



California Environmental Protection Agency
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

GUIDANCE FOR HOUSEHOLD HAZARDOUS WASTE DOOR-TO-DOOR COLLECTION PROGRAMS

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DEPARTMENT OF TOXIC SUBSTANCES CONTROL

The mission of DTSC is to protect California's people and environment from harmful effects of toxic substances through the restoration of contaminated resources, enforcement, regulation and pollution prevention.

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HOUSEHOLD HAZARDOUS WASTE DOOR-TO-DOOR COLLECTION PROGRAMS

California law allows local Certified Unified Program Agencies (CUPAs) to authorize, via Permit by Rule (PBR), a public agency to establish and operate a collection facility for household hazardous waste (HHW). A completed PBR application is submitted to the CUPA.

A program run by a public agency or its contractor that picks up hazardous waste from residences is called a door-to-door HHW collection program (Health and Safety Code (HSC) 25218.1(c)). Prior to 2012, door-to-door programs were exempt from hazardous waste manifesting requirements provided they transported the HHW to an authorized HHW collection facility.

Senate Bill 456 (stats. 2011, ch. 602; hereinafter HHW transportation law) allows a door-to-door program to transport HHW directly to a permitted Treatment Storage Disposal Facility (TSDF) authorized to accept HHW using a consolidated manifesting procedure found in HSC 25160.8. As with any transport of hazardous waste, the HHW may be held, during the normal course of transportation at an “exempt transfer facility” that meets the requirement of 22 CCR 66263.18

Since, under the new law, HHW is not being delivered to a facility under the oversight of a CUPA, the requirements for managing such a program are more stringent than a door-to-door program that delivers directly to an authorized HHW facility.

This guidance document answers commonly asked questions about these new requirements.

Does the HHW transportation law (HSC section 25160.8) affect traditional door-to-door programs that transport HHW to an authorized HHW facility?

No. Traditional door-to-door programs that operate in conjunction with an authorized HHW facility and collect HHW only from residences located within the jurisdiction of that facility are not subject to any additional standards under the HHW transportation law, including the consolidated manifesting procedure in section 25160.8 of the HSC.

If HHW is not delivered to an authorized HHW facility does the door-to-door program need a Permit-by-Rule (PBR) to operate?

Yes. All HHW programs must operate pursuant to an authorization from either the CUPA or the Department of Toxic Substances Control (DTSC). Currently, the law provides only two mechanisms for such authorization: (1) a standardized permit issued by DTSC; or (2) a PBR from the local CUPA.

Under the HHW transportation law, a non-traditional door-to-door program that collects HHW from residences outside the jurisdiction of the public agency that operates the program is now considered a HHW collection facility, even if the program transports HHW to (another) authorized HHW facility. While they are exempt from the consolidated manifesting procedures, these door-to-door programs must obtain authorization from all CUPAs in whose jurisdictions they provide residential pick-up service.

If a public agency elects to establish a door-to-door program that delivers collected HHW to a destination other than an authorized HHW collection facility, the agency must submit a PBR application to their local CUPA and include the identification number of the transporter, the address of the destination facility as well as the address (or other specific location) of any site where the waste is held during the normal course of transportation and any other information that the CUPA requires.

What manifesting procedures are to be followed by a registered hazardous waste transporter delivering HHW to a destination facility other than an authorized HHW facility?

A person transporting HHW is exempt from manifesting requirements only if the waste is being transported to an authorized HHW collection facility. HHW must be transported under a Uniform Hazardous Waste Manifest if it is to be delivered elsewhere. The HHW transportation law added section 25160.8 to the Health and Safety Code, which allows a door-to-door program to transport HHW to a facility other than an authorized HHW facility under new consolidated manifesting procedures and establishes other management requirements for such transportation.

First, the transporter must complete the shipper's (generator) information in box 5 with the name, address, telephone number and identification number of the public agency holding the permit for the collection programs. The transporter's information is entered in Box 6, and the destination facility information is entered in box 8, just as in a normal manifest.

As each type of waste is collected, the appropriate information is entered in boxes 9, 10 and 13. Boxes 11 and 12 are completed at the end of each day or if there is a change of driver or a change of transport vehicle. The rest of the manifest is completed using the same rules as any other hazardous waste manifest. The manifest is closed out at the end of each day. A new manifest must be initiated each day or any time there is a change of driver or change of transport vehicle. If a transporter will collect HHW from residences in multiple CUPA jurisdictions on the same date, a separate manifest is required for each jurisdiction.

In addition, the transporter must complete and sign a receipt for each residential pick up that includes (1) the name and address of the resident, (2) the volume (or quantity) and type of HHW received, including the receipt date, (3) the manifest number used for that day, and (4) the name and identification number of the public agency. Each receipt must be attached to the front of the manifest and is to be used to determine the total volume of each type of HHW in the vehicle. The receipts must be maintained with the transporter's copy of the manifest. After delivery of the HHW to the designated facility, the transporter must keep a copy of the manifest and all receipts at a location in California, for three years.

Lastly, the transporter must provide all copies of the completed manifest to the next transporter or to the designated facility for signature. After a representative of the designated facility has signed the manifest, the facility must:

- Return two copies to the registered hazardous waste transporter;
- Return one copy (paper or electronic) to the department within 30 days of receipt of the HHW; and
- Retain one copy.

If the designated facility is not required to return a signed copy of the manifest to the department (e.g., because it is located in another state that does not require hazardous waste manifests when transporting HHW), the transporter is responsible for submitting a copy (signed by the designated facility) to the department.

Please remember that under federal law a copy of any Uniform Hazardous Waste Manifest must be returned to the offerer of transport (in this case, the public agency responsible for operating the program).

Are there wastes that are exempt from these manifesting procedures?

Yes. A door-to-door program may ship the following wastes under a bill of lading if specific conditions are met, even if the waste is transported directly to an authorized location other than an HHW collection facility: (1) recyclable latex paint and oil based paint (pursuant to HSC section 25217 et seq.), (2) used oil filters (pursuant to art. 10 of ch. 16 of tit. 22, Cal. Code Regs.), (3) lead acid batteries (pursuant to art. 7 of ch. 16 of tit. 22, Cal. Code Regs) and (4) any universal waste (pursuant to 22 CCR 66273.1 et, seq.).

Can a door-to-door program delivering HHW to a destination facility other than an authorized HHW facility consolidate (or bulk) any types of HHW on the transportation vehicle?

Yes. Under the HHW transportation law, door-to-door programs that deliver the collected HHW to a destination other than an authorized HHW facility may consolidate only the following three types of HHW on their vehicle (if the containers are managed appropriately): (1) anti-freeze, (2) used oil and, (3) latex paint. The transporter may consolidate these wastes from multiple jurisdictions only if there is a written agreement among all of the jurisdictions and the transporter.

Used oil filters and lead acid batteries can also be bulked by these door to door programs if the conditions in articles 10 and 7, respectively, of chapter 16 of title 22 are met (e.g., that the filters and/or batteries are recycled).

Can oil or antifreeze collected on one day be added to the previous day's drum?

Yes, as long as a new manifest is started each day. If the drum is full, it can be taken to the designated facility under multiple manifests.

Please note: Waste can only be accumulated on a truck in these drums up to 10 days - the maximum accumulation limit of an exempt transfer facility - unless the location has authorization from DTSC to store hazardous waste (e.g., a permit).

Can similar wastes be added to the same drum (e.g., multiple containers of flammable wastes or poisons placed in the same drum on the vehicle)?

Yes. Upon acceptance, containers of similar, compatible hazardous wastes may be "lab packed" (i.e., placed in a larger container without opening them) while the vehicle is parked at a residence. However, hazardous waste may not be repackaged at an exempt transfer facility. Hazardous waste

may only be repackaged at a facility with a permit from DTSC or at a HHWCF operating under a PBR.

What safety standards apply to a door-to-door program delivering HHW to a destination facility other than an authorized HHW facility?

A transporter must meet the following safety requirements when operating a door-to-door program that delivers the HHW to a facility other than an authorized HHW facility pursuant to HSC section 25160.8(d)(4):

1. Conduct operations to minimize potential harm to the public, operators, haulers and the environment;
2. Ensure that all collection personnel including operators and emergency response personnel use the proper personal protective equipment and safety equipment as specified in Title 8 of the California Code of Regulations;
3. Ensure that only persons trained in hazardous waste management handle the HHW (including people unloading and loading HHW); and
4. Make available to local, state, or federal agencies, upon request, the job titles, job descriptions, and personnel training records maintained for each person handling hazardous waste (as specified in subdivision (d) of section 66264.16 of 22 CCR).

Are door-to-door programs that deliver HHW to a destination facility other than an authorized HHW facility subject to additional reporting requirements?

Yes. The transporter must submit a quarterly report, electronically, to the department, which must include the following information for each manifest (or each household) pursuant to HSC section 25160.8(e):

1. The transporter's name, terminal address, and identification number;
2. The name of the public agency authorizing the HHW consolidation door-to-door program;
3. The date of the shipment;
4. The manifest number; and
5. The volume or quantity of each waste stream received, its California and RCRA waste code, and the waste stream category listed.

A transporter that collects less than 1,000 tons (~2 million lbs.) of HHW in a calendar year may request permission from the department to submit the quarterly reports in paper format.

Can a door-to-door program accept hazardous waste from a Conditionally Exempt Small Quantity Generator (CESQG)?

No. Health and Safety Code section 25160.8 (d)(3) prohibits a transporter operating a door-to-door HHW collection program from collecting CESQG wastes or mixing HHW with CESQG wastes in the same vehicle or at the same time that the transporter is collecting HHW.

Can CESQG waste be picked up under a consolidated manifest?

Yes, a hazardous waste transporter (not operating as part of a door-to-door program) may transport specific types of hazardous waste from CESQGs and other generators using the consolidated manifesting procedures specified in section 25160.2 of the Health and Safety Code (as a consolidated transporter).

Can a door to door program, operate a Materials Exchange Program (MEP)?

No. A MEP can only be operated at a Permanent HHW Collection Facility under a Quality Assurance Plan (QAP), as defined in section 25218.1(j). An exempt transfer facility is not a Permanent HHW Collection Facility.