



Winston H. Hickox
Agency Secretary
California Environmental
Protection Agency

Department of Toxic Substances Control

Edwin F. Lowry, Director
1001 "I" Street, 25th Floor
P.O. Box 806
Sacramento, California 95812-0806



Gray Davis
Governor

15-DAY PUBLIC NOTICE AND COMMENT PERIOD NOTICE OF PUBLIC AVAILABILITY OF POST-HEARING CHANGES

RECYCLABLE HAZARDOUS WASTE REGULATIONS

Department Reference Number: R-99-15
Office of Administrative Law, Notice File No. Z02-0423-06

Pursuant to Government Code Section 11346.8(c), notice is hereby given that the Department of Toxic Substances Control (DTSC) has revised the text of the proposed regulations which adopt a list of specified hazardous wastes that DTSC finds economically and technologically feasible to recycle and imposes a disposal fee of five (5) times the applicable disposal fee rate on generators who dispose of their recyclable hazardous waste rather than recycle it after they have received specified notification from DTSC. A new written comment period has been established commencing on March 27, 2003, and closing on April 11, 2003.

A public hearing was held June 17, 2002 at 10:00 a.m.. Written and oral testimonies were accepted at that hearing. In addition, written comments were accepted during the 45-day public comment period which ended June 17, 2002. Post-hearing changes were made to the proposed text.

DTSC considers these new changes to the rulemaking to be nonsubstantial changes, as defined by California Code of Regulations, title 1, section 40, and/or sufficiently related changes, as defined by California Code of Regulations, title 1, section 42. This notice includes all revisions made to the proposed text. Notice is given that any interested persons may submit comments regarding these revisions and only these revisions of the text by e-mail to regs@dtsc.ca.gov or by mail to:

Ms. Joan Ferber
Department of Toxic Substances Control
Environmental Analysis and Regulations Section
PO Box 806
Sacramento, CA 95812-0806

Written comments submitted prior to 5:00 p.m. on April 11, 2003 will be considered.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at www.dtsc.ca.gov.

A copy of the revised text is attached. The ~~bold/strike through~~ and the **bold/double underline** text represents the most current revisions to the proposed text. The information upon which DTSC relied is available for public inspection between 8:00 a.m. and 5:00 p.m. at the Environmental Analysis and Regulations Section, located at 1001 I Street, 22nd Floor, Sacramento, California. Request and inquiries concerning this matter may be directed to Ms. Joan Ferber, Environmental Analysis and Regulations Sections, at the address indicated above or by telephone at (916) 322-6409. If Ms. Ferber is unavailable, telephone Ms. Nicole Sotak at (916) 327-4508.

Inquiries regarding technical aspects of the revised proposed text should be directed to Mr. Charles Corcoran of the Hazardous Waste Management Program, DTSC, at 916 327-4499. However, such oral inquiries are not part of the rulemaking record.

Dated: March 26, 2003

[Signed by] _____
James McRitchie, Chief
Office of Environmental Analysis,
Regulations and Audits