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Course Objective

This course will cover federal and State regulations regarding the classification, management, transportation, and disposal of hazardous waste for California hazardous waste generators.
Course Outline

- Regulatory Overview & Recordkeeping Requirements
- Hazardous Waste Determination
- Container & Tank Management
- Shipping Requirements
### Regulatory Overview

<table>
<thead>
<tr>
<th>Gov't Level</th>
<th>Law</th>
<th>Year Enacted</th>
<th>Regulation</th>
<th>Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal</td>
<td>RCRA</td>
<td>1976</td>
<td>40 CFR 260-268, 273</td>
<td>Environmental Protection Agency (EPA)</td>
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<tr>
<td>State</td>
<td>HWCL</td>
<td>1972</td>
<td>22 CCR 66260-66268, 66273</td>
<td>Department of Toxic Substances Control (DTSC)</td>
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<tr>
<td>Federal</td>
<td>OSHA</td>
<td>1970</td>
<td>Title 29 CFR</td>
<td>Occupational Safety and Health Administration (OSHA)</td>
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<td>State</td>
<td>Cal/OSHA</td>
<td>1973</td>
<td>Title 8 CCR</td>
<td>Division of Occupational Safety and Health (DOSH or Cal/OSHA)</td>
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<tr>
<td>Federal</td>
<td>HMTA</td>
<td>1975</td>
<td>Title 49 CFR</td>
<td>Department of Transportation (DOT)</td>
</tr>
<tr>
<td>State</td>
<td>CVC</td>
<td>1935</td>
<td>Title 13 CCR</td>
<td>California Highway Patrol (CHP) / Department of Motor Vehicles (DMV)</td>
</tr>
</tbody>
</table>

- United States Environmental Protection Agency (U.S. EPA) protects human health and the environment:
  - Writes and enforces environmental regulations
  - Regulations enforced by regional offices
Basic Hazardous Waste Management

Regulatory Overview

- California Department of Toxic Substances Control (DTSC) protects people and the environment from harmful effects of toxic substances by:
  - Enforcing hazardous waste regulations
  - Inspecting permitted facilities and hazardous waste generators
  - Taking enforcement actions to ensure compliance

Regulatory Overview

- The Certified Unified Program Agency (CUPA) consolidates, coordinates, and makes consistent portions of the following six existing programs:
  - Hazardous Waste Generators
  - Underground Storage Tanks (USTs)
  - Hazardous Materials Business Plans (HMBPs)
  - California Accidental Release Prevention Program (CalARP)
  - Aboveground Storage Tanks (SPCC Plans)
  - Uniform Fire Code
Regulatory Overview

Merced County Department of Public Health is the CUPA for hazardous waste generators in Merced County.

Generator or Producer

A generator is any person, by site, whose act or process produces hazardous waste or whose act first causes a waste to become subject to regulation as a hazardous waste.
Most Common Violations for Generators

1. Improperly labeled hazardous waste containers (violation count – 6,199)
2. Failure to obtain and/or maintain ID number (violation count – 3,243)
3. Failure to maintain manifest copies (violation count – 2,437)
4. Failure to properly close hazardous waste containers when not in use (violation count – 1,868)
5. Failure to properly label & manage used oil filters (violation count – 1,838)

Data compiled by Cal EPA for fiscal year July 1, 2017 – June 30, 2018

Generator Status

<table>
<thead>
<tr>
<th>Generator Status</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>LQG</td>
<td>≥ 1,000 kg hazardous waste and/or &gt; 1 kg acutely hazardous waste and/or &gt; 1 kg extremely hazardous waste during any calendar month</td>
</tr>
<tr>
<td>SQG</td>
<td>&lt; 1,000 kg hazardous waste and/or ≤ 1 kg acutely hazardous waste and/or extremely hazardous waste during any calendar month</td>
</tr>
<tr>
<td>VSQG (previously CESQG)</td>
<td>≤ 100 kg hazardous waste and/or ≤ 1 kg acutely hazardous waste and/or extremely hazardous waste during any calendar month – this is a category defined by EPA and not recognized in California</td>
</tr>
</tbody>
</table>
Generator Status

- Waste volume based on:
  - RCRA and non-RCRA wastes
  - Amount generated each month, not amount shipped off-site
  - Universal wastes are not included

EPA Identification Numbers

- Each site that generates hazardous waste must have an identification (ID) number
  - California ID numbers issued by DTSC (< 220 pounds RCRA hazardous waste in any month)
  - CAL – permanent; CAC – provisional; CAS – permanent for emergency response
  - EPA ID numbers issued by U.S. EPA (> 220 pounds RCRA hazardous waste in any month)
  - CAR – current; CA – not issued since 1995; CAD – not issued since 1993; CAT – preceded CAD; CAP – provisional
EPA Identification Numbers

- Generators must verify their ID numbers (state and federal) annually through DTSC
- Verification notification is made by DTSC via email
- If ID numbers are not verified, they will be deactivated

Contingency Plan – LQGs

- Spells out emergency actions involving hazardous waste
  - Fire
  - Explosives
  - Unplanned, sudden releases/spills
Contingency Plan Contents – LQG

- Emergency Coordinator
- Emergency procedures
- Emergency services and arrangements to coordinate response actions
- Emergency equipment
- Evacuation Plan
- Cal OES contact

Emergency Procedures – SQGs

- At all times, there must be at least one employee, either on the premises or on call, available to respond to an emergency
- Information must be posted next to telephones OR in areas directly involved in the generation and accumulation of hazardous waste

EMERGENCY PROCEDURES
Post near telephones and as appropriate.

In case of a fire, spill, or other emergency involving hazardous chemicals or wastes, do the following:

Major Emergency
- Evacuate the affected areas per the facility Evacuation Plan
- Call 911 and report the emergency
- Report the emergency to the facility Emergency Coordinator

Minor Emergency
- Try to control the emergency if you are trained to do so and can do it safely
- Report the emergency to the facility Emergency Coordinator

Facility Emergency Coordinators

<table>
<thead>
<tr>
<th>Facility Emergency Coordinators</th>
<th>Name</th>
<th>Work Phone</th>
<th>24 Hour Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary EC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1st Alternate EC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2nd Alternate EC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3rd Alternate EC</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Emergency Agencies

<table>
<thead>
<tr>
<th>Agency</th>
<th>Phone No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Dept., Ambulance, Police</td>
<td>911</td>
</tr>
<tr>
<td>Governor’s Office of Emergency Services</td>
<td>(800) 852-7558</td>
</tr>
</tbody>
</table>

Emergency Equipment

Locations of fire extinguishers, fire alarms (if any), and equipment for controlling chemical spills are shown on the facility site plan posted with this notice.

This document is only a summary of emergency procedures. Refer to this facility’s written emergency response plan for detailed procedures.
Basic Hazardous Waste Management

Tank Assessments – LQGs

• Required for LQGs who accumulate hazardous waste in tanks
  ▪ Tank system and components certified by qualified professional engineer (PE)
  ▪ Supported and protected from corrosion
  ▪ Tested for tightness
  ▪ Protected from settlement, expansion, or contraction
  ▪ Must be completed prior to putting tank into service and then once every 5 years for new tanks

Biennial Hazardous Waste Report – LQGs

• Required & certified by RCRA LQGs
• Report covers odd-numbered year
  ▪ Amounts by waste code
  ▪ Identify source & origin of waste
  ▪ Identify disposal method (recycled, incinerated, etc.)
  ▪ Waste minimization efforts
• Due March 1st of following year (even year) for waste generated prior year (odd year)
Disposal & Recycle Records

- Manifests
- Land Disposal Restriction forms
- Consolidated manifests
- Maintained for three years from date of shipment

Other Records

- Waste analytical test analyses
  - Three years from date was last shipped off-site
- Container and tank inspections
  - Three years from date of inspection
- Emergency equipment inspections
  - Three years from date of inspection (best management practice – BMP for SQGs)
Training Requirements – SQGs

- Employees must be familiar with proper waste handling and emergency response procedures relevant to their responsibilities
- Annual training is a BMP

Training Requirements – LQGs

- Personnel must successfully complete a program of either:
  - Classroom, computer-based, or electronic instruction; OR
  - On-the-job (OTJ) training
- Training must cover hazardous waste management procedures and emergency response training
- Training must be provided within 180 days of hire / job placement
- Annual training required

40 CFR 262.16(b)(9)(iii)

22 CCR 66265.16
Training Documentation – LQGs

• Documentation:
  ▪ Description for each position related to hazardous waste management including the requisite skills, education, or other qualifications and duties of employees assigned to each position
  ▪ Job title for each position related to hazardous waste management and the name of the employee filling each job
  ▪ [Continued…]

Training Documentation – LQGs

• Description of the type and length of training needed for each position
• Records to document training has been provided and completed
• Records are to be kept until facility closure for current employees
  ◦ 3 years for former employees
Hazardous Waste Determination

A person who generates a waste shall determine if it is hazardous by determining if the waste:

- Is excluded from regulation
- Is listed
- Exhibits any hazardous waste characteristics

Determinations can be made by:

- Testing the waste
- Generator’s knowledge
Basic Hazardous Waste Management

Hazardous Waste Determination

• **Waste** is any discarded material of any form (liquid, semi-solid, solid, or gaseous) that is not excluded by regulation or statute:
  ▪ Relinquished (disposed of, burned or incinerated, or accumulated, stored, or treated prior to or in lieu of disposal)
  ▪ Recycled (applied to land in a manner constituting disposal, used in products that are applied to land, burned to recover energy, reclaimed, or speculatively accumulated)

[Continued…]

Hazardous Waste Determination

• Inherently waste-like materials when recycled (e.g., F020, F021 [with one exception], F022, F023, F026, and F028 – all dioxin-precursor waste)

• A material that poses a threat to human health and/or the environment that has been mislabeled or unlabeled for more than 10 days (i.e., 10 days from the day that the labeling deficiency was first discovered)

• A material that poses a threat to human health and/or the environment contained in a deteriorated or damaged packaging for more than 96 hours
Hazardous Waste Determination

- Materials that are not waste:
  - Industrial wastewater discharges
  - Nuclear byproducts
  - Spent sulfuric acid used to produce virgin sulfuric acid
  - Pulping liquors reclaimed in a pulping liquor recovery furnace
  - Secondary materials that are returned to the original process

Hazardous Waste Determination

- Wastes that are not hazardous waste:
  - Infectious wastes consisting only of animal carcasses
  - Materials not classified as a solid waste that do not exhibit a hazardous waste characteristic
  - Used oil re-refining distillation bottoms used as a feedstock for asphalt
  - Used CFC refrigerants that are reclaimed
  - [Continued…]
Hazardous Waste Determination

- Solid waste from the extraction and processing of ores and minerals
- Hazardous wastes generated in a tank or manufacturing process unit (exclusion applies until waste exits unit or remains in non-operational unit for more than 90 days)
- Samples
- Controlled substances
- CRT glass

<table>
<thead>
<tr>
<th>RCRA Hazardous Waste</th>
<th>Non-RCRA Hazardous Waste</th>
</tr>
</thead>
<tbody>
<tr>
<td>Listed</td>
<td>Presumptive lists</td>
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<tr>
<td>Unspent (U &amp; P)</td>
<td>Common name</td>
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<tr>
<td>Spent (F &amp; K)</td>
<td>Chemical constituents</td>
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<tr>
<td>Characteristic</td>
<td>Characteristic</td>
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<tr>
<td>Ignitable (D001)</td>
<td>Ignitable</td>
</tr>
<tr>
<td>Corrosive (D002)</td>
<td>Corrosive</td>
</tr>
<tr>
<td>Reactive (D003)</td>
<td>Reactive</td>
</tr>
<tr>
<td>Toxic (D004 – D043)</td>
<td>Toxic</td>
</tr>
</tbody>
</table>
RCRA Listed Wastes

**Spent Waste Codes**
- F-Listed: Non-specific sources
  - F001 – F039
- K-Listed: Specific sources
  - K001 – K175

**Unspent Waste Codes**
- P-Listed: Acute hazardous waste
  - P001 – P205
- U-Listed: Toxic hazardous waste (unless noted)
  - U001 – U411

RCRA Ignitable Characteristic – D001

- Liquid (other than < 24% alcohol by volume) with a flash point < 140°F (60°C)
- A solid that can cause fire through friction, absorption of moisture, or spontaneous chemical changes and, when ignited, burns vigorously and persistently
- Is an ignitable compressed gas
- Is an oxidizer
**RCRA Corrosive Characteristic – D002**

- Aqueous with pH ≤ 2.0 or ≥ 12.5; OR
- Liquid that corrodes steel at ¼ inch (6.35 mm) per year

**pH Scale**

1 2 3 4 5 6 7 8 9 10 11 12 13 14

Acid Alkaline

**RCRA Reactive Characteristic – D003**

- Unstable and undergoes violent change w/o detonating;
- Reacts violently with water;
- Forms an explosive mixture with water;
- Generates toxic gases, vapor fumes with water;
- Cyanide or sulfide-bearing waste producing toxic gases, vapors, or fumes @ pH 2 – 12.5;
- Capable of detonation or an explosive reaction; OR
- Forbidden explosive (49 CFR 173.51)
Basic Hazardous Waste Management

RCRA Toxic Characteristic – D004 – D043

• Applies to 8 inorganic elements and 32 organic compounds
• Tested using EPA Toxicity Characteristic Leaching Procedure (TCLP)
• Regulated if > specified threshold

California Presumptive Lists

• Chemical names
• Common names
• Presumed to create a non-RCRA hazardous waste based on hazardous characteristic
  ▪ X: Toxic
  ▪ C: Corrosive
  ▪ I: Ignitable
  ▪ R: Reactive

22 CCR 66261.24(a)(1)

22 CCR, Div. 4.5, Chap. 11, Article 5, Appendix X
Non-RCRA Ignitable Characteristic – D001  
(Same as Federal)

- Liquid (other than < 24% alcohol by volume) with a flash point < 140°F (60°C)
- A solid that can cause fire through friction, absorption of moisture, or spontaneous chemical changes and, when ignited, burns vigorously and persistently
- Is an ignitable compressed gas
- Is an oxidizer

Non-RCRA Corrosive Characteristic

- Aqueous with pH ≤ 2.0 or ≥ 12.5
- Liquid that corrodes steel at ¼ inch (6.35 mm) per year
- Non-aqueous wastes that yield pH ≤ 2.0 or ≥ 12.5 when mixed with an equivalent weight of water
- Non-liquids that corrode steel at ¼ inch (6.35 mm) per year when mixed with an equivalent weight of water
Non-RCRA Reactive Characteristic – D003
(Same as Federal)

• Unstable and undergoes violent change w/o detonating;
• Reacts violently with water;
• Forms an explosive mixture with water;
• Generates toxic gases, vapor fumes with water;
• Cyanide or sulfide-bearing waste producing toxic gases, vapors, or fumes @ pH 2 – 12.5;
• Capable of detonation or an explosive reaction; OR
• Forbidden explosive (49 CFR 173.51)

Non-RCRA Toxic

• Exceeds TTLC or STLC for 20 inorganics (Table II) or 18 organics (Table III)
• Oral LD$_{50}$ < 2,500 mg/kg
• Dermal LD$_{50}$ < 4,300 mg/kg
• Inhalation LC$_{50}$ < 10,000 ppm
• Aquatic 96-hr LC$_{50}$ < 500 mg/L
• Listed carcinogen > 0.001% (10 ppm) by weight
Used Oil

Used oil is defined as oil that has been refined from crude oil, or any synthetic oil, that has been used, and, as a result of use or as a consequence of extended storage or spillage, has been contaminated with physical or chemical impurities.

Used Oil

- Crankcase oil
- Gear oil
- Vegetable or animal oil used as a lubricant
- Hydraulic oil
- Transformer oil
- Transmission fluid

Not Used Oil

- Antifreeze
- Brake fluid
- Fuels
- Other automotive wastes
- Solvents
- Oil with a flash point < 100°F
- Oil with ≥ 5 ppm PCBs
- Oil with > 1,000 ppm halogens
### California Waste Codes

- Restricted Wastes: 700-800
- Inorganics: 100-199
- Organics: 200-300
- Sludges: 400-499
- Miscellaneous: 500-600

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### Exemptions

- Contaminated containers [22 CCR 66261.7]
- Scrap metal [22 CCR 66261.6(a)(3)(B)]
- Spent lead-acid storage batteries [22 CCR 66266.80-81]
- Universal wastes [22 CCR 66273]
- Used oil filters [22 CCR 66266.130]
- Recyclable latex paint [HSC 25217.4]
Container & Tank Management

Container

A container is a device that is open or closed, and portable, in which material can be stored, handled, treated, transported, recycled, or disposed of.
A tank is a stationary device designed to contain an accumulation of hazardous waste constructed primarily of non-earthen materials (e.g., wood, concrete, steel, plastic) that provide structural support.

**Container Accumulation Areas**

- Generators must have a designated central accumulation area (CAA)
  - Generators can have multiple CAAs
- LQGs – CAA must be > 50 ft from property line if ignitable (D001) or reactive (D003) waste present
- Facility must be maintained & operated to minimize possibility of a fire, explosion, or release
## Container Accumulation Areas

### Accumulation Time Limits & Volumes

<table>
<thead>
<tr>
<th>Category</th>
<th>Time Limit &amp; Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>LQG</td>
<td>90 days; no limit for hazardous waste stored on-site</td>
</tr>
<tr>
<td>SQG</td>
<td>180 days (270 days if shipped ≥ 200 miles); maximum 6,000 kg hazardous waste stored on-site</td>
</tr>
<tr>
<td>VSQG (previously CESQG)</td>
<td>No time limit until 100 kg of hazardous waste (180 days) or 1 kg of acutely or extremely hazardous waste is reached (then 90 days)</td>
</tr>
</tbody>
</table>

- Located in secure area with access controlled

![Danger Sign](image-url)
Central Accumulation Areas

• Emergency equipment:
  ▪ Internal communication devices
  ▪ Fire extinguishers
  ▪ Spill control equipment
• Equipment must be tested and maintained
• LQGs – inspection schedule must be implemented, records maintained

40 CFR 262.16(b)(8); 22 CCR 66265.15(b) & 66265.32-33

Container Management

• Hazardous waste containers must be marked with the following:
  1. The words “HAZARDOUS WASTE”
  2. Generator’s name and address
  3. Contents
  4. Physical state
  5. Accumulation start date
  6. Hazardous properties
• Labels must be legible and visible!

22 CCR 66262.34(f)
**Container Management**

- Hazardous waste containers must be:
  - In good condition (no signs of rust, damage, or leakage)
  - Compatible with the waste
  - Closed (except when adding or removing waste)

40 CFR 262.16(b)(2)(i-iii); 22 CCR 66265.171-173(a)

**Container Management**

Funnels must meet closure requirements.
Container Management

Aisle space between containers must allow for unimpeded access to containers.

Container Management

- Incompatible hazardous waste cannot be placed in the same container
Tank Management

- Hazardous waste tanks must be labeled with the following:
  - “Hazardous Waste”
  - Accumulation start date
  - Hazardous property of the waste

Tank Management – SQGs

A log to demonstrate the tank has been emptied within 180 days from hazardous waste first entering the tank must be maintained.
Basic Hazardous Waste Management

Used Oil

- Containers and tanks used to store used oil must be marked with “Used Oil” (in addition to hazardous waste markings)
- **Do not** mark used oil containers and tanks with “Waste Oil”

Container Storage Area Inspections

- Weekly:
  - Leaking containers
  - Deterioration of containers
  - LQGs – containment systems
- Inspections should be documented
Tank Inspections – SQGs

• Daily (unless tank has secondary containment):
  ▪ Discharge controls
  ▪ Monitoring data
  ▪ Tank level
• Weekly
  ▪ Construction materials of the tank
• Inspections should be documented

40 CFR 262.16(b)(3)(iii)

Tank Inspections – LQGs

• At least once each operating day:
  ▪ Overfill / spill control equipment
  ▪ Aboveground portions of tank
  ▪ Monitoring & leak detection equipment
  ▪ Area surrounding externally accessible portion of tank system (secondary containment)
• Inspections must be documented
• Inspection records maintained for 3 years

22 CCR 66265.195
Satellite Accumulation Areas

• Satellite Accumulation Areas:
  ▪ At or near where the waste is generated
  ▪ Under the control of operator of the process generating waste
  ▪ Only containers can be used
  ▪ One container per waste stream (unless generator determines using one container is not practical or safe – subject to DTSC review and approval)

22 CCR 66262.34(e)

Satellite Accumulation Areas

• Satellite Accumulation Areas:
  ▪ Limit of 55 gallons per waste stream
  ▪ Must meet all container management standards (weekly inspections not required)
  ▪ Container can be stored on-site for up to one year
  ▪ Container must be dated within three days it reaches capacity

22 CCR 66262.34(e)
General Housekeeping Practices

- Poor housekeeping can result in an increase in the amount of hazardous waste generated
  - Closure – protects workers from the waste and the waste from the elements
  - Spillage – must be cleaned up in a timely manner
  - Labeling – must be legible and visible
  - Inventory – do not exceed allowances

Potential Compliance Issue
Potential Compliance Issue

Potential Compliance Issue
Potential Compliance Issue

Potential Compliance Issue
Basic Hazardous Waste Management

Potential Compliance Issue

![Image of hazardous waste]

Miscellaneous Requirements

- Contaminated containers
- Spent lead-acid storage batteries
- Used oil filters
- Recyclable latex paint
- Universal wastes
Contaminated Containers

- Containers must be:
  - Empty – no continuous stream for liquids
  - Marked “EMPTY” (BMP)
  - Marked with the date they became empty
  - Stored on-site no more than one year (365 days)
  - Recycled
  - Recycle records are to be kept for 3 years

Contaminated Containers

- Containers that are 5 gallons or less and empty can be managed as municipal waste (trash)
- **Do not** dry containers; this may be considered treatment
Spent Lead-Acid Storage Batteries

- Management of batteries:
  - Stored upright on a pallet on a sealed surface
  - Stored to prevent the terminals from short circuiting
  - Stored on-site no more than one year (365 days – 180 days for more than a ton) and marked with out-of-service date
  - Recycle records are to be kept for 3 years

22 CCR 66266.80 & 66266.81

Drained Used Oil Filters

- Oil filters must be:
  - Drained (no free-flowing liquid)
  - Stored in a rainproof and closed container
  - Labeled “Drained Used Oil Filters” with an accumulation start date
  - Stored on-site no more than one year (365 days – 180 days for more than a ton)
  - Recycle records are to be kept for 3 years

22 CCR 66266.130
Recyclable Latex Paint

- Recyclable latex paint is any water-based latex paint, still in liquid form, that is transferred for the purposes of being recycled
- Liquid latex paint cannot be disposed of in the land or waters of the state

Recyclable Latex Paint

- Recyclable latex paint can be sent to a facility that manages used paint as long as:
  - Paint is managed in accordance with all applicable latex paint procedures
  - Paint is in liquid form and in its original packaging (or in a closed, labeled container)
  - [Continued…]
Recyclable Latex Paint

- If the facility accepts latex paint that is not recyclable, the paint is managed as a hazardous waste.
- If the paint is not excluded, the disposal of the paint is done so in a way that meets applicable federal requirements.

www.paintcare.org

Universal Waste

- Examples of universal waste:
  - Batteries
  - Spent lamps
  - Electronic devices (e-waste)
  - Mercury-containing devices
  - Aerosol cans (non-empty)
## Universal Waste

- **Universal waste:**
  - Must be kept in a closed container that is compatible with the waste
  - Labeled with:
    - “Universal Waste”
    - Type of waste (e.g., Waste Lamps, Used Batteries, Waste Aerosols)
    - Accumulation start date
  - Stored on-site for no more than one year (365 days)
  - Tracking records maintained for 3 years

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### Shipping Requirements

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22 CCR 66273
Shipping Requirements

• Hazardous waste must be profiled for disposal and transported:
  ▪ By a registered hazardous waste transporter
  ▪ Using a Uniform Hazardous Waste Manifest
  ▪ To a permitted facility
• RCRA hazardous wastes are subject to DOT regulations

Shipping Requirements

• Exceptions:
  ▪ VSQGs can self-transport hazardous waste to permitted HHW facility
  ▪ Used oil transported to recycling facility (55-gallon limit)
  ▪ Used oil generated during maintenance activities (55-gallon limit)
• These shipments do not require a hazardous waste transporter or Uniform Hazardous Waste Manifest
Shipping Requirements

- EPA form 8700-22 is the only manifest form that can be used
- Federal instructions included on the back of the manifest form

Shipping Requirements

- California has supplemental manifest instructions that include:
  - Submittal requirements
  - California waste codes
  - Hazardous waste management method codes
Shipping Requirements

• Generator is responsible for information in boxes 1 – 15
• Box 16 is for international shipments
• Box 17 is for transporter’s acknowledgement of receipt
• Boxes 18 – 20 are to be completed by designated facility (TSDF)

Shipping Requirements

• Manifest consists of 5 parts:
  • Page 1 – TSDF to EPA’s e-Manifest system
  • Page 2 – TSDF to Generator
  • Page 3 – TSDF Copy
  • Page 4 – Transporter Copy
  • Page 5 – Generator Initial Copy (legible copy must be mailed to DTSC within 30 days of shipment)
Shipping Requirements

The generator must submit a legible manifest copy to DTSC within 30 days from the date of shipment to:

DTSC Generator Manifests
P.O. Box 400
Sacramento, CA 95812-0400

• The TSDF must submit a manifest to EPA’s e-Manifest system
• Fees:

<table>
<thead>
<tr>
<th>Manifest Submission Type</th>
<th>Year 1 Fee (Estimated)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailed Paper</td>
<td>$20.00</td>
</tr>
<tr>
<td>Image Uploads</td>
<td>$13.00</td>
</tr>
<tr>
<td>Data File Uploads</td>
<td>$7.00</td>
</tr>
<tr>
<td>Electronic (includes hybrid)</td>
<td>$4.00</td>
</tr>
</tbody>
</table>
Shipping Requirements

• Generators must receive a signed copy of the manifest from the TSDF within 35 days from the date of shipment
• The generator is responsible to contact transporter and TSDF if copy is not received by the 35th day

Shipping Requirements

• If the signed manifest copy is not received, the generator must submit an exception report to DTSC within:
  ▪ 45 days for LQGs
  ▪ 60 days for SQGs
Shipping Requirements

• Exception report must include a legible copy of the manifest and efforts generator made to locate hazardous waste

• Exception reports sent to:

  DTSC Report Repository
  Generator Information Services Section
  P.O. Box 806
  Sacramento, CA 95812-0806

Shipping Requirements

• Consolidated shipments:
  ▪ Authorized hazardous waste streams consolidated into a single shipment from multiple generators
  ▪ Transported by a consolidated transporter
  ▪ Generator and transporter section of manifest completed by transporter
  ▪ Generator provided a receipt (signed by transporter and generator) for shipment
  ▪ Receipt retained by generated for 3 years from date of shipment
# Basic Hazardous Waste Management

## Shipping Requirements

- Used oil
- Contents of an oil/water separator
- Solids contaminated with used oil
- Brake fluid
- Antifreeze
- Antifreeze sludge
- Parts-cleaning solvents
- Asbestos and asbestos-containing materials
- Inks from the printing industry
- Chemicals and laboratory packs collected from K-12 school
- Filters from dispensing pumps for diesel and gasoline fuels
- Hydroxide sludge (contaminated solely with metal from a wastewater treatment process)
- Paint-related wastes including paints, thinners, filters, and sludge
- Spent photographic solution
- Dry cleaning solvents including perchloroethylene, naphtha, and silicone-based solvents
- Filters, lint, and sludge contaminated with dry cleaning solvent

---

**Thank You**

**Questions? Contact us at:**

NES, Inc.
1141 Sibley Street
Folsom, CA 95630

NESglobal.net
916-353-2360
800-637-2384
## UNIFORM HAZARDOUS WASTE MANIFEST

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Generator ID Number</td>
</tr>
<tr>
<td>2.</td>
<td>Page 1 of</td>
</tr>
<tr>
<td>3.</td>
<td>Emergency Response Phone</td>
</tr>
<tr>
<td>4.</td>
<td>Manifest Tracking Number</td>
</tr>
<tr>
<td>5.</td>
<td>Generator’s Name and Mailing Address</td>
</tr>
<tr>
<td></td>
<td>Generator’s Site Address (if different than mailing address)</td>
</tr>
<tr>
<td>6.</td>
<td>Transporter 1 Company Name</td>
</tr>
<tr>
<td></td>
<td>U.S. EPA ID Number</td>
</tr>
<tr>
<td>7.</td>
<td>Transporter 2 Company Name</td>
</tr>
<tr>
<td></td>
<td>U.S. EPA ID Number</td>
</tr>
<tr>
<td>8.</td>
<td>Designated Facility Name and Site Address</td>
</tr>
<tr>
<td></td>
<td>U.S. EPA ID Number</td>
</tr>
<tr>
<td>9a.</td>
<td>U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))</td>
</tr>
<tr>
<td>9b.</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Containers</td>
</tr>
<tr>
<td>No.</td>
<td>Type</td>
</tr>
<tr>
<td>11.</td>
<td>Total Quantity</td>
</tr>
<tr>
<td>12.</td>
<td>Unit Wt./Vol.</td>
</tr>
<tr>
<td>13.</td>
<td>Waste Codes</td>
</tr>
<tr>
<td>14.</td>
<td>Special Handling Instructions and Additional Information</td>
</tr>
<tr>
<td>15.</td>
<td>GENERATOR’S/OFFEROR’S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27 (a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.</td>
</tr>
<tr>
<td></td>
<td>Generators/Offeror’s Printed/Typed Name</td>
</tr>
<tr>
<td></td>
<td>Signature</td>
</tr>
<tr>
<td></td>
<td>Month Day Year</td>
</tr>
<tr>
<td>16.</td>
<td>International Shipments</td>
</tr>
<tr>
<td></td>
<td>Import to U.S.</td>
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<tr>
<td></td>
<td>Export from U.S.</td>
</tr>
<tr>
<td></td>
<td>Port of entry/exit:</td>
</tr>
<tr>
<td></td>
<td>Date leaving U.S.:</td>
</tr>
<tr>
<td>17.</td>
<td>Transporter 1 Printed/Typed Name</td>
</tr>
<tr>
<td></td>
<td>Signature</td>
</tr>
<tr>
<td></td>
<td>Month Day Year</td>
</tr>
<tr>
<td>18.</td>
<td>Discrepancy</td>
</tr>
<tr>
<td>18a.</td>
<td>Discrepancy Indication Space</td>
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<tr>
<td></td>
<td>Quantity</td>
</tr>
<tr>
<td></td>
<td>Type</td>
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<tr>
<td></td>
<td>Residue</td>
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<tr>
<td></td>
<td>Partial Rejection</td>
</tr>
<tr>
<td></td>
<td>Full Rejection</td>
</tr>
<tr>
<td></td>
<td>Manifest Reference Number:</td>
</tr>
<tr>
<td>18b.</td>
<td>Alternate Facility (or Generator)</td>
</tr>
<tr>
<td></td>
<td>U.S. EPA ID Number</td>
</tr>
<tr>
<td>18c.</td>
<td>Facility’s Phone:</td>
</tr>
<tr>
<td></td>
<td>Month Day Year</td>
</tr>
<tr>
<td>19.</td>
<td>Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)</td>
</tr>
<tr>
<td></td>
<td>1.</td>
</tr>
<tr>
<td></td>
<td>2.</td>
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<tr>
<td></td>
<td>3.</td>
</tr>
<tr>
<td></td>
<td>4.</td>
</tr>
<tr>
<td>20.</td>
<td>Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a</td>
</tr>
<tr>
<td></td>
<td>Printed/Typed Name</td>
</tr>
<tr>
<td></td>
<td>Signature</td>
</tr>
<tr>
<td></td>
<td>Month Day Year</td>
</tr>
</tbody>
</table>

DESIGNATED FACILITY TO EPA’s e-MANIFEST SYSTEM

EPA Form 8700-22 (Rev. 12-17) Previous editions are obsolete.
Federal and State hazardous waste manifest regulations changed on September 5, 2006. Detailed manifest instructions are printed on the back of the new federal manifest. These Supplemental California Instructions cover additional California requirements. Please use the instructions printed on the new manifest for item by item directions. Materials are available at www.dtsc.ca.gov (under ID numbers, Manifests & Fees, Hazardous Waste Manifests), including fact sheets and California’s manifest regulations, sample manifests, and federal instructions. For load rejections and consolidated manifesting, refer to the regulations and fact sheets.

**IMPORTANT MANIFEST CHANGES - PLEASE READ AND SAVE AS A REFERENCE**

The U.S. Environmental Protection Agency (EPA) revised the Uniform Hazardous Waste Manifest and requires the use of only the new version nationally after September 4, 2006. States are no longer allowed to modify the form or the instructions. Old versions of the California manifest, or manifests from other states, may not be used after September 4, 2006. The new manifest form is no longer color coded, and the new six-part form does not include a copy for generators to submit to their state, although California requires the generator to submit a copy.

**Where Do I Get Manifests?**

California does not sell the new manifest forms. Forms are available only from private printers approved by EPA. EPA posts approved printers at [www.epa.gov/epaoswer/hazwaste/gener/manifest/registry/index.htm](http://www.epa.gov/epaoswer/hazwaste/gener/manifest/registry/index.htm).

**Generators Must Submit Manifest Copies!**

California requires generators and permitted transfer, treatment, storage, and disposal Facilities (Facilities) to submit manifests. The federal manifest does not include a Generator-to-State submittal page, like the old manifest did (the blue page). Within 30 days of shipping the waste, generators must submit a copy of each manifest to DTSC. This copy can either be a legible photocopy or the “Generator Retains” copy, if the generators receive a signed facility copy back within 30 days. Generators may submit a copy of the “Generator Retains” copy (page 6), the top page (the most legible one - page 1), or any other page, as long as it is legible.

**What About Submitting Manifests for Rejected Loads?**

Generators should send copies of manifests they sign when receiving rejected waste or container residues to the Department of Toxic Substances Control’s (DTSC) Facility Manifests at P.O. Box 3000. Facilities signing new manifests for rejected loads should submit the generator copy to DTSC Generator Manifests at P.O. Box 400. See the rejected load fact sheet on DTSC’s web site.

**How Are California Manifest Requirements Different from Federal?**

- California requires conditionally exempt small quantity generators to use manifests and regulates more waste as hazardous.
- DTSC uses the submitted generator and facility manifest copies for cradle-to-grave tracking of waste.
- California’s definition of an “empty” container is more stringent. Non-empty containers must be manifested, including bulk containers, whether the waste is federal RCRA or non-RCRA.
- Facilities in other states are required to submit copies to DTSC when waste generated in California is received out of state. Out-of-state generators sending waste to California facilities, or that will be exported through California, are encouraged to submit manifest copies.

**Where Do I Find California Waste Codes?**

The new manifest has six blank boxes for waste codes for each waste stream. If the waste is RCRA regulated, at least one box must include a RCRA waste code. For waste generated in or shipped to California, a CA state waste code is also required. The additional boxes are for other states’ codes when the waste is sent out of state to a state with codes, or for extra RCRA codes. California Waste Codes are printed on the reverse side of these instructions only, not on the instructions printed on the manifest. They are also found in Title 22, California Code of Regulations, Appendix XII to Chapter 11 of Division 4.5.

**What are Hazardous Waste Report Management Method Codes (HWRMM Codes)?**

Previously, California’s manifest instructions required Designated Facilities to use one of 10 handling codes to report how the waste was handled at that facility. The new manifest uses 28 Management Method Codes. These are the same codes used in Biennial Reports. One of the HWRMM codes shown on the other side must be added on the manifest by the Facilities only. Generators and transporters do not add these codes.

**Contact Information:**

First, visit the DTSC web page at [www.dtsc.ca.gov/IDManifest](http://www.dtsc.ca.gov/IDManifest) for training information and review the basic instructions printed on the manifest. This document includes Supplemental Instructions only for use in California. For more information, contact your transporter or facility, or call DTSC’s Regulatory Assistance Officer at 800-72-TOXIC.
California Restricted Wastes – Use First, if applicable

**Inorganics**
- 121 Alkaline solution (pH > 12.5) with metals (antimony, arsenic, barium, beryllium, cadmium, chromium, cobalt, copper, lead, mercury, molybdenum, nickel, selenium, silver, thallium, vanadium, and zinc)
- 122 Alkaline solution without metals (pH > 12.5)
- 123 Unspecified alkaline solution
- 131 Aqueous solution (2 < pH < 12.5) containing reactive anions (azide, bromate, chloride, cyanide, fluoride, hypochlorite, nitrite, perchlorate, and sulfide anions)
- 132 Aqueous solution with metals (< restricted levels and see waste code 121 for a list of metals)
- 133 Aqueous solution with 10% or more total organic residues
- 134 Aqueous solution with <10% total organic residues
- 135 Unspecified aqueous solution
- 141 Off-specification, aged, or surplus inorganics
- 151 Asbestos-containing waste
- 152 Other spent catalyst
- 153 Metal sludge (see 121)
- 154 Metal dust (see 121) and machining waste
- 181 Other inorganic solid waste

**Organics**
- 211 Halogenated solvents (chloroform, methyl chloride, perchloroethylene, etc.)
- 212 Oxygenated solvents (acetone, butanol, ethyl acetate, etc.)
- 213 Hydrocarbon solvents (benzene, hexane, Stoddard, etc.)
- 214 Unspecified solvent mixture
- 221 Waste oil and mixed oil
- 222 Oil/water separation sludge
- 223 Unspecified oil-containing waste
- 231 Pesticide rinse water
- 232 Pesticides and other waste associated with pesticide production
- 241 Tank bottom waste
- 251 Still bottoms with halogenated organics
- 252 Other still bottom waste
- 261 Polychlorinated biphenyls and material containing PCB's
- 271 Organic monomer waste (includes unreacted resins)
- 272 Polymeric resin waste
- 281 Adhesives
- 291 Latex waste
- 311 Pharmaceutical waste
- 321 Sewage sludge
- 322 Biological waste other than sewage sludge
- 331 Off-specification, aged, or surplus organics
- 341 Organic liquids (nonsolvents) with halogens
- 342 Organic liquids with metals (see 121)
- 343 Unspecified organic liquid mixture
- 351 Organic solids with halogens
- 352 Other organic solids

Sludge
- 411 Alum and gypsum sludge
- 421 Lime sludge
- 431 Phosphate sludge
- 441 Sulfur sludge
- 451 Degreasing sludge
- 461 Paint sludge
- 471 Paper sludge/pulp
- 481 Tetraethyl lead sludge
- 491 Unspecified sludge waste

Miscellaneous
- 511 Empty pesticide containers 30 gallons or more
- 512 Other empty containers 30 gallons or more
- 513 Empty containers less than 30 gallons
- 521 Drilling mud
- 531 Chemical toilet waste
- 541 Photochemicals/photo processing waste
- 551 Laboratory waste chemicals
- 561 Detergent and soap
- 571 Fly ash, bottom ash, and retort ash
- 581 Gas scrubber waste
- 591 Baghouse waste
- 611 Contaminated soil from site clean-ups
- 612 Household waste
- 613 Auto shredder waste
- 614 Treated wood waste (new in 2007)

**HW REPORT MANAGEMENT METHOD CODES**

<table>
<thead>
<tr>
<th>New Codes</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H010</td>
<td>Metals recovery including retorting, smelting, chemicals, etc.</td>
</tr>
<tr>
<td>H020</td>
<td>Solvents recovery</td>
</tr>
<tr>
<td>H039</td>
<td>Other recovery or reclamation for reuse including acid regeneration, organics recovery, etc.</td>
</tr>
<tr>
<td>H050</td>
<td>Energy recovery at this site -- use as fuel (includes on-site fuel blending)</td>
</tr>
<tr>
<td>H061</td>
<td>Fuel blending prior to energy recovery at another site</td>
</tr>
<tr>
<td>H040</td>
<td>Incineration--thermal destruction other than use as a fuel</td>
</tr>
<tr>
<td>H071</td>
<td>Chemical reduction with or without precipitation</td>
</tr>
<tr>
<td>H073</td>
<td>Cyanide destruction with or without precipitation</td>
</tr>
<tr>
<td>H075</td>
<td>Chemical oxidation</td>
</tr>
<tr>
<td>H076</td>
<td>Wet air oxidation</td>
</tr>
<tr>
<td>H077</td>
<td>Other chemical precipitation with or without pre-treatment</td>
</tr>
<tr>
<td>H081</td>
<td>Biological treatment with or without precipitation</td>
</tr>
<tr>
<td>H082</td>
<td>Adsorption</td>
</tr>
<tr>
<td>H083</td>
<td>Air or steam stripping</td>
</tr>
<tr>
<td>H101</td>
<td>Sludge treatment and/or dewatering</td>
</tr>
<tr>
<td>H103</td>
<td>Absorption</td>
</tr>
<tr>
<td>H111</td>
<td>Stabilization or chemical fixation prior to disposal at another site</td>
</tr>
<tr>
<td>H112</td>
<td>Macro-encapsulation prior to disposal at another site</td>
</tr>
<tr>
<td>H121</td>
<td>Neutralization only</td>
</tr>
<tr>
<td>H122</td>
<td>Evaporation</td>
</tr>
<tr>
<td>H123</td>
<td>Settling or clarification</td>
</tr>
<tr>
<td>H124</td>
<td>Phase separation</td>
</tr>
<tr>
<td>H125</td>
<td>Other treatment</td>
</tr>
<tr>
<td>H131</td>
<td>Land treatment or application (to include on-site treatment and/or stabilization)</td>
</tr>
<tr>
<td>H132</td>
<td>Landfill or surface impoundment that will be closed as landfill (to include on-site treatment and/or stabilization)</td>
</tr>
<tr>
<td>H134</td>
<td>Deepwell or underground injection (with or without treatment)</td>
</tr>
<tr>
<td>H135</td>
<td>Discharge to sewer/POTW or NPDES (with prior storage--with or without treatment)</td>
</tr>
<tr>
<td>H141</td>
<td>Storage, bulking, and/or transfer off site--no treatment/recycling (H010-H129), fuel blending (H061), or disposal (H131-H135) at this site</td>
</tr>
</tbody>
</table>
Used Oil Generator Requirements

Regulatory Assistance Officers Notes:

This guidance provides an overview of requirements for generators managing used oil in California. For a complete legal description of requirements specific to used oil, consult California Health and Safety Code (Health & Saf. Code), chapter 6.5, division 20, article 13 (commencing with section 25250), and California Code of Regulations title 22, division 4.5 (Cal. Code Regs.), including chapter 29 (used oil) commencing with section 66279.1.

Used Oil Management

Legal Definition of Used Oil:

Health and Safety Code section 25250.1 defines used oil as “any oil that has been refined from crude oil, or any synthetic oil, that has been used, and, as a result of use or as a consequence of extended storage, or spillage, has been contaminated with physical or chemical impurities”.

Used oil includes, but is not limited to, the following:

<table>
<thead>
<tr>
<th>Used motor oils:</th>
<th>Used industrial oils:</th>
<th>Other oils:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle crankcase oils</td>
<td>Hydraulic oils</td>
<td>Transformer oils</td>
</tr>
<tr>
<td>Engine lubricating oils</td>
<td>Compressor oils</td>
<td>Refrigeration oils</td>
</tr>
<tr>
<td>Transmission fluids</td>
<td>Turbine oils</td>
<td>Metalworking oils</td>
</tr>
<tr>
<td>Gearbox and differential oils</td>
<td>Bearing oils</td>
<td>Railroad oils</td>
</tr>
<tr>
<td>Gear oils</td>
<td>Vegetable oils used for lubrication</td>
<td></td>
</tr>
</tbody>
</table>

Waste synthetic oils that may be managed as used oil include:

- Oil derived from coal, oil shale, or polymers;
- Water-soluble petroleum-based oils;
- Vegetable or animal oil used as a lubricant;
- Hydraulic fluid;
- Heat transfer fluid.
Used oil does NOT include:
Antifreeze,
Brake fluid,
Other automotive wastes,
Fuels,
Solvents.

Substances which are not regulated as used oils include:
Oils with a flashpoint below 100°F;
Oils mixed with hazardous waste;
Wastewater containing small amounts of used oil;
Oily wastes that are not used oil;
Oily wastewaters that are not used oil;
Tank bottoms;
Used oil processing bottoms;
Used oil re-refining distillation bottoms;
Cooking oils (edible);
Grease;
Oils containing 5 parts per million (ppm) polychlorinated biphenyls (PCBs) or greater;
Oils containing more than 1,000 ppm total halogens *;

* See rebuttable presumption guidance and Health and Safety Code section 25250.1, subdivision (a)(1)(B)(v) and California Code of Regulations, title 22, section 66279.10

Used Oil Management
Health and Safety Code section 25250.4 requires that used oil be managed as a hazardous waste in California unless it has been recycled and is shown to meet the specifications for recycled oil in Health and Safety Code section 25250.1(b), or qualifies for a recycling exclusion under Health and Safety Code section 25143.2.

Used Oil Generator Requirements

For Households
Householders who change their own oil must manage their used oil appropriately (e.g., by taking it to a used oil collection center, etc., and never disposing of it to land, water, storm drains, etc.) Householders are allowed to transport their own used oil to a used oil collection center or to a used oil recycling facility without needing an EPA Number or using a hazardous waste manifest. Some communities have a curbside used oil pickup program for residents. Check with your local solid waste or environmental health agency to see if a recycling program is offered in your area.

For Everybody Else
Under Health and Safety Code section 25250.11, businesses generating used oil as well as used oil collection centers are required to meet all hazardous waste generator requirements operating. These requirements are found in California Code of Regulations, title 22, sections 66279.20 and 66279.21 which refer the reader directly to section 66262.10 (Hazardous Waste Generator Requirements).
DTSC has a guidance document Generator Requirements that give detailed explanation of the requirements. Below are some basic requirements applicable to most used oil generators.

**EPA ID Numbers**
Each non household generator of used oil needs to have an EPA Identification Number issued by DTSC or US EPA for each site where used oil is generated, accumulated or stored. See the Regulatory Assistance Guidance “EPA Identification Numbers.”

**Accumulation/Storage Requirements**

**Containers**
The definition of container is given in California Code of Regulation, title 22, section 66260.10. Containers by definition are portable. A “portable” tank that can be moved while it contains waste is regulated as a container. The references to container management requirements are found in California Code of Regulations, title 22, section 66262.34 subsection (a)(1) which directs the reader to Article 9 Use and Management of Containers commencing with California Code of Regulation, title 22, section 265170.

In brief, Article 9 states that containers (including portable tanks) that are used for the accumulation of used oil must be kept in good condition and have adequate structural support to contain the used oil. There must be no severe rusting, no apparent structural defects or deterioration, and no leaking. All containers must have tight-fitting lids that are kept closed except when used oil is being added or removed. If a funnel is used in the bung hole of a container, it must either be removed when the container is not being added to (and the container closed), or be equipped with a valve or cover of some sort to prevent leakage if the drum should be turned over. Regular inspection and routine maintenance of all containers is required. Faulty containers must be repaired or replaced.

According to California Code of Regulation, title 22, section 66262.34 subsection (f), Containers accumulating used oil must be labeled with the name and address of the generator and the words “Used Oil,” “Hazardous Waste”. In addition the container must be labeled with the initial date of accumulation.

**Everybody Else (Generator >1,000kg/month)**
The references to tank management requirements are found in California Code of Regulations, title 22, section 66262.34 subsection (a)(1) which directs the reader to Article 10 Tank Systems commencing with section 66265.190.

In brief, Article 10 states that tanks that are used for the accumulation of used oil must be kept in good condition. Tanks must be made of non-earthen, non-absorbing, rust-resistant material such as steel or oil-resistant plastic, and have adequate structural support to contain the used oil. There must be no severe rusting, no apparent structural defects or deterioration, and no leaking. Regular inspection and routine maintenance of all storage tanks is required. Faulty tanks must be repaired or replaced.
For those generators that must comply with Article 10, secondary containment (Cal. Code Regs., tit. 22, § 66265.193) and tank certifications (Cal. Code Regs., tit. 22, §§ 66265.191 and 66265.192) are required for storage tanks.

Secondary containment is a backup system designed to prevent the release and migration of wastes or accumulated liquids out of a storage tank or a storage tank system. Examples of secondary containment systems include an impervious berm area or liner, a vault, or a double-walled tank.

Above-ground storage tanks and fill pipes used to transfer used oil into underground storage tanks must be labeled with the words “USED OIL,” “HAZARDOUS WASTE,” and the initial date of accumulation. In addition, containers must be labeled with the name and address of the generator. (Cal. Code Regs., tit. 22 § 66262.34(f))

Transporting Used Oil
Prior to transporting individual containers of used oil, regulations ((Cal. Code Regs., tit. 22 §§66262.31 and 66262.32) require that the generator must label shipping containers for used oil as follows:

HAZARDOUS WASTE - State and Federal Law Prohibit Improper Disposal. If found, contact the nearest police or public safety authority, the U.S. Environmental Protection Agency or the California Department of Health Services.

- Generator’s name and address
- Proper Department of Transportation (DOT) shipping name
- Uniform Hazardous Waste Manifest number and the shipping identification number (if an individual manifest is used).

An example is pictured to the right

Self Transport
Any generator of used oil is allowed to self transport, in a vehicle under the control of the generator, up to 55 gallons of used oil in containers of not greater than 55-gallon capacity to a used oil collection facility operating pursuant to Health and Safety Code section 25250.11. No hazardous waste manifest is required nor do you need to be a registered hazardous waste transporter. The statute gives the upper limit of the amount of used oil that may be accepted by a used oil collection facility. Since handling 55 gallon drums requires special equipment, many used oil collection facilities will not accept more than 20 gallons. Therefore the generator must first call the collection facility and ensure the facility can accept more than 20 gallons of used oil.

Hire Someone Else
If you hire somebody else to transport your used oil, California law requires that the used oil be transported by a registered hazardous waste transporter using a hazardous waste manifest. In order to be managed under the less restrictive used oil regulations, the used oil must be transported to an authorized recycling facility.
Hazardous Waste Manifests

**Consolidated Manifesting**
Most businesses that generate used oil contract with a used oil collection service that uses a consolidate program to provide the generator (at the time of used oil pickup) a legible copy of a receipt for each quantity of used oil received. The generator must maintain these receipts for 3 years. Each receipt must contain the following information:

- Generator’s name, address, EPA Identification Number, contact person and telephone number.
- Generator’s signature or signature of generator’s representative,
- Date of shipment,
- Manifest number (pre-printed on the manifest),
- Volume, waste code(s) and shipping description of each type of used oil received,
- Name, address and identification number of the authorized facility to which the used oil is being transported,
- The transporter’s name, address and identification number,
- The driver’s signature,
- A statement, signed by the generator, certifying that the generator has established a waste minimization 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.

- When using a consolidated manifest, the transporter is required to make a copy of the “generator copy” of the manifest and send it to DTSC. The transporter must also prepare and submit a quarterly report.

**Full Hazardous Waste Manifests**
Some used oil generators ship their used oil using a full hazardous waste manifest. When you give the used oil to the transporter for shipping, you must also complete a hazardous waste manifest. At the time of shipment, you and the transporter sign off on the manifest and keep one copy (the “generator copy”). As the generator, within 30 days of shipment, you must make a copy of the manifest with the generator and first transporter signatures and mail it to DTSC at:

**DTSC Generator Manifests**
P.O. Box 400
Sacramento, CA 95812-0400

The remaining manifests go with the transporter, who either delivers the waste to another transporter or a destination facility. Each transporter keeps a copy of the manifest. When the used oil is delivered to the destination facility, the destination facility signs off on the manifests and sends a copy to DTSC at:
Specific requirements for used oil transporters are contained in the statutes and regulations cited at the beginning of this guidance as well as guidance developed specifically for transporters.

**Destination Facility**
In order to be managed under the less restrictive used oil regulations, California law requires that the used oil be transported to an authorized (e.g. permitted) recycling facility. The recycling facility may be located outside of California, as long as the facility is authorized under the statutes and regulations of the state in which the facility is located.

When the used oil is delivered to the destination facility, the destination facility signs off on the manifests and sends a copy to DTSC at:

**DTSC Facility Manifests**
P.O. Box 3000
Sacramento, CA 95812

**Useful Contact Information**

**DTSC Regulatory Assistance Officers**
If you cannot find the answer to your question in this fact sheet, contact the DTSC Regulatory Assistance Officers. You can call them at 800-728-6942, email them at RAO@dtsc.ca.gov, or contact them through the Regulatory Assistance Web page.

DTSC Regulatory Assistance Officers provide informal guidance only regarding management of hazardous waste for the convenience of the public. Such advice is not binding upon DTSC, nor does it have the force of law. If you would like a formal opinion on a matter by DTSC, please contact the responsible program office directly. You should also refer to the statutes and regulations, DTSC Policies and Procedures, and other formal documents.
Managing Empty Containers

Regulatory Assistance Officer's Introduction
The Department of Toxic Substances Control (DTSC) has prepared this fact sheet to provide an overview of general information about the management of empty containers. Throughout this fact sheet, citations from the California Code of Regulations and the California Health and Safety Code are linked to databases containing those citations. If you generate hazardous waste, you should consult with your Certified Unified Program Agency (CUPA). Finally, DTSC strongly encourages all businesses generating hazardous waste to consider waste minimization, source reduction and pollution prevention.

Background:
Properties throughout California have been contaminated because containers holding residual hazardous materials at the sites were not managed properly. Ironically, operators at many of these sites were recycling and reconditioning drums and containers, activities that we would like to encourage. Since much of the contamination at drum reconditioning sites resulted from mismanaging hazardous material residues that were removed from “empty” containers, DTSC developed regulations that set forth a definition of “empty container.” These regulations establish management practices, which, if met, exempt “empty” containers from further regulation under the hazardous waste regulations. Only containers that once held hazardous materials or hazardous wastes are subject to these regulations. The regulations are found in Title 22, California Code of Regulations, section 66261.7.
Definition of a Container:
A container is any portable device in which material can be stored, handled, treated, transported, recycled, or disposed of. The definition of container is found in California Code of Regulations, Title 22, section 66260.10. Containers range in size from small lab bottles to trucks and rail cars, but the most common containers used for hazardous waste and hazardous materials management are 55 gallon steel or plastic drums and inner liners from these drums. The empty container management requirements discussed in this fact sheet pertain to containers and their liners that are 119 gallons or less in volume. Those who manage containers with a capacity of greater than 119 gallons (“bulk containers”) must follow the requirements given in California Code of Regulations, title 22, section 66261.7(p).

Definition of an “Empty” Container:
The strategy adopted by DTSC to define an “empty” container or container liner was to establish standards that require the generator (the person who uses the contents of the container) to empty the container of material as much as is reasonably possible. This standard is more stringent than the federal empty standard (found in Title 40 Code of Federal Regulations, section 261.7), which allows up to one inch or 3% of the total weight of the container’s contents to remain in the container. The California regulation sets three standards to define an empty container, each based on the type of material held by the container:

Containers That Held Pourable Materials:
For containers that held a material that can be readily poured, all material must be removed by any practicable means (including draining, pouring, pumping or aspirating) before the container can be considered empty. In regards to draining, a container is empty when there is no longer a continuous stream of material coming from the opening when the container is held in any orientation (see the first question in the list of commonly asked questions at the end of this document).

Containers Holding Non-Pourable Materials:
For containers that previously held materials that are non-pourable, no hazardous material shall remain in the container that can feasibly be removed by physical methods, including scraping and chipping, but not rinsing. This standard applies to materials that pour slowly or don’t pour at all from the container, including, but not limited to, viscous materials, solids which have “caked up” inside the container, and non-pourable sludges.

Containers Holding Acute or Extremely Hazardous Waste:
Containers which previously held acute or extremely hazardous waste are considered empty only if the container has been triple-rinsed using a solvent capable of removing the material, or cleaning by another method which is proven to achieve equivalent removal to triple-rinsing. These activities may require formal authorization (permitting) by DTSC or the CUPA. This standard is similar to the federal standard.
MANAGEMENT PRACTICES

In order to retain the exemption from regulation, “empty” containers must be managed according to the following management practices:

− By reclaiming the container’s scrap value onsite;
− By sending the container to a person who reclaims the container’s scrap value;
− By reconditioning or remanufacturing the container onsite; or
− By shipping the container to a person who reconditions or remanufactures the container.

Note that it is not mandatory for generators to manage empty containers under the provisions of this section. The section allows the generator to use management standards that are less stringent than hazardous waste standards. A generator may instead decide to recycle containers onsite per the subsequent onsite accumulation of waste oil or other compatible waste or product.

Containers Being Sent Back to the Manufacturer for Refilling:

Containers that are sent back to the supplier for the purpose of being refilled are exempt from DTSC regulations if all of the following requirements are met:

− The container was last used to hold a hazardous material acquired from a supplier of hazardous materials;
− The container is empty per the federal standards in Section 261.7 of Title 40 of the Code of Federal Regulations;
− The container is returned to a supplier of hazardous materials for the purpose of being refilled, as long as the supplier’s reuse of the container is in compliance with the Department of Transportation (DOT) requirements for shipping containers found in Section 173.28, Title 49, Code of Federal Regulations;
− The container is not treated prior to being returned to the supplier of hazardous materials, except as authorized by section 66261.7.
− The container is not treated (except as authorized section 66261.7) by the supplier of hazardous materials without obtaining specific authorization from the Department; and
− The container is refilled by the supplier with hazardous material which is compatible with the hazardous material which the container previously held unless the container has been adequately decontaminated.

Containers of Five Gallons or Less In Capacity:

“Empty” containers of five gallons or less in capacity can be managed by one of the following methods:

− By reclaiming the container’s scrap value onsite;
− By sending the container to a person who reclaims the container’s scrap value;
By reconditioning or remanufacturing the container onsite; or
− By shipping the container to a person who reconditions or remanufactures the container.
− By disposing of the container at an appropriate solid waste facility;

An “appropriate solid waste facility” is one that can accept the empty, unrinsed containers. Some solid waste facilities and municipal waste haulers will not accept empty, unrinsed hazardous materials containers, so generators should check with their local solid waste management agencies before disposing of these containers as solid wastes.

**Special Provisions for Specific Containers**

**Household Containers**
Emptied household hazardous material and pesticide containers with a capacity of five gallons or less are exempt from regulation if the container was emptied by removing all of the contents that can be removed using practices commonly employed to remove materials from that type of container.

**Compressed Gas Cylinders**
Compressed gas cylinders are exempt from regulation when the pressure in the cylinder approaches atmospheric pressure.

**Aerosol Containers**
Aerosol containers are exempt from regulation when the container is emptied to the maximum extent practical under normal use provide that:

− The empty can is not regulated by the federal law under the Resource Conservation and Recovery Act (RCRA); and

− The aerosol container did not previously hold an acute or extremely hazardous waste.

Aerosol containers with hazardous material remaining in the container, including those due to a clogged nozzle, damaged valve, or loss of propellant, are not exempt from regulation and must be managed as hazardous wastes or managed as universal wastes pursuant to California Health and Safety Code section 25201.16.

**Containers Made of Absorptive Materials:**
Containers made of absorptive materials such as wood, cardboard, cloth or paper cannot be exempt from regulation if the container was in direct contact with and has absorbed the hazardous material.
Pesticide Containers from Commercial Farms

Pesticide containers or the inner liners from pesticide containers that have been generated by commercial farming operation do not have to be regulated as hazardous waste if they are managed according to California Code of Regulations, title 22, section 66262.70. The containers must be emptied by removing all of the contents that can be removed by draining, pouring, pumping, or aspirating. The containers then must be triple-rinsed with a liquid capable of dissolving the pesticide that the containers held. The rinsate must be managed properly, such as placing it back into the pesticide sprayer for application. After triple-rinsing, the containers must be punctured, shredded, crushed, or otherwise changed so as to prevent subsequent use or reuse. They then can be disposed of, recycled by reclaiming their scrap value or reused in accordance with the provisions of Health and Safety Code section 25143.2(d)(6).

Bulk Containers

Bulk containers are those with a capacity of greater than 119 gallons, including tanker trucks, roll-off bins and railroad cars (see the definition in California Code of Regulations, title 22, section 66260.10). They are included in the contaminated-container regulations, but the requirements are different from smaller containers because they are not normally discarded. If you manage bulk containers, be sure to carefully read the regulations relating to them found in the California Code of Regulations, title 22, section 66261.7(p).

Items Not Considered Containers by this Regulation:

Some containers are regulated by other sections of the federal regulations, the California Code of Regulations or the California Health and Safety Code, so the standards outlined in the contaminated container regulations cannot be used to exempt them from regulation. The contaminated container regulations do not apply to the following items:

- Used oil filters are managed per California Code of Regulations, title 22, section 66266.130
- PCB (polychlorinated biphenyl)-contaminated electrical equipment (transformers, circuit-breakers, etc.) managed under:
  - 40 Code of Federal Regulations section 761.60: Federal Toxic Substance Control Act requirements for PCBs,
  - California Code of Regulations, title 22 sections 66261.24(a)(2): Soluble Threshold Limit Concentration and Total Threshold Limit Concentration values, 66268.29(b)
  - California PCB Land Disposal Requirements, and 67426.1 through 67429.1 (management of PCB light ballasts).
- Chemotherapy drug intravenous bags and delivery tubing are managed as medical waste per Chapter 6.1 of division 20 of the Health and Safety Code. The California Department of Health Services Medical Waste Management Program regulates medical waste.
COMMONLY ASKED QUESTIONS

Definition of “Empty”

Q. Regarding the definition of “empty,” no matter how long the container is allowed to drain, some material might still drip when the container is inverted. How would an inspector verify that the container is truly empty?

A. As some residual material will always remain in the "empty" container, an inspector inverting the “empty” container may see some drops drip from the containers. This should not be considered a violation; however, a continuous stream of liquid from the container could be considered a violation. Therefore, generators should allow sufficient time for the container to drain in order to satisfy the “empty” standard.

Q. If I manage to “empty” the container pursuant to California code of Regulations, title 22, section 66261.7, can I assume that the container is non-hazardous at that stage?

A. No. The contaminated container regulations do not classify the containers as non-hazardous at any stage; they only grant an exemption if both the "empty" standard and the management practices are met. The intent of the regulations were to ease the regulatory burden on those generators that are interested in recycling the containers, as well as those involved in the transporting, recycling, refurbishing, and metal recovering contaminated containers. Mismanaged containers lose their exemptions and are subject to full regulation under the hazardous waste control laws.

Management Practices

Q. If the container is considered empty, then why should generators bother with the management practices?

A. “Empty” containers can still contain some residual hazardous materials that could cause significant harm if mismanaged. Therefore, the management practices outlined in California Code of Regulations, title 22, section 66261.7 are necessary to protect public health and the environment.

Q. Do I need to fill out a manifest and use a registered hauler to transport my “empty” containers?

A. Not if they meet all requirements for exemption. You are not required to fill out a hazardous waste manifest or use a registered hauler to transport the exempt containers. However, all empty containers must be transported in accordance applicable US DOT regulations, which include certain packaging and labeling requirements.

Q. My local program has authorized me to rinse containers under the tiered permitting program. Must I continue to manage my containers under these regulations after they have been decontaminated?

A. If you decontaminate your containers so that they do not exhibit hazardous characteristics and no longer present a hazard to human health and the environment, then they are no longer subject to the contaminated container regulations.
Aerosol Containers:

Q. If I have an aerosol container with a clogged nozzle and I know that when I shake the container there is some liquid inside, is this can exempt from regulation?

A. No. Aerosol containers that are not or cannot be emptied of contents and propellant will not qualify for the exemption and should be managed as either hazardous or universal waste.

Q. If an aerosol can is empty to the maximum extent practical under normal use (i.e., I push the nozzle and nothing comes out and invert the container and I don't feel any liquid flow), is this container exempt from regulation? Can I puncture the container and send it for recycling?

A. Yes, but with an important caveat. Empty aerosol containers that did not previously hold acute or extremely hazardous waste are exempt from regulation and can be managed as non-hazardous waste. Puncturing or crushing exempt cans is not treatment of hazardous waste. However, since modern aerosol products often utilize flammable or explosive propellants, puncturing activities should be conducted only with proper aerosol-puncturing equipment that meets air-quality, OSHA, and other mandates.

Permit Requirements

Do I need a formal grant of authorization (permit) from DTSC to conduct the following activities:

Q: Remove non-pourable materials from containers to meet the "empty" definition?

A: No. The DTSC authorized the use of physical methods (excluding rinsing) to remove non-pourable materials from containers. See California Code of Regulations, title 22 section 66261.7(b)(2). This authorization is not applicable to containers that previously held acute or extremely hazardous waste.

Q: Treat a container which previously held acute or extremely hazardous waste?

A: Triple-rinsing, or any other scientifically proven method to remove the acutely or extremely hazardous material, requires formal authorization from DTSC or the CUPA. The only exceptions are:

- When the activity qualifies for exemption as specified in the recycling provisions of Heath and Safety Code Section 25143.2(c)(2)

The rinsing is conducted under the laboratory “benchtop treatment” exemption in California Health and Safety Code section 25200.3.1, or

The “treatment” is part of the manufacture’s instruction for using the material. For example, some manufacturers instruct the user of a material to place a small amount of a neutralizing agent into a container after it has been emptied, in order to prevent reactive compounds from forming from the chemical residues.
Q. Treat (rinse or shred) contaminated containers that did not previously contain acute or extremely hazardous waste?

A: The regulations allow treatment of containers without a permit, provided that container is “empty” as defined by the California regulations that it did not previously contain acute or extremely hazardous waste, and that it is managed pursuant to the management practices outlined in California Code of Regulations, title 22, section 66261.7.

Containers of 119 gallons or less in capacity that are empty pursuant to the federal standard (40 CFR 261.7), but not empty to the California standards may be treated under the authorization of the Conditional Exemption tier for Specified Wastestreams (CESW). Generators operating under CESW must comply with all the requirements set forth in California Health and Safety Code section 25201.5. For further information on the tiered permitting requirements, contact your local Certified Unified Program Agency (CUPA).

GENERAL QUESTIONS

Q. Do the contaminated containers regulations apply to underground storage tanks?

A. No. Underground storage tanks are not portable devices and thus are not considered containers (refer to the definition of a container on page 1). Therefore, the contaminated container regulations do not apply to underground storage tanks. Decontamination of underground tanks is covered in California Code of Regulations, title 22, chapter 32, beginning with section 67383.1.

Q. If the container had an inner liner that prevented contact of the material with the inner surface of the container, is the container still regulated as hazardous waste once I remove the inner liner?

A. No. Once the liner is removed, the container is exempt from regulation. This applies to containers of all sizes. It also applies to containers that previously held acute or extremely hazardous waste and containers that are made of absorptive materials. This exemption will not apply if the inner liner leaked and thus resulted in contaminated the outer container.

Q. Can I "reclaim" contaminated containers by making them into barbeques or other items? Isn't that "reclaiming scrap value"?

A. The contaminated container regulations do not address the reuse of containers in this way. The term "reclaiming scrap value" in the regulations is considered to be the sale of containers to a scrap metal facility. If a person wanted to use contaminated containers as a “raw material” to produce another product, the generator or handler would have to manage it as hazardous waste and decontaminate it. Decontamination of hazardous waste is considered to be treatment subject to permitting requirements, in this case, under tiered permitting. The person conducting treatment would have to be able to demonstrate that the containers were completely decontaminated before managing them as non-hazardous containers. The commercial use of containers to produce food appliances may also come under regulation by the Department of Food, Drug and Agriculture and other State and federal public health agencies.
Q. Does laboratory glassware fit the definition of “empty containers”?

A. Yes. Contaminated laboratory glassware can be discarded or recycled if empty, or washed and reused. If it had contained extremely hazardous or acutely hazardous waste, the generator would need to triple rinse it before discarding it.

**DTSC REGULATORY ASSISTANCE OFFICERS**

If you cannot find the answer to your question in this fact sheet, contact the DTSC Regulatory Assistance Officers. You can call them at 800-728-6942, or contact them through the Department of Toxic Substances Control website — [http://www.dtsc.ca.gov](http://www.dtsc.ca.gov) — follow the “Contact us” then “Regulatory Assistance Officers” links to the page listing each of the Regulatory Assistance Officers email addresses or at RAO@dtsc.ca.gov.

DTSC Regulatory Assistance Officers role is to provide informal guidance regarding management of hazardous waste for the convenience of the public. Such advice is not binding upon DTSC, nor does it have the force of law. If you would like a formal opinion on a matter by DTSC, please contact the responsible program office directly. You should also refer to the statutes and regulations, DTSC Policies and Procedures, and other formal documents.

We also encourage you to complete a Cal/EPA Customer Satisfaction survey [http://www.calepa.ca.gov/ContactUs/](http://www.calepa.ca.gov/ContactUs/) so that we may improve our Regulatory Assistance Office.
Managing Used Oil Filters for Generators

Regulatory Assistance Officers Notes:
This guidance provides an overview of requirements for managing used oil filters in California. Although certain fuel filters may be managed as used oil filters under certain circumstances please see separate guidance for fuel filters. For a complete legal description of requirements specific to used oil filters, consult California Health and Safety Code (HSC), chapter 6.5, division 20, article 13 §25250.22, and California Code of Regulations title 22, division 4.5, (22CCR) §66266.130.

Used Oil Filters
Used oil filters may exhibit hazardous characteristics for lead, other heavy metals and petroleum-derived compounds and are classified as hazardous waste in California. To encourage recycling of used oil filters, DTSC adopted reduced handling requirements for drained used oil filters that are sent for recycling as scrap metal.

If not sent for recycling, used oil filters are assumed to be hazardous waste unless they are proven to be non-hazardous by laboratory analysis. This means that, unless you can prove that they are not hazardous waste by chemical testing, used oil filters that are not recycled must be managed as fully regulated hazardous waste. Improper management of used oil filters can result in significant fines and penalties. Do not dispose of used oil filters in trashcans or at non-hazardous waste landfills.

Summary of Generator Management Requirements for Used Oil Filters and Fuel Filters:
- Drain and collect the free-flowing oil from the filters.
- The collected oil may be managed under the requirements for used oil.
- Properly contain, label and store the used filters.
- Store the filters within the allowed time limits.
- Transport under a bill of lading to an appropriate destination for eventual metal recycling.
- Keep a copy of the bill of lading for three years.

Draining: How much is enough?
Used oil and fuel filters must be drained of all free-flowing oil or fuel before they are placed in storage containers. The term “free-flowing” means a continuous stream of used oil from the filter when it is turned over. Used oil that flows drop-by-drop is not considered to be free-flowing. If the filter is equipped with a flapper valve or other device that blocks the drainage, the valve must be opened or the filter case punctured or opened to allow the residual used oil or fuel to drain freely.

Oil filter crushers are commonly used by oil filter generators to remove oil and compact oil filters for shipping. The used oil filter regulations allow generators to pierce and crush drained oil filters to prepare them for recycling, and this treatment does not require a hazardous waste treatment permit. The generator must properly manage all used oil and other residues that drain from the filters as a result of the crushing, puncturing or other activities. Used oil must be managed as hazardous waste.

**Containers: What to keep them in?**
Since oil filters can still drip oil after they have been drained, oil filters must be placed in a container that can capture all of the used oil that continues to drain from the filters. The containers of used filters must be:
- Labeled as “Drained Used Oil Filters”, clearly marked with the initial date of accumulation or receipt. The initial date of accumulation is the date when the first filter is placed in the container, or the date when a container of filters is received at a second location,
- Contained in rainproof, non-leaking, closed containers, and
- Closed and sealed containers during transportation so that used oil will not spill out if the containers are placed or fall on their sides.

**Storage: How much and for how long?**
Generators may store up to one ton of used oil filters for a period of up to one year, and storage of one ton or more of used oil filters is limited to 180 days, unless the storage facility has a hazardous waste permit authorizing longer storage. One ton of filters are approximately equivalent to nine drums of uncrushed filters or six drums of crushed filters.

**Allowed Destinations: Where can I send them?**
The purpose of the oil filter regulations is to encourage recycling of the metal cases and oil. Because of this, you may only send them to certain facilities. While anybody can collect properly drained used oil filters without a hazardous waste permit, the only allowed destinations for used oil filters are:
- to a used oil collection center that accepts used oil filters;
- to a smelter or scrap metal processor for recycling;
- to a municipal solid waste incinerator for energy recovery, only if the remaining metal casings then are sent to a smelter or scrap metal processor for recycling;
- to a storage or consolidation facility that then transfers the filters to a smelter, scrap metal processor or municipal solid waste incinerator as described above; or
- to an authorized hazardous waste facility including a household hazardous waste facility.
Transportation: Who and how?
You can either take your filters to a destination facility in your own vehicle, or you can hire a shipper to take them there for you. The shipper does not need to be a registered hazardous waste transporter. Before you ship, you need to be sure that you:

- only transport filters that have been properly drained;
- prevent any spillage of used oil by sealing the containers tightly before transportation and inspecting them to be sure that they do not leak;
- secure the containers in the transport vehicle to prevent movement or tipping during transportation;
- use a bill of lading with each shipment of used oil filters, and include the following information on the bill of lading:
  - Generator’s name, address, and telephone number;
  - Transporter’s name, address, and telephone number;
  - Name, address and telephone number of the receiving facility; quantity and capacity of the containers in the shipment;
  - Date of transportation.

A copy of each bill of lading must be kept on file by the transporter, generator and receiving facility for at least 3 years. Unlike the hazardous waste manifest, copies of bills of lading are not sent to DTSC.

USEFUL CONTACT INFORMATION

DTSC Regulatory Assistance Officers
If you cannot find the answer to your question in this fact sheet, contact the DTSC Regulatory Assistance Officers. You can contact them at 800-728-6942, through their email address RAO@dtsc.ca.gov, or contact them through the Department of Toxic Substances Control Web site.

DTSC Regulatory Assistance Officers provide informal guidance only regarding management of hazardous waste for the convenience of the public. Such advice is not binding upon DTSC, nor does it have the force of law. If you would like a formal opinion on a matter by DTSC, please contact the responsible program office directly. You should also refer to the statutes and regulations, DTSC Policies and Procedures, and other formal documents.
Introduction

Assembly Bill (AB) 2254 (Aghazarian, ch. 240, stats. 2004), was signed into law on August 23, 2004, and became effective on January 1, 2005. Generally, this new law allows waste filters that contain residues of gasoline or diesel fuel (hereafter referred to as waste fuel filters) to be managed according to Department of Toxic Substances Control (DTSC) regulations for the management of used oil filters. AB 2254 imposes several specific requirements on the accumulation of waste fuel filters containing gasoline residues and commingled used oil/waste fuel filters containing gasoline residues.

Properly drained waste fuel filters can now be accumulated and stored with used oil filters to be recycled for scrap metal content. Note that filters and filter components that are not recycled as scrap metal (e.g., plastic and paper waste fuel filters) are not covered by the provisions of AB 2254. Any absorbent filter materials contaminated with fuel cannot be accumulated with the used oil filters, but must be evaluated and managed separately.

DTSC is authorized to apply more stringent requirements should it discover that the standards allowed by this law are not sufficiently protective of health, safety, and the environment.

Who is affected by AB 2254?

Anyone involved in the management of used oil and waste fuel filters is potentially affected by AB 2254. Affected parties include: household generators, small quantity generators (SQG), businesses that generate waste fuel filters, household hazardous waste collection centers, used oil collection centers, used oil recyclers, and any other entity that generates, transports, recycles or manages waste fuel filters and used oil filters commingled with waste fuel filters.

Household generators and small quantity generators should contact their local household hazardous waste collection facility or used oil collection center to ensure compliance with local collection requirements. Some centers may not accept waste fuel filters or used oil filters that have been commingled with waste fuel filters. Businesses that generate waste fuel filters could also consult with their local Certified Unified Program Agency (CUPA) if they have waste management questions that have not been answered by this fact sheet.
The full text of AB 2254 is found in California Health and Safety Code division 20, chapter 6.5, article 13, section 25250.22 (and is also included at the end of this fact sheet). Used oil filter management requirements are found in California Code of Regulations title 22, section 66266.130, “Management of Used Oil Filters.” A reader friendly discussion of used oil and used oil filter management standards is provided by DTSC’s fact sheet titled “Used Oil and Oil Filter Management”, available on DTSC’s web site at http://www.dtsc.ca.gov/HazardousWaste/upload/OAD_Used-Oil_FS.pdf

What Has Changed in the Law?

AB 2254 has made the following changes:

Waste fuel filters may now be accumulated in the same container with the used oil filters and handled in the same manner as used oil filters. This provision only applies to used oil and/or waste fuel filters that have been drained of all free flowing liquid and are destined for recycling as scrap metal.

When the accumulated filters contain residues of gasoline, additional requirements apply. Such filters:

- Must be stored in containers designed to prevent the ignition of gasoline, and must be labeled “Used Oil and Gasoline Filters.”
- Must be properly packaged and labeled before transporting, as required by U.S. Department of Transportation. Applicable provisions include Title 49 of the Code of Federal Regulations (49 C.F.R.), Parts 172, 173, 178, and 179. Part 172 lists the Hazardous Materials Table, special provisions, hazardous materials communications, and emergency response requirements. Part 173 lists general requirements for shipments and packaging. Part 178 lists specifications for packaging, and Part 179 lists specifications for tank cars. (Website: www.dot.gov)

- Must be stored and managed in accordance with state and local fire code requirements. Note: Local fire codes may limit or prohibit the accumulation and storage of waste fuel filters containing gasoline. Contact your local Fire Marshal to inquire about local fire safety regulations that may affect your operations.

- Any residues containing gasoline that accumulate in filter storage containers, and any non-filter material removed from filter housing must be evaluated for hazardous waste characteristics under section 66262.11 of title 22 of the California Code of Regulations, and managed according to the waste’s classification.

Disclaimer

This fact sheet does not replace or supersede relevant statutes and regulations. The information contained in this fact sheet is based upon the statutes and regulations in effect as of the date of the fact sheet. Interested parties should always review the most recent relevant statutes and regulations.
For more information

For more information, you can contact your local CUPA. A list of CUPA addresses and phone numbers is available on the Cal/EPA web site at www.calepa.ca.gov/CUPA/CUPAMail.htm You can also contact the DTSC office nearest you, or call the regional Public and Business Liaisons at (800) 72-TOXIC (800-728-6942). From outside California, call (916) 255-3545.

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(714) 484-5400

or visit www.dtsc.ca.gov

California Health and Safety Code, section 25250.22

§ 25250.22. Management of used filters; Additional requirements with gasoline residue
(a) Notwithstanding any other provision of state law, and to the extent consistent with the federal act, a filter that contains a residue of gasoline or diesel fuel, may be managed in accordance with the requirements in the department's regulations governing the management of used oil filters, unless the department adopts regulations establishing management standards specific to filters that contain those residues.
(b) Management of filters that contain residue of gasoline, and commingled filters that include filters that contain residue of gasoline, shall also meet all of the following requirements:
(1) The filters shall be stored in containers that are designed to prevent ignition of the gasoline and that are labeled "used oil and gasoline filters."
(2) For purposes of transportation, the filters shall be packaged, and the package shall be marked and labeled in accordance with the applicable requirements of Parts 172 (commencing with Section 172.1), 173 (commencing with Section 173.1), 178 (commencing with Section 178.1), and 179 (commencing with Section 179.1) of Title 49 of the Code of Federal Regulations.
(3) The filters shall be stored and otherwise managed in accordance with applicable state and local fire code regulations.
(4) Any gasoline, or used oil commingled with gasoline, that accumulates in containers or other equipment used for filter storage or recycling, and nonmetal filter material removed from filter housing, shall be evaluated pursuant to Section 66262.11 of Title 22 of the California Code of Regulations, to determine its regulatory status under the federal act, and it shall be managed accordingly.