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Hazardous Material Release Response Plan (HMRRP) and Hazardous Waste Generator Compliance Guidance

This reference contains a brief description of laws and regulations as they apply to both hazardous material handlers and hazardous waste generators. This guidance document provides general information about compliance with laws and regulations regarding Hazardous Material Release Response Plans and hazardous waste generator requirements. Consult the actual statutes and regulations before making any decisions that may impact regulatory compliance.

Legal References:

Health and Safety Code (HSC) Chapters 6.5 and 6.95
California Code of Regulations (CCR) Titles 19 and 22
Code of Federal Regulations (CFR) Title 40

Internet Resources:

<http://www.leginfo.ca.gov/calaw.html>
<http://www.calregs.com>
<http://www.calema.ca.gov/hazmat>
<http://www.dtsc.ca.gov/>

California Hazardous Materials Release Response Plan Requirements, Health & Safety Code Chapter 6.95 and Title 19 of the California Code of Regulations

A. Preparation and submittal of a HMRRP. (HSC §25508) Implementation of a HMRRP. (HSC §25507)

A business shall establish and implement a HMRRP for emergency response to a release or threatened release of a hazardous material in accordance with HSC 25507, if the business handles a hazardous material or a mixture containing a hazardous material that has a quantity at any one time during the reporting year that is any of the following:

- Equal to, or greater than, a total volume of 55 gallons
- Equal to, or greater than, 200 cubic feet of compressed gas at standard temperature and pressure
- Equal to, or greater than, a total weight of 500 pounds

The following are alternate reporting thresholds (higher) for some hazardous materials:

- Propane for heating, cooking, or cooling equal to or greater than 500 gallons
- Materials classified solely as an irritant or sensitizer: solids equal to or greater than 5,000 pounds and liquids equal to or greater than 550 gallons
- Fluid in a hydraulic system or oil-filled electrical equipment that is not contiguous to an electric facility: equal to or greater than 1,320 gallons

- The following gases at equal to or greater than 1,000 cubic feet at standard temperature and pressure:
 - Medical gases (oxygen, nitrogen and nitrous oxide) in a medical office
 - Gases used in closed fire suppression systems
 - Nonflammable refrigerant gases, as defined in the California Fire Code, that are used in refrigeration systems
 - Inert, compressed, refrigerated or cryogenic gases (nitrogen, helium, argon, xenon, krypton, neon and non-enriched air) classified as hazardous solely for pressure release or simple asphyxiation

The following are hazardous materials that are exempt from reporting requirements:

- Compressed air in cylinders, bottles, and tanks used by fire departments and other emergency response organizations for the purpose of emergency response and safety
- Refrigerant gases, other than ammonia or flammable gas in a closed cooling system, that are used for comfort or space cooling for computer rooms
- New lubricating oils: up to 55 gallons of any specific grade of oil, not to exceed 275 gallons total combined

A HMRRP consists of the following:

- Facility Information
 - Business Activities Page
 - Business Owner/Operator Identification Page
- Hazardous Material Inventory
 - Hazardous Materials Inventory Pages (one for each hazardous material stored at or above reportable quantities)
 - Site Plan/Map(s)
- Emergency Response and Training Plans
 - Emergency Response Plan or Consolidated Contingency Plan (a template is included in CERS)
 - Emergency Response Training Plan (can be included in Emergency Response or Consolidated Contingency Plan)

The HMRRP shall be completed and submitted into the California Environmental Reporting System (CERS) located at the following web-site address: <http://cers.calepa.ca.gov/>

A copy, in either electronic or paper form, of your Hazardous Materials Release Response Plan and Inventory Forms shall be retained at the facility for training and emergency response.

B. Review and Submit the HMRRP annually. (HSC §25508.2)

Each hazardous material handler shall review the entire HMRRP at least annually after the initial submission of the HMRRP to determine if revisions are required. The handler shall either make any required changes to the HMRRP or certify it as unchanged by electronically submitting all three components of the HMRRP (Facility Information, Hazardous Materials and Maps and Emergency Response and Training Plans) into CERS.

C. Adequately complete and submit Inventory Statements for all hazardous materials handled at or above reportable quantities. (HSC §25505(a)(1))

The annual inventory forms shall include, but shall not be limited to, information on all of the following which are handled in quantities equal to or greater than the quantities specified in subdivision (a) of Section 25503.5:

1. A listing of the chemical name and common names of every hazardous substance or chemical product handled by the business.
2. The category of waste, including the general chemical and mineral composition of the waste listed by probable maximum and minimum concentrations, of every hazardous waste handled by the business.
3. A listing of the chemical name and common names of every other hazardous material or mixture containing a hazardous material handled by the business which is not otherwise listed pursuant to paragraph (1) or (2).
4. The maximum amount of each hazardous material or mixture containing a hazardous material disclosed in paragraphs (1), (2), and (3) which is handled at any one time by the business over the course of the year.
5. Sufficient information on how and where the hazardous materials disclosed in paragraphs (1), (2), and (3) are handled by the business to allow fire, safety, health, and other appropriate personnel to prepare adequate emergency responses to potential releases of the hazardous materials.
6. The SIC Code number of the business if applicable.
7. The name and phone number of the person representing the business and able to assist emergency personnel in the event of an emergency involving the business during non-business hours.

D. Review and submit the Hazardous material inventories once every year. (HSC §25508.2)

Each handler shall annually submit its hazardous materials inventory into the California Environmental Reporting System (CERS) located at the following web-site address:

<http://cers.calepa.ca.gov/>

E. Amend HMRRP following facility changes. (HSC 25508.1)

Within 30 days of any one of the following events, any business subject to the business plan requirements shall submit an amendment to the inventory forms detailing the handling, and the following appropriate information into the California Environmental Reporting System (CERS) located at the following web-site address: <http://cers.calepa.ca.gov/>

1. A 100 percent or more increase in the quantity of a previously disclosed material.
2. Any handling of a previously undisclosed hazardous material subject to the inventory requirements.
3. Change of business or facility address.
4. Change of business ownership.
5. Change of business name.
6. A substantial change in the handler's operations occurs that requires modification to any portion of the business plan.

F. Adequately complete/update an Emergency Response/Consolidated Contingency Plan. (HSC §25505(a)(3))

The Emergency Response/Consolidated Contingency Plan shall include emergency response procedures for a release or threatened release of hazardous materials with the following minimum requirements:

1. Immediate notification contacts to:
 - a) Local emergency response personnel
 - b) Unified program agency
2. Procedures for the mitigation of a release or threatened release to minimize any potential harm or damage to person, property, or the environment.
3. Evacuation plans and procedures, including immediate notice, for the business site.

The Emergency Response/Consolidated Training Plan shall be submitted into the California Environmental Reporting System (CERS) located at the following web-site address:

<http://cers.calepa.ca.gov/>

G. Implement Emergency Response/Consolidated Contingency Plan at site facility. (HSC §25505(a)(3))

1. Folder or binder of Material Safety Data Sheets for hazardous materials are present at the facility site.
2. Adequate, safety equipment (eyewash, safety showers, aprons, goggles, etc.) is present at the facility site.
3. Materials or equipment for spill clean up are available (absorbents, pads, shovels, etc.) for use at the facility site.
4. Emergency phone number list is posted or available for use at the facility during a hazardous material or other emergency.
5. First aid kit or fire extinguishers are marked or available for use. First aid kit is maintained.
6. Fire extinguisher(s) are maintained and inspected.
7. Evacuation procedures or maps are posted or available at the facility site.

H. Adequately complete/update Site Plan(s). (HSC §25505(a)(2))

A site map that contains north orientation, loading areas, internal roads, adjacent streets, storm and sewer drains, access and exit points, emergency shutoffs, evacuation staging areas, hazardous material handling and storage areas and emergency response equipment.

The following are items that should be included on a Site Plan:

Site Layout:

- Scale of map
- Site orientation (north, south, etc.)
- Loading areas
- Parking lots
- Internal roads
- Storm and sewer drains
- Adjacent property use
- Locations and names of adjacent streets and alleys
- Access and egress points and roads
- Evacuation assembly area

Facility:

- Location of each storage area
- Location of each hazardous material handling area
- Location of emergency response equipment; i.e., HMRRP, MSDS, equipment for fire suppression, approach and mitigation, protective clothing, medical response equipment, etc.

The Site Plan(s) shall be submitted into the California Environmental Reporting System (CERS) located at the following web-site address: <http://cers.calepa.ca.gov/>

I. Register State regulated substances stored above threshold quantities. (HSC §25533(a))

Facilities which store or use State regulated substances above the quantities stated in Table 3 of CCR Title 19, §2770.5 shall submit a registration form to this Department for the Accidental Release Prevention (CalARP) program and prepare and implement a CalARP plan

J. Implement a hazardous material handling training program. (CCR §2732 (a)) Document employee initial and annual refresher training. (CCR §2732 (b))

The HMRRP shall include a training program, which is reasonable for the size of business and nature of hazardous materials handled. The training program shall take into account the responsibilities of the employees to be trained. The training program shall at a minimum include the following:

- Methods for safe handling of hazardous materials
- Procedures for coordination with local emergency response organizations
- The use of emergency response equipment and supplies under the control of the handler
- All Emergency Response/Consolidated Contingency Plan procedures.

The HMRRP shall include provisions for ensuring that appropriate personnel receive initial and refresher training, which would include documentation of training.

The training plan shall be submitted into the California Environmental Reporting System (CERS) located at the following web-site address: <http://cers.calepa.ca.gov/>

K. Provide written notification that facility site is subject to HMRRP requirements and a copy of the HMRRP to a property owner within 5 days of a request. (HSC §25503.6)

Any business which is required to establish and implement a HMRRP and is located on leased or rented property shall notify, in writing, the owner of the property that the business is subject to HSC 25503.5 and has complied with its provisions, and shall provide a copy of the HMRRP to the owner or owner's agent within five working days after receiving a request for a copy from the owner or owner's agent.

L. Other Health, Safety, and Fire Prevention Considerations

1. Hazardous materials are stored by compatible characteristics. Store all hazardous materials/wastes to prevent incompatibility reaction between them.

2. Storage area does not have spills or leaks from containers, piping, tanks, etc. Repair/replace equipment, containers piping, tanks, etc., to stop/prevent spills or leaks. Clean up or excavate to remove spilled or leaked hazardous materials/wastes.
3. Chains or straps are fastening the compressed gas cylinders to structural supports. Use chains or straps to fasten compressed gas cylinders to structural supports.
4. Flammable compressed gases are separated from oxygen and/or sources of ignition. Provide at least 20 feet or a firewall between flammable compressed gases and oxygen and sources of ignition.
5. Hazardous material/waste handling areas is organized and/or has adequate access. Hazardous material/waste handling areas shall be maintained neatly, organized and with unrestricted access.

**California Hazardous Waste Generator Requirements - Health and Safety Code Chapter 6.5
and Title 22 California Code of Regulations**

Generator Status Types:

Large Quantity Generator (LQG)

Definition:

1. Generate, in any calendar month, 1,000 kilograms (2,200 pounds or 270 gallons) or more of hazardous waste; **or**
2. Generate, in any calendar month, more than 1 kilogram (2.2 pounds or 0.27 gallons) of acutely hazardous waste (AHW) or 100 kilograms (220 pounds) of debris resulting from the spill of an AHW; **or**
3. Accumulate on-site more than 6,000 kilograms (13,200 pounds or 1,620 gallons) of hazardous waste at any time.

Small Quantity Generator (SQG)

Definition:

A generator of hazardous wastes who, in any calendar month, generates between 100 kilograms (220 pounds or 27 gallons) and 1,000 kilograms (2,200 pounds or 270 gallons) of hazardous waste in that month.

Conditionally Exempt Small Quantity Generator (CESQG)

Definition:

A generator is a CESQG if no more than 100 kilograms (220 pounds or 27 gallons) of hazardous waste is generated in a single calendar month.

1. Obtain and maintain a valid EPA ID number. (CCR §66262.12)

A facility or individual must not treat, store, dispose of, transport, or offer for transportation a hazardous waste unless an EPA ID number has been obtained. These numbers are site-specific and owner-specific, so if a facility moves or changes ownership, a new number must be obtained. Each facility may have only one EPA ID number. All generators, other than CESQGs who generate silver-only wastes from photo developing, must have an EPA ID number.

[Note: State issued numbers begin with the letters CAL; federally issued numbers begin with the letters CAD. Provisional EPA ID Numbers (those that begin with the letters CAC or CAP) are only valid for 90 days. To obtain an EPA ID number from the state, call (800) 618-6942. RCRA SQGs and LQGs must obtain an EPA ID number from the US EPA at (415) 495-8895.]

2. Perform a hazardous waste determination on waste prior to disposal as solid waste. (CCR §66262.11)

The generator of a waste must determine whether the waste is a hazardous waste by determining whether it is included on one of the lists of materials classified as hazardous wastes or meets the criteria for one or more characteristics (i.e. ignitability, reactivity, corrosivity, or toxicity) that would make it a hazardous waste by either:

- Having the waste tested by a laboratory certified by the State of California to perform waste determination analyses; **or**
- Applying the generator's knowledge of the hazardous properties of the waste in light of the materials and processes involved in the generation of the waste.

Waste determinations should be documented and kept at the facility available for inspection.

3. Properly dispose of hazardous waste. (HSC §25189.5(a))

It is illegal to dispose of a hazardous waste to:

- A facility that is not permitted by the Department of Toxic Substances Control (DTSC) to accept such a waste;
- A sewer or septic system;
- The trash or dumpster;
- A storm drain;
- The ground;
- Any other location that is not authorized to receive such waste.

4. Maintain and operated facility to prevent release or fire. (CCR §66265.31 as referenced by §66262.34(a)(3))

Facilities must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned release of hazardous waste to air, soil, or surface water that could threaten human health or the environment.

5. Properly label hazardous waste storage containers. (CCR §66262.34(f) as referenced by §66262.34(a)(3))

The following information must be clearly marked on each container and tank holding a hazardous waste:

- The words "HAZARDOUS WASTE".
- The accumulation start date for the waste (i.e. the date waste was first placed in the container). This date must be visible for inspection.

Each container and portable tank must additionally be marked with the following:

- The composition of the waste;
- The physical state of the waste (i.e. solid or liquid);
- The hazardous properties of the waste (i.e. flammable, corrosive, reactive, toxic);
- The name of the waste generator;
- The address of the waste generator.

On waste transfer containers that are emptied daily, the words "EMPTIED DAILY" may be marked in place of the actual date.

Note: Additional DOT marking requirements must be met prior to off-site transportation.

6. Authorized LQG accumulation time. (CCR §66262.34(a))

Except for satellite accumulation wastes, maximum accumulation time may not exceed 90 days unless the generator has a hazardous waste storage permit or has received an extension from DTSC. There are no limits of quantity of waste stored onsite.

Authorized SQG accumulation time. (CCR §66262.34(d))

Except for satellite accumulation wastes, maximum accumulation time may not exceed 180 days (270 days if the Treatment Storage Disposal Facility (TSDF) is 200 or more miles from generator's facility or the generator is also the transporter of the waste) unless the generator has a hazardous waste storage permit or has received an extension from DTSC.

Authorized CESQG accumulation time. (CCR §66262.34(b)(1))

If the generator does not generate more than 100 kg (27 gallons or 220 pounds) in any calendar month, a 180 day accumulation period may begin once 100 kg of hazardous waste has been accumulated.

7. Storage of hazardous materials in undamaged containers. (CCR §66261.2(f))

Hazardous materials that are packaged in deteriorated or damaged containers must be packaged in sound or undamaged containers within 96 hours or be managed as a hazardous waste.

Adequately label hazardous materials. (CCR §66261.2(f))

Hazardous materials that are mislabeled or not adequately labeled must be properly labeled within 10 days or be managed as a hazardous waste.

8. Properly manage hazardous waste in accordance with satellite accumulation requirements. (CCR §66262.34(e))

A generator may accumulate hazardous waste for up to one year if all of the following requirements are met:

- ❑ The waste must be accumulated in a container (not a tank) that is located at or near the point of waste generation;
- ❑ The container must be under the control of the operator of the process generating the waste;
- ❑ The initial date of accumulation (i.e. the date waste was first placed in the container) must be clearly marked on the container and visible for inspection;
- ❑ The total amount of each waste stream present at each satellite accumulation point must not exceed 55 gallons of hazardous waste or 1 quart of acutely or extremely hazardous waste;
- ❑ Within three days of reaching the 55 gallon or one quart limit, the container must be marked with the date the quantity limit was reached;
- ❑ The generator must not hold the waste on-site for more than one year from the initial date of accumulation, or for longer than 90 days after reaching the 55 gallon or one quart satellite accumulation limit whichever occurs first. The container must also meet labeling (checklist items 5), closed containers (checklist item 10), and compatible containers requirements.

9. Storage of hazardous waste in a container that is not leaking or in poor condition. (CCR §66265.171 as referenced by §66262.34(a)(1))

If a container holding a hazardous waste is not in good condition (e.g. severe rusting, apparent structural defects, etc.), or if it begins to leak, the generator must transfer the waste to a container that is in good condition.

10. Close hazardous waste containers when not actively in use. (CCR §66265.173(a) as referenced by §66262.34(a)(1))

Containers must always be closed during transfer and storage, except when it is necessary to add or remove waste, so that their ability to contain the wastes is not impaired. Containers are considered closed when all lids, gaskets, and locking rings are in place and secured.

[Exception: During accumulation, containers holding non-dispersible waste solids (e.g. absorbents, rags, gloves, etc.) contaminated with non-volatile, non-poisonous substances are considered closed when kept covered by a lid.]

11. Separate hazardous waste/materials that are incompatible. (CCR §66265.177 as referenced by §66262.34(a)(1))

Wastes must not be placed in a container that holds an incompatible material. Wastes must be separated from incompatible materials transferred or stored nearby by means of a dike, berm, wall, or other appropriate device.

12. Store or use waste in accordance with retrograde or speculative accumulation requirements. (CCR §66262.10 as referenced by §66260.10)

A hazardous material becomes a hazardous waste if it exceeds the allowable time limits for retrograde material or if it is accumulated speculatively.

Retrograde material is any hazardous material which is not used or sold for use in an originally intended purpose and which meets one or more of the following criteria:

- ❑ Has undergone chemical, biochemical, physical or other changes due to the passage of time or the environmental conditions under which it was stored.
- ❑ Has exceeded a specified or recommended shelf life
- ❑ Is banned by law, regulation, ordinance or decree
- ❑ Cannot be used for reasons of economics, health/safety or environmental hazard

Any retrograde material becomes a recyclable material if it has not been used, distributed or reclaimed through treatment one year after the date the material becomes a retrograde material (or one year after the material is returned to the original manufacturer).

Accumulated speculatively means that a material is accumulated before being recycled. A material is not accumulated speculatively, however, if the person accumulating it can show that the material is potentially recyclable and has a feasible means of being recycled; and that, during the calendar year (commencing on January 1), the amount of material that is recycled, or transferred to a different site for recycling, equals at least 75% by weight or volume of the amount of that material accumulated at the beginning of the period.

13. Properly manage empty hazardous material/waste containers. (CCR §66261.7)

The definition of "empty" for containers or inner liners is that no material can be drained or poured from the container, or that no material remains in the container that can be removed by physical means.

- ❑ Each empty container larger than 5 gallons that previously held a hazardous material must be marked with the date it was emptied and be shipped for recycling, reconditioning, or reclamation of its scrap value - or managed on-site in such a manner - within one year of being emptied.
- ❑ The name, street address, mailing address, and telephone number of the operator or owner where the empty container has been shipped shall be maintained for three years, and the generator shall provide this information upon request to the Department.

[Exceptions: (1) Containers returned to the supplier to be refilled are exempt; (2) Empty gas cylinders are exempt when cylinder pressure reaches atmospheric pressure; (3) Aerosol cans are exempt if they are not a RCRA-regulated hazardous waste or California extremely hazardous waste and they are emptied of contents and propellant to the maximum extent practical under normal use (i.e. no clogged valves); (4) Containers or container liners made of wood, paper,

cardboard, fabric, or any other similarly absorptive materials must be managed as hazardous wastes if they were in direct contact with and have absorbed the hazardous material/waste they held; (5) Containers or container liners that have held RCRA acutely hazardous wastes or California extremely hazardous wastes must be managed as hazardous wastes unless triple rinsed or otherwise cleaned in a manner approved by DTSC.]

14. Properly manage used oil. (HSC §25250.4)

Used oil must be managed as a hazardous waste unless it is shown to meet one of the specifications for recycled oil in HSC 25250.1(b) or qualifies for a recycling exclusion under HSC 25143.2.

15. Properly manage used oil and fuel filters. (CCR §66266.130)

Used oil filters and used fuel filters must be managed like other hazardous wastes unless all of the following requirements are met:

- ❑ The filters must be drained of free-flowing used oil or fuel. If the filter is equipped with a device (such as a rubber flap located just inside the filter opening) that impedes the drainage of oil from the filter, that device must be manipulated to allow the oil to exit the filter freely, or the filter punctured, crushed, opened, drained, or otherwise handled in a manner that will allow the oil to exit the filter;
- ❑ The drained filters must be accumulated, stored, and transferred in a rain-proof container that is capable of containing any oil that may separate from the filters. During transfer, containers must be sealed so that when they are laid on their sides, no oil will leak out;
- ❑ Containers must be labeled as "DRAINED USED OIL FILTERS" (not as hazardous waste) and marked with the initial date of filter accumulation or receipt;
- ❑ If containers also contain drained fuel filters, the container must be labeled as "DRAINED USED OIL AND FUEL FILTERS";
- ❑ Filters in amounts less than one ton must not be accumulated/stored on site longer than one year (180 days for amounts equal to or greater than one ton);
- ❑ Filters must be transported to a smelter or other scrap metal processor for recycling, or to a storage or consolidation facility that later transfers them to such a recycler.

Recordkeeping - Persons generating, transporting, or receiving used oil filters must use a bill of lading to record the transfer of filters. The bills of lading must be kept on the premises of the generator, transporter, and receiving facilities for at least 3 years from the date of shipment.

Bills of lading must include:

- ❑ The generator's company name, address, and telephone number;
- ❑ The transporter's company name, address, and telephone number;
- ❑ The receiving facility's company name, address, and telephone number;
- ❑ The quantity and size of each used oil container shipped;
- ❑ The date of transfer.

16. Properly manage used batteries. (CCR §66266.81)

A person who generates in one year, stores at one time, or transports at one time in one vehicle 10 or fewer spent batteries that have been removed from motor vehicles or are equivalent in type and equivalent to, or smaller in size than, such batteries are exempt from managing those batteries as hazardous waste provided that the batteries are transferred to a person who recycles, uses, reuses, or reclaims the batteries or who stores them for eventual management in that manner. Damaged batteries must be managed to minimize the release of acid and lead and to protect handlers and the environment. Containers holding damaged batteries must be conspicuously marked in a weather-resistant manner with the date that the bills of lading that:

- Meet the shipping paper requirements contained in 49 CFR, Part 172, Subpart C and 49 CFR §177.817;
- Are kept at the generators, transporters, and receiving facility's places of business for at least 3 years from date of shipment.

17. Properly manage contaminated textiles. (HSC §25144.6)

Textile materials (e.g. shop towels, uniforms, gloves, linens, etc.) that have become soiled with hazardous waste during commercial or industrial use are exempt from using hazardous waste haulers and paying State hazardous waste fees if all the following requirements are met:

- They are made reusable by laundering or comparable methods of cleaning at a facility (i.e. commercial laundry) with a Contingency Plan for handling both on-site and off-site emergencies involving the materials and which maintains records of the date, type, and quantities by piecework or weight of the materials laundered;
- They are not subject to federal regulation as hazardous wastes;
- They are not used to clean up or control a spill that is required to be reported to any state or federal agency;
- No hazardous waste has been added after the materials' original use;
- No free liquids are released during transportation or storage of the materials.

18. Perform weekly hazardous waste container inspections. (CCR §66265.174 as referenced by §66262.34(a)(1))

Generators must inspect areas used for container storage or transfer at least weekly, looking for leaks and for deterioration caused by corrosion or other factors.

19. Perform and document LQG daily hazardous waste tank inspections. (CCR §66265.195 as referenced by §66262.34(a)(1))

Generators must perform and document inspections of the following items at least once each operating day:

- Overfill/spill control equipment to ensure good working order;
- Aboveground portions of the tank system, if any, to detect corrosion or leaks;
- Secondary containment is clean and dry;
- Data gathered from monitoring equipment and leak detection equipment (e.g. pressure and temperature gauges, monitoring wells, etc.) to ensure that the tank system is being operated according to its design;
- Construction materials and the area immediately surrounding the externally accessible portions of the tank system including secondary containment structures to detect erosion or signs of leaks;
- For uncovered tanks, the level of waste in the tank to ensure compliance with freeboard requirements;
- Keep log of daily inspections and retain for 3 years.

Perform and document required hazardous waste tank inspections for SQG's. (CFR §265.201(c) as referenced by §66262.34(d))

Generators must perform and document inspections of the following items for tanks **without secondary containment**:

- Discharge control equipment (e.g., waste feed cutoff systems, by-pass systems, and drainage systems) at least once each operating day, to ensure that it is in good working order;

- ❑ Data gathered from monitoring equipment (e.g., pressure and temperature gauges) at least once each operating day to ensure that the tank is being operated according to its design;
- ❑ The level of waste in the tank at least once each operating day for uncovered tanks;
- ❑ The construction materials of the tank at least weekly to detect corrosion or leaking of fixtures or seams;
- ❑ The construction materials of, and the area immediately surrounding, discharge confinement structures (e.g., dikes) at least weekly to detect erosion or obvious signs of leakage (e.g., wet spots or dead vegetation).

Generators must perform and document inspections of the following items at least once a week for tanks that have **full secondary containment** and that either use leak detection equipment to alert facility personnel to leaks, or implement established workplace practices to ensure leaks are promptly identified:

- ❑ Discharge control equipment (e.g., waste feed cutoff systems, by-pass systems, and drainage systems) at least once each operating day, to ensure that it is in good working order;
- ❑ Data gathered from monitoring equipment (e.g., pressure and temperature gauges) to ensure that the tank is being operated according to its design;
- ❑ The level of waste in the tank for uncovered tanks;
- ❑ The construction materials of the tank to detect corrosion or leaking of fixtures or seams;
- ❑ The construction materials of, and the area immediately surrounding, discharge confinement structures (e.g., dikes) to detect erosion or obvious signs of leakage (e.g., wet spots or dead vegetation).

Use of the alternate inspection schedule must be documented in the facility's operating record. This documentation must include a description of the established workplace practices at the facility.

20. Implement hazardous waste tank operating requirements. (CCR §66265.194 as referenced by §66262.34(a)(1))

Tanks holding hazardous waste must be provided with the following:

- ❑ Spill prevention controls (e.g. check valves, etc.);
- ❑ Overfill prevention controls (e.g. level-sensing devices, high level alarms, automatic feed cutoff, bypass to a standby tank, etc.);
- ❑ In the case of uncovered tanks, at least 2 feet of freeboard to prevent overtopping by wave or wind action or by precipitation.

[Exception: This freeboard requirement does not apply if the tank is equipped with a containment structure (e.g. dike, trench, etc.), drainage control system, or diversion structure (e.g. standby tank) with a capacity equal to or greater than the volume of the top 2 feet of the tank.]

21. Transport Hazardous waste with a manifest. (CCR §66262.20)

A generator who offers hazardous waste for transportation must ship the waste on a properly completed Uniform Hazardous Waste Manifest, and if necessary, manifest continuation pages. The generator must designate on the manifest one treatment, storage, or disposal facility (TSDF) that is permitted to receive the wastes described on the manifest. One alternate facility may also be designated on the manifest in case an emergency prevents delivery to the primary facility. If the transporter is unable to deliver the waste to either facility, the generator must either designate another facility or instruct the transporter to return the waste.

22. Properly complete hazardous waste manifest. (CCR §66262.23(a))

The generator must properly complete and sign the generator portion of the manifest according to the instructions printed on the back of the manifest. The generator must obtain the handwritten signature of the initial transporter and date of acceptance on the transporter portion of the manifest.

23. Provide the Department of Toxic Substances Control (DTSC) with a generator hazardous waste manifest copy. (CCR §66262.23(a)(4))

As of September 5, 2006, new Federal manifests shall be used instead of the California manifests. Since the new manifests do not contain a copy to send to DTSC, hazardous waste generators shall send a **legible photocopy** of the manifest to DTSC within 30 days. We recommend photocopying the first page of the manifest so that it is a legible copy. Send a copy of each manifest signed by the facility representative and hazardous waste transporter to:

**DTSC Generator Manifests
Department of Toxic Substances Control
P.O. Box 400
Sacramento, CA 95812-0400**

24. Retain hazardous waste manifest copies for 3 years. (CCR §66262.40(a))

A copy of each hazardous waste manifest must be kept until the generator receives a signed copy from the TSDF designated to receive the waste. Each TSDF-signed manifest copy must be kept for at least 3 years from the date of waste shipment.

25. Properly manage hazardous waste in accordance with consolidated manifest requirements. (HSC §25160.2)

Consolidated manifesting allows certain registered haulers to combine, on a single manifest, specified wastes from multiple generators. Generators using this procedure are exempt from filling out a hazardous waste manifest. Generators using this procedure must have an EPA ID number.

Specified wastes include used oil, used coolant, parts cleaning solvent, metal sludge from wastewater treatment, paint waste, photo developing waste, dry cleaning waste, asbestos, ink waste, lab packs from K-12 schools, spent absorbents, waste from disabled vehicles and gasoline/diesel pump filters.

Generators of up to 1,000 kg per month of CA-only waste can use this procedure. Only non-RCRA wastes (or RCRA hazardous wastes not required to be manifested) are allowed under the consolidated manifesting procedure.

Generators must keep receipts for three years. Receipts must contain the following information:

- Generator name, address, telephone number, EPA ID number, contact person, generator representative signature;
- Shipment date, manifest number, waste volume, waste codes, waste type;
- Proper shipping name including hazard class and UN/NA number, if applicable;
- Transporter name, address and EPA ID number, driver signature;
- TSDF name, address and EPA ID number;

- ❑ A statement (signed by the generator) certifying that the generator has established a program to reduce the volume or quantity and toxicity of the hazardous waste to the degree (as determined by the generator) to be economically practicable.

[Exception: The only group excluded from the EPA ID number requirement is generators of less than 100 kilograms per month of “silver only” hazardous waste or wastes that are hazardous solely due to the presence of silver.]

[Exception: Per H&SC §25250.11(b), the generator of used oil may transport up to 55 gallons of used oil.]

26. Use a registered hauler for transporting hazardous waste. (HSC §25163(a))

It is illegal for a person to transport a hazardous waste unless that person holds a valid transporter registration issued by DTSC. It is illegal for any person to transfer custody of hazardous waste to a transporter who does not hold such a registration. (Note: There are some exceptions to these requirements.)

27. Retain hazardous waste determination analysis for 3 years. (CCR §66262.40(c))

Copies of test results, waste analyses, or other hazardous waste determination records must be kept for at least 3 years from the date the waste was last sent for on-site or off-site treatment, storage, or disposal.

28. Implement a LQG hazardous waste management personnel training program. (CCR §66265.16)

All personnel at the facility involved in the management generation, transfer, shipment, etc.) of hazardous waste must receive classroom instruction or on-the-job training in the proper management of hazardous waste. This training must:

- ❑ Be directed by a person trained in hazardous waste management procedures;
- ❑ Include instruction that teaches personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed (e.g. personnel who prepare or sign hazardous waste manifests must be trained in manifest requirements, those who label containers must be trained in labeling requirements, etc.)
- ❑ Be designed to ensure that personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, equipment, and systems
- ❑ Be provided to personnel within six months after the date of their employment or assignment to a new facility, or to a new position at a facility. (Note: Personnel who have not yet completed this training must work under the supervision of a properly trained person.)
- ❑ Be reviewed annually through refresher training;
- ❑ Be documented by records that include:
 - ❑ The job title for each position related to hazardous waste management, and the name of each employee filling the job;
 - ❑ A written job description for each of the above job positions that describes job duties and the skills, education, or other qualifications required of personnel assigned to each position;
 - ❑ A written description of the type and amount of both introductory and continuing training that will be given to each person filling the above job.
- ❑ Documentation that this training has been given to, and completed by, facility personnel.

Implement a CESQG/SQG hazardous waste management personnel training program. (CFR §262.34(d)(5)(iii) as referenced by CCR §66262.34(d))

All employees must be thoroughly familiar with proper waste handling and emergency procedures relevant to their responsibilities during normal facility operations and emergencies.

Retain hazardous waste management personnel training records (CCR §66265.16(e) as referenced by §66262.34(a)(4))

Hazardous waste management training records on current personnel must be kept until closure of the facility. Records on former employees must be kept for at least three years from the date the employee last worked at the facility.

29. Establish and implement a Contingency Plan for LQGs. (CCR §66265.51)

Each owner/operator shall have a contingency plan for the facility. The Consolidated Contingency Plan/Business Plan will meet this requirement. [Exception: small quantity generators do not need a contingency plan.]

Adequately complete/update a Contingency Plan. (CCR §66265.52 as referenced by §66262.34(a)(3))

The facility must have a written plan that is kept current and includes the following information:

- ❑ A description of actions facility personnel will take to respond to fires, explosions, or any unplanned release of hazardous waste to air, soil, or surface water at the facility;
- ❑ A description of any arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services for the facility;
- ❑ The names, addresses, and phone numbers (office and home) of all persons qualified to act as Emergency Coordinator. Where more than one person is listed, one must be named as primary Emergency Coordinator, and the others must be listed in the order in which they will assume responsibility as alternates;
- ❑ A list of all emergency equipment at the facility [e.g. fire extinguishing and spill control equipment, communications and alarm systems (internal and external), and decontamination equipment, where such equipment is required]. It must include the location and physical description of each item, and a brief outline of its capabilities;
- ❑ An evacuation plan for facility personnel. The plan must describe signals used to begin evacuation, primary and alternate evacuation routes, and the current phone number for the State Office of Emergency Services.

Retain a copy of the Contingency Plan at the facility. (CCR §66265.51)

Copies of the plan and any revisions to it must be maintained at the facility and submitted to appropriate emergency response agencies.

Amend Contingency Plan. (CCR §66265.54 as referenced by §66262.34(a)(3))

The Contingency Plan must be reviewed and, if necessary, immediately amended whenever:

- ❑ Applicable regulations are revised;
- ❑ The plan fails in an emergency
- ❑ The facility changes in its design, construction, operation, maintenance, or other circumstances in a way that materially increases the potential for fires, explosions, or releases of hazardous waste, or changes the response necessary in an emergency;
- ❑ The list of Emergency Coordinators changes

30. Adequately prepare and/or prevent an emergency due to the following:

Provide access to communications or alarm system. (CCR §66265.34 as referenced by §66262.34(a)(3))

Whenever hazardous waste is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation must have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee. If there is ever just one person on the premises, the employee must have access to a device, such as a telephone (immediately available at the scene of operation) or a hand-held two-way radio capable of summoning external emergency assistance.

Adequately test and maintain equipment. (CCR §66265.33 as referenced by §66262.34(a)(3))

All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, must be tested and maintained as necessary to assure its proper operation.

Make proper arrangements with local authorities. (CCR §66265.37 as referenced by §66262.34(a)(3))

The facility owner or operator must attempt to make the following arrangements, as appropriate for the type of wastes handled at the facility and the potential need for the services of the response organizations:

- ❑ Arrangements to familiarize police, fire departments, emergency response teams, and the local Office of Emergency Services with the layout of the facility, properties of hazardous wastes handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes;
- ❑ Agreements with emergency response contractors and equipment suppliers;
- ❑ Arrangements to familiarize local hospitals with the properties of hazardous wastes handled at the facility and the types of illnesses that could result from fires, explosions, or releases at the facility.

Provide a facility Emergency Coordinator. (CCR §66265.55 as referenced by §66262.34(a)(3))

At all times there must be at least one employee either on the premises or on call (i.e. available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response and reporting activities. This Emergency Coordinator must have the authority to commit the resources needed to carry out the Contingency Plan and be thoroughly familiar with the facility, all aspects of the Contingency Plan, and locations of all records within the facility.

Provide required emergency equipment. (CCR §66265.32 as referenced by CCR §6262.10(h))

The site shall be equipped, as applicable, with the following:

- ❑ An internal communication alarm system
- ❑ A device (i.e. telephone or two way radio) for calling outside emergency help.
- ❑ Fire control equipment, spill control equipment, and/or decontamination equipment.
- ❑ Water at an adequate volume and pressure to supply water hose streams and foam-producing equipment, or an automatic sprinkler system.

31. Reckless management of hazardous waste. (HSC §25143.10)

Any person who knowingly, or with reckless disregard for the risk, treats, handles, transports, disposes, or stores any hazardous waste in a manner which causes any unreasonable risk of fire, explosion, serious injury, or death is guilty of a public offense. Any person who knowingly, at the time the person takes the actions specified above, places another person in imminent danger of death or serious bodily injury, is guilty of a public offense.

32. Providing false or erroneous information. (HSC §25189.5(a))

Submission of manifests, records, applications or other documents containing false or erroneous information or statements is unlawful.

33. Obtain a Transfer/Treatment/Storage/Disposal Permit. (CCR §66270.1)

A facility may not transfer (i.e. load, unload, pump, or package waste that is not generated on-site), treat, store (i.e. hold longer than applicable accumulation time limits), or dispose of a hazardous waste on-site without obtaining a permit from DTSC.

(Note: Treatment is defined as any method, technique, or process that changes or is designed to change the physical, chemical, or biological character or composition of a hazardous waste or any material contained therein, or removes or reduces its harmful properties or characteristics for any purpose including, but not limited to, energy recovery, material recovery, or reduction in volume. Examples include pH adjustment, precipitation, filtration, distillation, compacting, etc.)

34. Provide adequate aisle space. (CCR §66265.35 as referenced by §66262.34(a)(3))

Aisle space must be maintained for movement of personnel and response equipment in an emergency unless it can be demonstrated that aisle space is not needed.

35. Properly manage Universal Waste due to the following: (CCR §66273.10 through §66273.21)

Properly dispose universal waste. (CCR §66273.11(a))

Disposal of universal waste to the following is prohibited:

- A facility that is not permitted by the Department of Toxic Substances Control (DTSC) to accept such a waste;
- The trash or dumpster;
- The ground;
- Any other location that is not authorized to receive such waste.

Obtain permit for treatment of universal waste. (CCR §66273.11(b))

Treatment of universal waste without a permit is prohibited.

Properly package universal waste to prevent releases. (CCR §66273.13)

A handler of universal waste shall manage universal waste in a way that prevents releases of any universal waste or component of a universal waste to the environment.

A handler of universal waste shall contain any universal waste that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions in a

container. The container shall be closed, structurally sound, compatible with the contents of the universal waste and shall lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

Properly label/mark universal waste. (CCR §66273.14)

A handler of universal waste shall label or mark the universal waste to identify the type of universal waste as specified below:

- ❑ Universal waste batteries (i.e., each battery), or a container in which the batteries are contained, shall be labeled or marked clearly with any one of the following phrases: “Universal Waste--Battery(ies),” or “Waste Battery(ies),” or “Used Battery(ies);”
- ❑ Universal waste thermostats (i.e., each thermostat), or a container in which the thermostats are contained, shall be labeled or marked clearly with any one of the following phrases: “Universal Waste—Mercury Thermostat(s),” or “Waste Mercury Thermostat(s),” or “Used Mercury Thermostat(s).”
- ❑ Each lamp or a container or package in which such lamps are contained shall be labeled or marked clearly with one of the following phrases: “Universal Waste--Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s).”
- ❑ Each universal waste electronic device or container or pallet in or on which universal waste electronic devices are contained, including containers or pallets that also contain devices that are not waste, shall be labeled or marked clearly with one of the following phrases: “Universal Waste—Electronic Device(s)” or “UW—Electronic Device(s).” In lieu of labeling individual universal waste electronic devices or containers or pallets, a small quantity handler may accumulate universal waste electronic devices within a designated area demarcated by boundaries that are clearly labeled with one of the following phrases: “Universal Waste Electronic Device(s)” or “UW Electronic Device(s).”
- ❑ Universal waste mercury switches and thermometers or a container in which the switches are contained, shall be labeled or marked clearly with any one of the following phrases: “Universal Waste—Mercury Switch(es),” or “Waste Mercury Switch(es),” or “Used Mercury Switch(es);”
- ❑ Dental amalgam. A container in which universal waste dental amalgam is contained shall be labeled or marked clearly with any one of the following phrases: “Universal Waste—Dental Amalgam,” or “Waste Dental Amalgam” or “Scrap Dental Amalgam;”
- ❑ A container in which universal waste gauges are contained shall be labeled or marked clearly with any one of the following phrases: “Universal Waste—Gauge(s),” or “Waste Mercury Gauge(s)” or “Used Mercury Gauge(s);”
- ❑ A container in which mercury drained from one or more universal waste pressure or vacuum gauges is contained shall be labeled or marked clearly with any one of the following phrases, as appropriate: “Universal Waste—Drained Mercury,” or “Universal Waste—Mercury from Gauges;”
- ❑ Universal waste novelties or a container in which the novelties are contained shall be labeled or marked clearly with any one of the following phrases: “Universal Waste—Novelty(ies),” or “Waste Mercury Novelty(ies)” or “Used Mercury Novelty(ies);”
- ❑ Universal waste counterweights and dampers, a product that contains one or more counterweights and/or dampers, or a container in which the counterweights and/or

dampers are contained, shall be labeled or marked clearly with any one of the following phrases, as appropriate: “Universal Waste—Counterweight(s),” or “Universal Waste—Damper(s);” “Waste Mercury Counterweight(s)” or “Waste Mercury Damper(s);” “Used Mercury Counterweight(s),” or “Used Mercury Damper(s);”

- ❑ Universal waste dilators and weighted tubing or a container in which the dilators and weighted tubing are contained shall be labeled or marked clearly with any one of the following phrases, as appropriate: “Universal Waste—Dilator(s),” “Waste Mercury Dilator(s)” “Used Mercury Dilator(s),” “Universal Waste—Mercury-Weighted Tubing,” “Waste Mercury-Weighted Tubing,” or “Used Mercury-Weighted Tubing.”
- ❑ Universal waste rubber flooring or a container in which the flooring is contained shall be labeled or marked clearly with any one of the following phrases: “Universal Waste—Rubber Flooring,” or “Waste Mercury-Containing Flooring” or “Used Mercury-Containing Flooring.”
- ❑ Gas flow regulators. A waste gas meter that contains a mercury gas flow regulator or a container in which a universal waste gas flow regulator is contained shall be labeled or marked clearly with any one of the following phrases: “Universal Waste—Gas Flow Regulator,” or “Waste Mercury Gas Flow Regulator” or “Used Mercury Gas Flow Regulator.”

Storage of universal waste within authorized accumulation time. (§66273.15)

A handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated.

A handler of universal waste who accumulates universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste. The handler may make this demonstration by the following:

- ❑ Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received;
- ❑ Marking or labeling each individual item of universal waste (e.g., each battery or thermostat) with the date it became a waste or was received;
- ❑ Maintaining an inventory system on-site that identifies the date each universal waste became a waste or was received;
- ❑ Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received;
- ❑ Placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received; or
- ❑ Any other method which clearly demonstrates the length.

Properly document universal waste shipments. (§66273.19).

A handler of universal waste shall keep a record of each shipment of universal waste sent from the handler to other facilities. The record may take the form of a log, invoice, manifest, bill of lading or other shipping document. The record for each shipment of universal waste sent shall include the following information:

- ❑ The name and address of the universal waste handler, destination facility, or foreign destination to whom the universal waste was sent;
- ❑ The quantity of each type of universal waste sent (e.g., batteries, thermostats, lamps, mercury switches, etc.);
- ❑ The date the shipment of universal waste left the facility.

A handler of universal waste shall retain the records of shipment for at least three years from the date a shipment of universal waste left the facility.

36. Other

A. Properly manage photo processing silver-only waste due to the following: (HSC §25143.13)

Notify the Local Publicly Owned Treatment Works (POTW) for treated photo processing waste disposed of in sanitary sewer.

Notify your local sewer treatment plant that your facility is disposing of treated photo processing waste in the sanitary sewer and obtain authorization for disposal.

Retain documentation of sending silver sludge to authorized recycler. Failure to retain documentation of sending photo processing waste to authorized treatment facility for recycling. (Referenced by 40 CFR 261.2(f))

Businesses sending silver sludges for reclamation or photo processing waste for treatment and reclamation must be able to provide documentation that the sludges are being reclaimed (Examples of acceptable documentation include contracts with refiners and/or receipts from the sludge transporter for shipments of sludge to a refiner).

Properly dispose of photo processing waste. (Referenced by 40 CFR 261.5(g)(3))

Facilities must ensure that their “silver-only” hazardous waste is either recycled (reclaimed) or disposed at a facility that is permitted or otherwise authorized to manage that hazardous waste.

B. Obtain authorization for storage/treatment. (HSC §25201(a))

An owner or operator must hold a hazardous waste facilities permit or other grant of authorization for the purpose of treating, disposing, storing, or accepting hazardous waste.

C. Handle container(s) to avoid leaks. (CCR §66265.173(b))

A container holding hazardous waste shall not be opened, handled, transferred or stored in a manner which may rupture the container or cause it to leak.

D. Storage of incompatible wastes in same container. (CCR §66265.172 as referenced by §66262.34(a)(1))

Incompatible wastes, or incompatible wastes and materials shall not be placed in the same container. Hazardous waste shall not be placed in an unwashed container that previously held an incompatible waste or material.

E. Storage of waste which is incompatible with storage containers. (CCR §66265.172 as referenced by §66262.34(a)(1))

The generator must use containers that will not react with, and that are otherwise compatible with, the wastes to be transferred or stored, so that their ability to contain the wastes is not impaired.

F. Storage of ignitable or reactive wastes. (CCR §66265.176 as referenced by §66262.34(a)(1))

Containers holding ignitable or reactive wastes must be located at least 50 feet from the facility's property line. (Note: this provision only applies to LQGs)

G. Implement the following hazardous waste tank system requirements. (Referenced by CCR §66262.34(a)(1))

Integrity assessment/existing tank systems. (CCR §66265.191)

An existing tank system that lacks secondary containment must have an integrity assessment to ensure it is not leaking or unfit for use. The written assessment must be reviewed and certified by a professional engineer.

New tank system assessment. (CCR §66265.192)

Prior to placing into service, a new tank system must undergo an integrity assessment. The written assessment must be reviewed and certified by a professional engineer.

Containment and detection of releases. (CCR §66265.193)

Secondary containment systems must be designed and operated to prevent the movement of wastes out of the tank system to the soil, groundwater or surface water. They must be capable of detecting and collecting releases.

Response to leaks or spills. (CCR §66265.196)

A tank system or secondary containment system from which there has been a leak or spill, or which is unfit for use, shall be removed from service immediately, and the following requirements shall be satisfied:

- Implementation of general emergency procedures;
- Cessation of use; prevention of flow or addition of wastes;
- Removal of waste from tank or secondary containment system;
- Contain visible releases to the environment
- Appropriate notifications/reports
- Provide secondary containment, repair, or close.

Closure. (CCR §66265.197)

A hazardous waste tank system must be closed by:

- Removing and decontaminating all waste residues, contaminated tank systems, and soil;

- Identifying, managing and disposing of any hazardous wastes;
- Submission of a completed "Hazardous Waste Tank Closure Certification" form to the CUPA.

(Note: Post-closure requirements apply if not all contaminated soils can be practicably removed or decontaminated)

H. Management of recyclable latex paint. (HSC §25217)

Liquid latex paint shall not be disposed to the land or waters of the State. Latex paint may be recycled at a facility that is not permitted by DTSC. The facility must handle the liquid latex paint safely, and provide a business plan. If the liquid latex paint is not recyclable, it must be managed as a hazardous waste. Bills of lading for management of recyclable latex paint shall be kept for at least three years and include:

- The name, address and telephone number of the generator, the transporter, and the facility managing the latex paint;
- The quantity of recyclable latex paint transported;
- The date of transportation;
- The signature of the transporter and the generator.

I. Submit manifest exception report. (CCR §66262.42)

A generator who does not receive a TSDF-signed manifest copy within 35 days of the waste shipment must:

- Contact the transporter and/or the TSDF to determine the status of the waste, and;
- If a TSDF-signed manifest copy is still not received within 45 days of the waste shipment, submit to DTSC an exception report that includes the following:
- A legible copy of the manifest copy left by the transporter at the time of shipment; and
- A cover letter signed by the generator or the generator's authorized representative explaining efforts taken to locate the waste and the results of those efforts.

A copy of the exception report must be kept by the generator for at least three years.

J. Follow hazardous waste export requirements. (CCR §66262.53)

Exports of RCRA hazardous waste to foreign countries are prohibited unless the following conditions are met:

- Notification to the EPA has been provided;
- Consent of the receiving country has been obtained;
- A copy of the EPA Acknowledgement of Consent accompanies the shipment;
- The shipment conforms to the terms of the receiving country's consent.

K. Record and/or report emergency incidents. (CCR §66265.56(j) as referenced by §66262.34(a)(3))

In the event of any imminent or actual emergency situation that requires implementation of the contingency plan, the facility owner/operator shall:

- Note in the facility operating record the time, date, and details of the incident;
- Within 15 days of the incident, submit a written report to DTSC that includes:
- The name, address, and phone number of the owner or operator and the facility;
- The date, time, and type of incident (e.g. fire, explosion);
- The name and quantity of each material involved;
- The extent of injuries, if any;

- ❑ An assessment of actual or potential hazards to human health and/or the environment;
- ❑ Estimated quantity and disposition of recovered material resulting from the incident.

L. Used oil contaminated with other hazardous waste. (HSC §25250.7)

No person who generates, stores, or transfers used oil shall intentionally contaminate used oil with other hazardous waste (i.e. solvents, anti-freeze, fuels) other than inadvertent mixture of minimal amounts of vehicle fuel. Additionally, such mixing could contaminate the used oil, classifying it as a RCRA waste rather than a non-RCRA waste.

M. Self-disposal of hazardous waste. (HSC §25163(c))

As a conditionally exempt small quantity generator business, the following hazardous wastes may be self-disposed of at a permitted household hazardous waste facility or at a hazardous waste disposal facility (transfer/storage/disposal facility) without the requirements of a registered hazardous waste transporter or a hazardous waste manifest:

- used oil up to 20-gallons per trip with a maximum container size of 5-gallons to a household hazardous waste facility;
- used oil up to 55-gallons per trip with a maximum container size of 55-gallon to a permitted hazardous waste transfer/storage/disposal facility (prior approval from hazardous waste facility is required prior to transportation);
- or up to 5-gallons or 50 pounds of other hazardous waste (used anti-freeze, used absorbent, used oil filters, used solvent, paint, universal waste, etc.).

The following requirements must be met to qualify for this exemption:

1. Hazardous waste packaged in closed containers and packed to avoid tipping, spilling, or breaking;
2. Hazardous materials are not mixed in same container;
3. Extremely or acutely hazardous waste are less than 2.2 pounds;
4. The transporter is the generator of the hazardous waste;
5. The generator does not generate more than 100 Kg (approximately 27 gallons) in any single calendar month and;
6. The generator does not accumulate more than 1,000 Kg (approximately 270 gallons) of ALL hazardous waste at any given time.

To provide documentation of proper disposal, a receipt must be obtained at the time of disposal with the following information: name(s) of hazardous waste, quantity, date of disposal, disposal facility name, generating facility name, and transporters name. Receipts must remain at the generating facility for a period of three years and must be available during future inspections.

The following facilities are permitted permanent household hazardous waste facilities in Butte County which can accept hazardous waste from CESQG businesses:

Butte Regional Household Hazardous Waste Facility

1101 Marauder Avenue, Chico

(530) 343-5488

CESQG Hours: By appointment only on Wednesdays from 9:00 am – 4:00 pm and

Fridays from 2 pm – 4 pm

General Public Hours: No appointment needed on Fridays from 9:00 am to 1:00 pm and

Saturday from 9:00 am to 4:00 pm

Recology of Butte/Colusa Counties

2720 South 5th Ave., Oroville
(530) 533-5868 or (530) 682-6088
CESQG Hours: by appointment only
Treated wood waste accepted as well

Northern Recycling and Waste Services in Paradise does not accept hazardous waste from businesses.

Butte County does not have any Permitted Transfer/Storage/Disposal Facilities which accept self-disposal of hazardous waste.

Additional information may be found at the following web-site:

<http://www.buttecounty.net/RecycleButte/Household%20Hazardous%20Waste.aspx>

N. Perform SB 14 requirements for LQGs. (CCR §67100.3)

Facilities which routinely generate >12,000 kg/year (26,400 lbs or 3,165 gals) of hazardous waste must:

- Prepare a Source Reduction Plan – the plan for reducing waste over the next four years;
- Prepare a Hazardous Waste Management Performance Report - assesses improvement in waste reduction in the last four years;
- Prepare (and submit to DTSC) a Summary Progress Report (SPR) – compares current waste generation quantities with last reporting year quantities;
- Plan and reports must be prepared every four years. For example, in the reporting year 2002 documents are to be completed (and SPR submitted) by September 1 of 2003;
- Copies of the Plan, Report and SPR must be kept onsite;
- A “Small Business” can substitute the Checklist for the Plan, and the SPR for the Report.

O. Submit Biennial Report. (CCR §66262.40-.41)

Generators subject to the requirement (RCRA LQG) to file Biennial Reports must submit a properly completed report to DTSC by March 1 of each even-numbered year. Report copies must be retained for three years.

P. Management of excluded recyclable material.

Excluded recyclable material operating requirements. (HSC §25143.9)

The following storage and handling requirements must be met:

- The owner or operator of the facility where excluded recyclable materials are located must have a Hazardous Materials Business Plan meeting the requirements of H&SC §25504;
- The material must be stored and handled in accordance with all local ordinances and codes governing storage and handling of hazardous material;
- Containers or tanks must be marked with the following information:
- The accumulation start date for the material (i.e. the date material was first placed in the container);
- The words “EXCLUDED RECYCLABLE MATERIAL.”

Each container and portable tank must additionally be marked with the following:

- The composition of the material;
- The physical state of the material (i.e. solid or liquid);

- The hazardous properties of the material (i.e. flammable, corrosive, reactive, toxic);
- The name and address of the generator of the material

Excluded recyclable material record keeping. (HSC §25143.2(f))

Any person who manages a recyclable material under a claim that the material qualifies as an excluded or exempted recyclable material pursuant to H&SC §25143.2 must maintain and provide, upon request, to the CUPA the following information:

- The name, street and mailing address, and telephone number of the owner or operator of any facility that manages the material;
- Adequate records to demonstrate to the satisfaction of the CUPA that there is a known market or disposition for the material and that the requirements of any exemption or exclusion pursuant to H&SC §25143.2 are met;
- Other information related to the management of the material requested by the CUPA.

Excluded recyclable material transportation. (HSC §25143.2(d))

Excluded recyclable material can be transported between locations operated by the same person who generated the material if all of the following requirements are met:

- The destination location recycles the material or sends it to an authorized off-site hazardous waste facility for recycling;
- The material must be transported by employees of the generator or by a registered hazardous waste hauler under contract to the generator;
- The material must not be held at any interim location;
- The following information is maintained in an operating log at the destination location and kept for at least 3 years after receipt of the material:
 - The name and address of each location contributing material to each shipment;
 - The quantity and type of material contributed by each generator to each shipment;
 - The destination and intended disposition of all material shipped off-site or received;
 - The date of each shipment received or shipped off-site.

Q. Submit recycling reports. (HSC §25143.10)

Any person who recycles more than 100 kilograms (220 pounds) per month of recyclable material under a claim that the material qualifies for exclusion or exemption from hazardous waste requirements pursuant to H&SC §25143.2 must complete and submit the following documents to the CUPA:

- Unified Program Consolidated Form: Business Activities page;
- Unified Program Consolidated Form: Business Owner/Operator Identification page;
- Unified Program Consolidated Form: Recyclable Materials Report.