



DEPARTMENT OF  
TOXIC SUBSTANCES  
CONTROL

*The mission of the  
Department of Toxic  
Substances Control is  
to provide the  
highest level of safety,  
and to protect public  
health and the  
environment from  
toxic harm.*



State of California



Cal/EPA

## **AB 1447 (2007) Changes to the Appliance Recycling Program**

### **Introduction**

In 2004, AB 2277 established new certification requirements for those who recycle discarded major appliances. Beginning in 2006 those who remove Materials that Require Special Handling (MRS) from discarded major appliances must become certified by the Department of Toxic Substances Control (DTSC) by demonstrating the ability to properly remove and manage MRS in accordance with all applicable hazardous waste control laws.

In 2007, AB 1447 (Calderon) made changes to the existing Certified Appliance Recycling (CAR) program to promote proper recycling of abandoned appliances and to clarify the criteria for recyclers to demonstrate their ability to properly remove and manage MRS from discarded major appliances.

This fact sheet explains the CAR program and the recent changes to the law and its requirements. The specific statutory requirements established by Assembly Bill 2277 (2004) and Assembly Bill 1447 (2007), can be found in the Public Resources Code (PRC), chapter 3.5, section 42160 et seq. and in the California Health and Safety Code (HSC), chapter 6.5, section 25211 et seq.

### **What is a Certified Appliance Recycler?**

A Certified Appliance Recycler (CAR) is a person or business certified by DTSC to remove and properly manage certain potentially hazardous materials – known as “materials that require special handling” – from discarded major appliances. Those who handle, store, or transport discarded major appliances but do not process or recycle them do not need to be certified by DTSC.

### **What Changes did AB1447 Make?**

As of January 1, 2008:

- Refrigerant service technicians who are certified under Section 608 of the Clean Air Act may remove refrigerants from discarded major appliances without becoming certified by DTSC to recycle appliances.
- Scrap recycling facilities that accept appliances that have already been processed are no longer required to report on the number and type of processed appliances they received on DTSC Form 1430.
- A CAR may recycle an abandoned “orphan” appliance that lacks documentation for removal of materials that require special handling, provided certain conditions are met.



- Scrap recycling facilities that accept “orphan appliances” for recycling must submit a monthly report.
- The information that an applicant for certification must submit to demonstrate his or her ability to properly remove and manage all MRSH is clarified.



### What is a Major Appliance?

Section 42166 of the Public Resources Code defines a “major appliance” as a “domestic or commercial device” (a machine you have in your home or business), including but not limited to a:

- Washer or dryer
- Refrigerator or freezer
- Water and space heaters
- Furnace or boiler
- Air-conditioner or dehumidifier
- Trash compactor
- Oven, stove, or microwave

### What are “Materials that Require Special Handling”?

Materials that require special handling are materials that when removed from a discarded appliance may not be disposed of in the garbage or at a solid waste facility. (HSC §25212)

The following materials must be removed from an appliance prior to the appliance being crushed, baled, shredded, sawed or sheared apart, disposed of, or otherwise processed in a manner that could result in the release or prevent the removal of these materials, including but not limited to (PRC §42167):

- Mercury, found in switches and temperature control devices.
- Used oil, from compressors and transmissions.
- Chlorofluorocarbons (CFCs), Hydrochlorofluorocarbons (HCFCs), and other non-CFC replacement refrigerants injected in air-conditioning/refrigerant units.
- All metal-encased capacitors
- Any parts that contain encapsulated polychlorinated biphenyls (PCBs) or Diethylhexylphthalate (DEHP).
- Any other material that is a regulated hazardous waste.

The person removing these materials is considered a hazardous waste generator and must comply with applicable laws for generators of hazardous waste.

Some materials removed from appliances are hazardous wastes; some of these hazardous wastes have reduced handling standards under the Universal Waste Rule. (CCR, Title 22, §66273.1 et seq.)

## How can I Become a CAR?

To operate as a CAR you need to submit an application (DTSC Form 1428) to DTSC and obtain certification. (HSC §25211.4)

Applicants will be evaluated on their ability to remove and properly handle MRSH from discarded major appliance in accordance with all applicable hazardous waste control laws, including a technical description of how each MRSH will be managed.

Once an application has been reviewed an applicant will either be approved to recycle appliances and will receive a certificate with a unique CAR number valid for three years from the date of issuance or denied approval and provided a detailed description of all deficiencies.



## What is a Scrap Recycling Facility?

A scrap recycling facility is where scrap metals are processed into scrap iron or nonferrous metallic scrap for sale for remelting purposes. A scrap recycling facility could be a feeder yard, metal shredding facility, metal crusher, or a metal baler. (HSC §25211)

## What are the new requirements at the scrap recycling facility?

(HSC §25211.2)

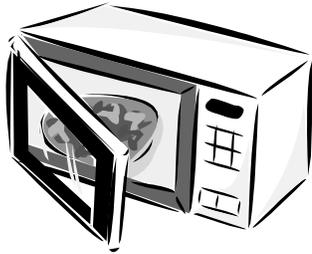
- Scrap facilities that accept appliances that **have not been** crushed, baled, shredded, sawed or sheared apart, or otherwise processed in a way that could result in the release or prevent the removal of the materials that require special handling, must be a registered CAR.
- Scrap facilities that accept appliances that **have been** processed, must collect a DTSC Form 1430 from the transporter at the time of transaction, but the number and type of appliances need not be reported; instead the total weight of processed appliances is acceptable.
- A facility that accepts a load of abandoned appliances from which the MRSH have been removed must be a CAR but need not collect DTSC form 1430 from the person delivering the appliances. However, the facility must report, monthly, on the total quantity of “orphan” appliances it received.

DTSC Form 1430 is required to be completed by the CAR that removed the materials that require special handling, not by the transporter.

Information required from the CAR:

- ✓ CAR number.
- ✓ EPA identification number.

- ✓ Certification that the CAR removed all materials that require special handling in a manner that did not result in any release prior to processing the appliance.
- ✓ A list of the facilities that all materials requiring special handling were sent to, or are going to be sent.



### What Records do I Have to Keep?

If you transport, deliver, or sell discarded major appliances to a scrap recycling facility, or you are a scrap recycling facility or a CAR, you must retain records for at least three years. (HSC §25211.3)

Keep records that demonstrate compliance with the applicable requirements. Records must be kept onsite and must be made available for inspection upon request by DTSC or the local Certified Unified Program Agency (CUPA).

Regarding the materials that require special handling, record:

- Quantity of each material, by weight or volume.
- Method used to recycle, dispose of, or otherwise manage each material.
- Name and address of the facility to which each material was sent.

### Where can I find the DTSC Forms?

- Print forms from the internet at: [http://www.dtsc.ca.gov/HazardousWaste/Mercury/Certified\\_Appliance\\_Recycler.cfm](http://www.dtsc.ca.gov/HazardousWaste/Mercury/Certified_Appliance_Recycler.cfm)
- Request forms via E-mail from: [jfong@dtsc.ca.gov](mailto:jfong@dtsc.ca.gov)
- Request forms by phone or mail from a DTSC Regulatory Assistance Officer. Refer to page 4.

### Compliance and Enforcements Issues

If you would like to submit a comment or complaint on issues regarding compliance or enforcement of the requirements discussed above please visit complete an [Environmental Complaint Form Online](#) or call our toll free hotline at (800) 698-6942

