

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2013-0905-01N	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only		For use by Office of Administrative Law (OAL) only	
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY Department of Toxic Substances Control			AGENCY FILE NUMBER (If any) R-2013-02

ENDORSED FILED
IN THE OFFICE OF

2013 OCT 16 PM 3:50

2013 SEP -5 AM 11:37

OFFICE OF
ADMINISTRATIVE LAW

 DANA BOWEN
 SECRETARY OF STATE
A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

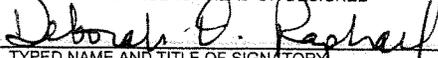
1. SUBJECT OF NOTICE N/A	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Hazardous Waste Source Reduction Requirements	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND
	REPEAL
TITLE(S) 22	Sections 67100.1, 67100.8, 67100.9, 67100.13 and the title of Article 1 of Chapter 31. CT
3. TYPE OF FILING	
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)
<input type="checkbox"/> File & Print	<input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Other (Specify) _____	<input type="checkbox"/> Print Only
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)	
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)	
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State
<input checked="" type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY	
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission
<input type="checkbox"/> Other (Specify) _____	<input type="checkbox"/> State Fire Marshal
7. CONTACT PERSON Bob Gipson	TELEPHONE NUMBER 916-327-4061
FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Bob.Gipson@dtsc.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE



DATE

9/05/2013

TYPED NAME AND TITLE OF SIGNATORY

Deborah O. Raphael, Director, Department of Toxic Substances Control

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ENDORSED APPROVED

OCT 16 2013

Office of Administrative Law

AMEND THE TITLE OF ARTICLE 1, CHAPTER 31, WHICH IMMEDIATELY
PRECEDES SECTION 67100, AS FOLLOWS:

Strikeout/Underline Version

Chapter 31. Waste Minimization

Article 1. Pollution Prevention and Hazardous Waste Source Reduction and
Management Review

Strikeout/Underline Version

§ 67100.1. Definitions.

For the purpose of this article, the following definitions shall apply:

(a) "Appropriate local agency" means a county, city, or regional association which has adopted a hazardous waste management plan pursuant to Article 3.5, Chapter 6.5, Division 20, Health and Safety eCode (commencing with section 25135).

* * * *

(i) "Motor vehicle fluids" includes all fluids associated with the operation of a vehicle that is self-propelled, for example, transmission oil, hydraulic fluid, brake fluid, antifreeze, power steering fluid, and gasoline.

* * * *

(k) "Pollution prevention" means the reduction of chemical sources that have adverse impacts on public health and the environment, including, but not limited to, source reduction.

~~(k)~~ (l) "Reporting year" is the calendar year immediately preceding the year in which plans, reports, and compliance checklist are to be prepared.

~~(l)~~ (m) "Routinely generated" means:

- (1) Hazardous and extremely hazardous wastes that result from ongoing processes or operations.
- (2) Hazardous wastes generated from regularly scheduled maintenance or production activities performed less frequently than once a year.

~~(m)~~ (n) "Small business" means "small business" as defined in Government Code, section 11342(e).

~~(n)~~ (o) "Source reduction" means one of the following:

- (1) Any action which causes a net reduction in the generation of hazardous waste.
- (2) Any action taken before the hazardous waste is generated that results in lessening of the properties which that cause it to be classified as a hazardous waste.

(e) (p) "Source reduction evaluation review and plan" or "review and plan" or "plan" means a review conducted by the generator of the processes, operations, and procedures in use at a generator's site, required pursuant to section 67100.4(a) completed according to the format established by the Department of Toxic Substances Control in section 67100.5. Plans do both of the following:

- (1) Determine any alternatives to, or modifications of, the generator's processes, operations, and procedures that may be implemented to reduce the amount of hazardous waste generated.
- (2) Include a plan to document and implement source reduction measures for the hazardous wastes specified in paragraph (1) which are technically feasible and economically practicable for the generator, including a reasonable implementation schedule.

NOTE: Authority cited: Sections 25150, 25244.15 and 58012, Health and Safety Code. Reference: Sections 25205.1, 25244.12 et seq., 25244.14, 25244.19, 25244.20 and 25501, Health and Safety Code; and Section 11342, Government Code.

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§67100.8. Report Format.

(a) Except as provided in section 67100.2(f) of these regulations and in subsection (b) of this section, each generator shall prepare a report with sufficient detail to convey an understanding of the hazardous waste management approaches used at the site, using narratives, photographs, illustrations, figures or data as necessary, which includes, at a minimum, all of the following:

(1) Name and location of the site

(2) Four-digit SIC code(s) for the site

(3) All of the following information for each waste stream identified pursuant to section 67100.5(h) of these regulations:

* * * *

NOTE: Authority cited: Sections 25150, 25244.15, 25244.16 and 58012, Health and Safety Code. Reference: Sections 25244.12 et seq., and 25244.20, Health and Safety Code.

Strikeout/Underline Version

§ 67100.9. Summary Progress Report.

(a) Generators subject to the requirements of this article shall prepare a summary progress report and submit it to the Department of Toxic Substances Control on or before September 1, 1999 and every four years thereafter.

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NOTE: Authority cited: Sections 25150, 25244.15, 25244.16, and 58012, Health and Safety Code. Reference: Sections 25244.12 et seq., and 25244.19, Health and Safety Code.