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22 CCR 66261.4(b)(2)

Excluded Hazardous Waste Wastes Exempt per Federal Regulations (1 of 2)

- Material exempt or excluded from classification as solid waste or RCRA Haz Waste per USEPA.


If...

- Not listed mercury-containing product @: 22 CCR 66261.50.

And...

- Doesn't exhibit characteristic of Haz Waste.
 - Except RCRA Haz Waste for toxicity.

Not a RCRA exclusion



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22 CCR 66261.4(b)(2)


Excluded Hazardous Waste Wastes Exempt per Federal Regulations (2 of 2)

- Example of this exclusion in use:
 - RCRA Haz Waste solely for characteristic of Toxicity (Benzene/ Do18).
 - Federally excluded as waste @: 40 CFR 261.4(a-b).
 - Not listed mercury-containing product @: 22 CCR 66261.50.
 - Not non-RCRA Haz Waste.

Then...

- Excluded from regulation as Haz waste per DTSC.

Not a RCRA exclusion



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22 CCR 66261.4(b)(3)

Excluded Hazardous Waste Used Oil Re-Refining Distillation Bottoms

- Used oil re-refining distillation bottoms used as feedstock to manufacture asphalt products.

Same as RCRA exclusion



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22 CCR 66261.4(b)(4)

Excluded Hazardous Waste Used CFC Refrigerants

- Used chlorofluorocarbon refrigerants (CFCs) from totally enclosed heat transfer equipment.
 - Mobile air conditioning systems.
 - Mobile refrigeration.
 - Commercial & industrial air conditioning & refrigeration systems.
- Equipment uses CFCs as heat transfer fluid in refrigeration cycle.
- Refrigerant is reclaimed for further use.

Same as RCRA exclusion




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22 CCR 66261.4(b)(5)


Excluded Hazardous Waste Mining & Mineral Processing Wastes

- RCRA Haz Waste.
- Result from any of following of ores & minerals:
 - Extraction
 - Beneficiation
 - Processing of ores & minerals
- Includes coal, phosphate rock & overburden from mining of uranium ore.



Same as RCRA exclusion

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22 CCR 66261.3(c)

DTSC Hazardous Waste Exemptions for Treatment, Storage, or Disposal of Hazardous Waste

DTSC exempts some wastes generated from the treatment, storage, or disposal of hazardous waste, including sludge, spill residue, ash, emission control dust or leachate including precipitation run-off, from regulation as a hazardous waste.

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22 CCR 66261.3(c)(2)

Hazardous Waste Exemption Waste Pickle Liquor Sludge


If...

- Generated by lime stabilization of spent pickle liquor from iron & steel industry (SIC Codes 331 and 332).
 - SIC 331: Blast furnace & basic steel products.
 - SIC 332: Iron & steel foundries.

Unless...

- Exhibits one or more Haz Waste characteristics.

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22 CCR 66261.3(c)(3)

Hazardous Waste Exemption Nonwastewater Residue from HTMR (1 of 3)

- Nonwastewater residue (e.g., slag) from high temp metals recovery (HTMR) processing of Ko61, Ko62 or Foo6 waste in rotary kiln, flame reactor, electric furnace, plasma arc furnace, slag reactor, rotary hearth furnace/electric furnace combination or industrial furnace. →

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22 CCR 66261.3(c)(3)

Hazardous Waste Exemption Nonwastewater Residue from HTMR (2 of 3)

- K061: Emission control dust/sludge from primary production of steel in electric furnace.
- K062: Spent pickle liquor from steel finishing operations of plants that produce iron or steel.
- Foo6: Sludge generated from the treatment of wastewater from common and precious metals electroplating, and treated cleaning & rinse waters associated w/ electroplating



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22 CCR 66261.3(c)(3)

Hazardous Waste Exemption Nonwastewater Residue from HTMR (3 of 3)

- Concentration of specified metals is below established limits.
- Isn't characteristic Haz Waste.
- Requirements for testing, waste analysis plan, & quarterly sample analysis.
- Person claiming exclusion has burden to prove all exclusion requirements met.

And...

- Disposed in RCRA Subtitle D (non-Haz Waste) unit.



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22 CCR 66261.3(c)(4)

Hazardous Waste Exemption Biological Treatment Sludge (1 of 2)

- From treatment of K156 or K157 RCRA Haz Waste. →

Unless...

- Displays characteristic of Haz Waste.




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22 CCR 66261.3(c)(4)

Hazardous Waste Exemption Biological Treatment Sludge (2 of 2)

- K156: Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, & decantates) from production of carbamates & carbamoyl oximes.
- K157: Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, & decantates) from production of carbamates & carbamoyl oximes. (N/A to wastes generated from manufacture of 3-iodo-2-propynyl n-butylcarbamate.)



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22 CCR 66261.3(c)(5)

Hazardous Waste Exemption Treat & Recycle of Listed Mercury-Containing Product


- Waste from treatment or recycling of mercury-containing listed Haz Waste.

If...

- Not characteristic Haz Waste.

And...

- Not listed mercury-containing Haz Waste.




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22 CCR 66261.4(c-e)

More DTSC Hazardous Waste Exemptions

Hazardous wastes which are exempted from certain regulations by DTSC.



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22 CCR 66261.4(c)

Exempt Hazardous Waste Wastes in Active Manufacturing Tanks, Vessels, Pipelines


- aka: Process Unit Exclusion
- Haz Waste generated in product or raw material tank, vehicle, vessel, or pipeline or manufacturing process unit.
- Exemption ends if:
 - Waste is removed from unit where generated.

Or...

- Waste remains >90 days after unit ceases operation.

- Exemption N/A to tank.

Same as RCRA exclusion



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22 CCR 66261.4(d-f)

Exempt Hazardous Waste Analytical and Treatability Samples (1 of 2)

- Sample of waste or water, soil, or air collected to determine characteristics or composition.
- Exemption applies to sample when:
 - Store ≤90 days prior to transport to lab.
 - Transport to & from lab in compliance w/ USDOT, CHP or USPS as applicable.
- Store at lab prior & after testing.

Similar to RCRA exclusion



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22 CCR 66261.4(d-f)

Exempt Hazardous Waste Analytical and Treatability Samples (2 of 2)

- Specified information must accompany sample in transport if regulations of USDOT, CHP, or USPS N/A.
- Exemption ends when sample:
 - Determined to be Haz Waste.

And...

- Returned to generator or lab no longer complies w/ exemption.



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22 CCR 66261.4(g)

Exempt Hazardous Waste Controlled Substances

- Discarded controlled substance as defined @: HSC 11007.
- Solely non-RCRA Haz Waste.
- Seized by peace officer.
 - From site other than clandestine lab.

Or...

- Seized as evidence or sample from clandestine lab.
- Specific requirements for management, transport, & disposal.

Not a RCRA exclusion

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22 CCR 66261.4(h)
22 CCR 66273.9
22 CCR 66273.81

CRT Panel Glass

Very specific - & complicated exemption.

CRT=Cathode Ray Tube

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Other DTSC Waste Exclusions and Exemptions

Now, as time allows, several exclusions & exemptions available in DTSC regulations.

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HSC 25141.5(b)(2)(B)

Substances That are Hazardous Waste due Solely to Oral Toxicity

The following substances are exempt from regulation as hazardous waste if hazardous waste due solely to non-RCRA characteristic of acute oral toxicity (LD₅₀).

LD₅₀=Lethal Dosage to 50% of sample




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HSC 25141.5(b)(2)(B)

Exempt Hazardous Waste Hazardous by Oral Toxicity Only (1 of 4)

- Acetic acid (vinegar).
- Aluminum chloride (used in deodorants).
- Ammonium bromide (used in textile finishing & as anticorrosive agent).
- Ammonium sulfate (used as food additive & fertilizer).
- Anisole (used in perfumes & food flavoring).




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HSC 25141.5(b)(2)(B)

Exempt Hazardous Waste Hazardous by Oral Toxicity Only (2 of 4)

- Boric acid (used in eyewashes & heat resistant glass).
- Calcium fluoride (used to fluoridate drinking water).
- Calcium formate (used in brewing & as briquette binder).
- Calcium propionate (used as food additive).
- Cesium chloride (used in brewing & in mineral waters).
- Magnesium chloride (used as flocculating agent).




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HSC 25141.5(b)(2)(B)

Exempt Hazardous Waste Hazardous by Oral Toxicity Only (3 of 4)

- Magnesium chloride (used as flocculating agent).
- Potassium chloride (used as salt substitute & food additive).
- Sodium bicarbonate (baking soda, used in antacids & mouthwashes).
- Sodium borate decahydrate (borax, used in laundry detergents).
- Sodium carbonate (soda ash, used in textile processing).




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HSC 25141.5(b)(2)(B)

Exempt Hazardous Waste Hazardous by Oral Toxicity Only (4 of 4)

- Sodium chloride (table salt).
- Sodium iodide (used as iodine supplement & in cloud seeding).
- Sodium tetraborate (borax, used in laundry detergents).
- Following oils used as food flavorings: allspice oil, ceylon cinnamon oil, clarified slurry oil, dill oils, or lauryl leaf oil.



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22 CCR 66261.24(b)

Exempt Hazardous Waste Hazardous Waste due to Inhalation Toxicity Only


If...

- Haz Waste due solely to non-RCRA characteristic of Toxicity for acute inhalation LC_{50} of <10,000 ppm as gas or vapor.
- Not otherwise characteristic or listed Haz Waste.

And...

- Head space vapor has no such toxic materials in concentrations exceeding their acute inhalation LC_{50} or LC_{10} .

LC_{50} =Lethal Concentration to 50% of sample LC_{10} =Lowest Lethal Concentration



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22 CCR 66261.24(c)

Exempt Hazardous Waste Hazardous Waste due to Acute or Oral Toxicity Only


If...

- Haz Waste due solely to non-RCRA characteristic of Toxicity for acute oral LD_{50} <2,500 mg/kg or acute dermal LD_{50} <4,300 mg/kg.
- Not otherwise characteristic or listed Haz Waste.

And...

- LD_{50} is calculated:
 - >2,500 mg/kg oral.
 - >4,300 mg/kg dermal.

LD_{50} =Lethal Dosage to 50% of sample




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HSC 25217

Exempt Hazardous Waste Recyclable Latex Paint and Oil-Based Paint

- Recyclable latex & oil-based paint generated by VSQG & transfer to permanent household hazardous waste collection facility exempt from Haz Waste regulations, if:
 - Paint in liquid form & original container or in closed container & clearly labeled.
 - PHHWCF has architectural paint stewardship plan approved by DTSC.
 - PHHWCF meets all DTSC & USEPA requirements for collection.




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HSC 25143.12

Exempt Hazardous Waste Non-RCRA Haz Waste Petroleum Contaminated Debris (1 of 2)



- Debris contaminated only w/ crude oil or any fractions is exempt from regulation as Haz Waste if all of following conditions met: →

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HSC 25143.12

Exempt Hazardous Waste Non-RCRA Haz Waste Petroleum Contaminated Debris (2 of 2)

- Solely wood, paper, textile materials, concrete rubble, metallic objects, or other solid manufactured objects.
- Not RCRA Haz Waste or used oil per USEPA.
- No free liquid per paint filter test.
- Not Haz Waste for any reason other than crude oil contamination.
- Not container or tank subject to regulation as Haz Waste.
- Disposed in Haz Waste (Class I) or Class II landfill. And more for landfill.

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HSC 25144.6


Exempt Hazardous Waste Reusable Soiled Textile Materials (1 of 3)

- Textile items. Includes but not limited to:
 - Shop towels.
 - Uniforms & gloves.
 - Linens & towels.
- Soiled w/ Haz Waste during commercial or industrial use.
- Made reusable by laundering or comparable cleaning method.
- No paper towels or wipes.



Differs from RCRA exclusion

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HSC 25144.6

Exempt Hazardous Waste Reusable Soiled Textile Materials (2 of 3)

- Requirements for exemption:
 - Not RCRA Haz Waste.
 - Not used to clean up or control a spill reportable to any state or federal agency.
 - No Haz Waste added after material's original use.
 - No free liquid released during transport or storage.
 - Laundry facility has contingency plan & maintains records of types & quantity of materials collected & laundered.

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HSC 25144.6

Exempt Hazardous Waste Reusable Soiled Textile Materials (2 of 3)

- Exempt from:
 - Haz Waste generator fees.
 - Use of manifest for off-site transport.
 - Use of Haz Waste transporter.




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More Exempt/Excluded Materials

- Per McCoy, CA does not have Domestic Sewage Exclusion as USEPA but "limited DSE is allowed".
- Crude sulfate turpentine & methanol burned onsite as fuel at draft pulping mill per HSC 25143.4(b).
- Waste from combustion of fossil fuels per HSC 25143.5.
- Geothermal exploration & production waste per HSC 25143.1(a).
- Corrosive only cement kiln dust per HSC 25143.8.
- Wood waste from electric, gas, or telephone service per HSC 25143.1.5.




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Any Questions?

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