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TEXT OF PROPOSED REGULATIONS
Photovoltaic modules (PV modules) – Universal Waste Management
Department Reference Number: R-2017-04
Office of Administrative Law Notice File Number: Z-2019-0409-04

DIVISION 4.5, TITLE 22, CALIFORNIA CODE OF REGULATIONS

Legend: Amendments are shown from the existing text of the California Code of Regulations, title 22, as:

First Public Availability Dates: **April 19, 2019 – June 10, 2019**

Underline: Underline text reflects new text proposed in April 2019.

Strikeout: ~~Strikeout~~ text reflects deleted text proposed in April 2019.

Second Public Availability Dates: **September 9, 2019 – September 24, 2019**

Double-Underline: Double-underline text reflects new text resulting from post-hearing changes proposed in September 2019.

Double-Strikeout: ~~Double-strikeout~~ text reflects deleted text resulting from post-hearing changes proposed in September 2019.

Third Public Availability Dates: **October 18, 2019 – November 2, 2019**

Underline: ***bold, italic, underline*** text reflects new text resulting from additional post-hearing changes proposed in October 2019.

Strikeout: ~~***bold, italic, strikeout***~~ text reflects deleted text resulting from additional post-hearing changes proposed in October 2019.

Fourth Public Availability Dates: **December 24, 2019 – January 8, 2020**

Underline: ***bold, italic, double-underline*** text reflects new text resulting from additional post-hearing changes proposed in October 2019.

Strikeout: ~~***bold, italic, double-strikeout***~~ text reflects deleted text resulting from additional post-hearing changes proposed in October 2019.

*** Existing text (not shown) continues unchanged

1 **Amend** Title 22, division 4.5, chapter 10, article 2, section 66260.10 to read:

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3 **§ 66260.10. Definitions.**

4

5 When used in this division, the following terms have the meanings given below:

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9 “Personnel” or “facility personnel” means all persons who work, at, or oversee the
10 operations of, a hazardous waste facility, and whose actions or failure to act may result
11 in noncompliance with the requirements of this division.

12

13 “Photovoltaic cell” means a specialized semiconductor diode designed to convert solar
14 radiation into electrical energy. Photovoltaic cells are individual cells that are not
15 electrically connected or an integral part of photovoltaic modules that are electrically
16 connected. Photovoltaic cells are also commonly referred to as solar cells. Photovoltaic
17 cells are managed as photovoltaic modules.

18

19 **“Photovoltaic module integrated device” means a device with a photovoltaic**
20 **module embedded or attached, for which the photovoltaic module is not intended**
21 **to be removed or replaced as part of the normal use and operation of the device,**
22 **and is intended for personal or household use or adornment (e.g. garden lights,**
23 **backpacks, luggage).**

24

25 “Photovoltaic module” means a device consisting of **or containing** one or more
26 electrically connected photovoltaic cells that are ~~protected, such as in glass, and~~
27 designed to convert solar **radiation** into electrical energy. Photovoltaic module includes
28 ~~any ancillary~~ integrated components that cannot be separated without breaking the
29 photovoltaic module glass. **Examples of integrated components include, but not**
30 **limited to, such as** protective glass, conductive metal contact, metal framings, the
31 photovoltaic cells, **housing or pocket holding the photovoltaic cells/modules,** and
32 top and back layer. ~~used to support the module, junction boxes, batteries, invertors,~~
33 ~~wires, and cables that are connected to and are part of the photovoltaic module. Types~~
34 of ~~p~~Photovoltaic modules are composed of ~~include,~~ but are not limited to,
35 monocrystalline silicon ~~photovoltaic modules,~~ polycrystalline silicon ~~photovoltaic~~
36 ~~modules,~~ amorphous silicon ~~photovoltaic modules,~~ cadmium telluride ~~photovoltaic~~
37 ~~modules,~~ copper indium gallium selenide ~~photovoltaic modules,~~ and gallium indium
38 phosphide/gallium arsenide/gallium, and perovskite ~~photovoltaic modules.~~ Photovoltaic
39 modules are also commonly referred to as photovoltaic panels or solar panels.
40 Photovoltaic cells that are not electrically connected are managed as photovoltaic
41 modules.

42

43 “Photovoltaic system” means a set of components consisting of one or more
44 photovoltaic modules and includes any ancillary components that can be manually
45 separated without breaking the photovoltaic module glass such as, but not limited to,
46 metal frames used to support the photovoltaic module, connectors, junction boxes,

1 batteries, inverters, wires, and cables that are connected to the photovoltaic module.
2 Photovoltaic systems are also commonly referred to as solar systems. **Photovoltaic**
3 **system excludes photovoltaic module integrated devices.**
4

5 “Photovoltaic panel” see “photovoltaic module.”
6

7 “Physical parameter” means any measurable physical characteristic of a substance
8 including, but not limited to, temperature, electrical conductivity, pH and specific gravity.
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13 “Publicly owned treatment works” or “POTW” means any device or system used in the
14 treatment (including recycling and reclamation) of municipal sewage or industrial wastes
15 of a liquid nature which is owned by a “State” or “municipality” (as defined by 33 U.S.C.
16 section 1362). This definition includes sewers, pipes or other conveyances only if they
17 convey wastewater to a POTW providing treatment.
18

19 “PV cell” see “photovoltaic cell.”
20

21 **“PV module integrated device” see “photovoltaic module integrated device.”**
22

23 “PV module” see “photovoltaic module.”
24

25 “PV system” see “photovoltaic system.”
26

27 “R chart” (Range chart) means a control chart for evaluating the variability within a
28 process in terms of the subgroup range R.
29

30 “RCRA Characteristic” means the characteristic of ignitability, corrosivity, reactivity, or
31 toxicity identified in sections 66261.21, 66261.22(a)(1), 66261.22(a)(2), 66261.23, and
32 66261.24(a)(1) of this division.
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38 “Schedule of compliance” means a schedule of remedial measures included in a permit
39 or order, including an enforceable sequence of interim requirements (for example,
40 actions, operations or milestone events) leading to compliance with applicable law.
41

42 “Scrap metal” means (a) any one or more of the following, except as provided in
43 subsection (b) of this section:

- 44 (1) Manufactured, solid metal objects and products;
45 (2) Metal workings, including cuttings, trimmings, stampings, grindings, shavings
46 and sandings;

- 1 (3) Solid metal residues of metal production; or
2 (4) Printed circuit boards that are recycled [except for printed circuit boards
3 referenced in subsec. (b)(7) of this section].
4 (b) “Scrap metal” excludes all of the following:
5 (1) lead-acid storage batteries, waste elemental mercury, and water-reactive
6 metals such as sodium, potassium and lithium;
7 (2) magnesium borings, trimmings, grindings, shavings and sandings and any
8 other forms capable of producing independent combustion;
9 (3) beryllium borings, trimmings, grindings, shavings and sandings and any other
10 forms capable of producing adverse health effects or environmental harm in the
11 opinion of the Department;
12 (4) any metal contaminated with a hazardous waste, such that the contaminated
13 metal exhibits any characteristic of a hazardous waste under article 3 of chapter
14 11 of this division;
15 (5) any metal contaminated with an oil that is a hazardous waste and that is free-
16 flowing;
17 (6) sludges, fine powders, semi-solids and liquid solutions that are hazardous
18 wastes; and
19 (7) any printed circuit board that has been removed from a universal waste
20 electronic device or PV module by a universal waste handler as a result of the
21 handler’s conduct of activities authorized by sections 66273.71, 66273.72, and/or
22 66273.73 of chapter 23 of this division and is subject to management as a
23 hazardous waste pursuant to sections 66273.71, 66273.72, and/or 66273.73.
24

25 “Semitrailer” means a vehicle designed for carrying persons, property or waste, used in
26 conjunction with a motor vehicle, and so constructed that some part of its weight and
27 that of its load rests upon, or is carried by, another vehicle.
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31 “Soil-pore liquid” means the liquid contained in openings between particles of soil in the
32 unsaturated zone.
33

34 “Solar cell” see “photovoltaic cell.”
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36 “Solar panel” see “photovoltaic module.”
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38 “Solar system” see “photovoltaic system.”
39

40 “Solid Waste Management Unit” means any unit at a hazardous waste facility from
41 which hazardous constituents might migrate, irrespective of whether the units were
42 intended for the management of wastes, including but not limited to: containers, tanks,
43 surface impoundments, waste piles, land treatment units, landfills, incinerators and
44 underground injection wells.
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2 Note: Authority cited: Sections 25141, 25150, 25158.1, 25158.4, 25159, 25159.5,
3 25187.7, 25200.10, 25204, 25214.9, 25218.3(d), 25200.21, 25245, 25259, 25316,
4 25355.5, 25356.9, 25358.9, 58004, and 58012, Health and Safety Code; Governor's
5 Reorganizational Plan #1 of 1991; and Section 42475.1, Public Resources Code.
6 Reference: Sections 25110.02, 25110.1, 25110.5, 25111, 25112, 25112.5, 25113,
7 25114, 25115, 25117, 25117.1, 25117.3, 25117.8, 25117.9, 25117.11, 25118, 25119,
8 25120, 25121, 25121.5, 25122.7, 25123, 25123.3, 25123.5, 25123.6, 25141, 25150,
9 25158.2, 25159, 25159.5, 25187.7, 25200.10, 25201.6, 25204, 25214.9, 25218.1(f),
10 25218.3, 25200.1, 25229, 25245, 25259, 25316, 25354(b), 25355.5, 25355.6, 25356.9,
11 25358.1, 25358.9, 25359.8, 25361, 25501, 25529, and 58012, Health and Safety Code;
12 and 40 CFR Sections 260.10, 261.1, 262.21, 264.551, 264.1031, 268.2, 270.2, and
13 273.6.

1 **Amend** Title 22, division 4.5, chapter 11, article 1, section 66261.9 to read:

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3 **§66261.9. Requirements for Universal Waste.**

4

5 (a) The hazardous wastes listed in this section are exempt from the management
6 requirements of chapter 6.5 of division 20 of the Health and Safety Code and its
7 implementing regulations except as specified in chapter 23 and, therefore, are not fully
8 regulated as hazardous wastes. The wastes listed in this section are subject to
9 regulation pursuant to chapter 23 and shall be known as “universal wastes.”

10 (1) Batteries, as described in section 66273.2, subsection (a);

11 (2) Electronic devices, as described in section 66273.3, subsection (a);

12 (3) Mercury-containing equipment, as described in section 66273.4, subsection (a);

13 (4) Lamps, as described in section 66273.5, subsection (a) (including, but not limited
14 to, M003 wastes);

15 (5) Cathode ray tubes, as described in section 66273.6, subsection (a);

16 (6) Cathode ray tube glass, as described in section 66273.7, subsection (a); ~~and~~

17 (7) Aerosol cans, as specified in Health and Safety Code section 25201.16; and

18 (8) Photovoltaic modules, as described in section 66273.7.1, subsection (a).

19 (b) Unless specified otherwise in section 66273.60, universal wastes shall be managed
20 as hazardous wastes pursuant to chapters 10 through 16, 18, and 20 through 22 of this
21 division upon arrival at a destination facility.

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23

24 Note: Authority cited: Sections 25141, 25150, 25150.6, 25201, 25214.9, 25214.10.1,

25 25219.1, 25259, and 58012, Health and Safety Code; and Section 42475.2, Public

26 Resources Code. Reference: Sections 25117.2, 25141, 25150, 25159.5, 25180-25196,

27 25214.5, 25214.9, 25219, 25219.1, ~~and 25219.2, and 25259~~, Health and Safety Code;

28 40 CFR Section 261.9.

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1 **Amend** Title 22, division 4.5, chapter 23, article 1, section 66273.1 to read:

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3 **§66273.1. Scope.**

4

5 (a) This chapter establishes requirements for managing universal wastes, as defined in
6 section 66273.9. The following universal wastes are subject to regulation pursuant to
7 this chapter:

8 (1) Batteries, as described in section 66273.2, subsection (a);

9 (2) Electronic devices, as described in section 66273.3, subsection (a);

10 (3) Mercury-containing equipment, as described in section 66273.4,
11 subsection (a);

12 (4) Lamps, as described in section 66273.5, subsection (a) (including, but not
13 limited to, M003 wastes);

14 (5) Cathode ray tubes, as described in section 66273.6, subsection (a);

15 (6) Cathode ray tube glass, as described in section 66273.7, subsection (a); ~~and~~

16 (7) Aerosol cans, as specified in Health and Safety Code section 25201.16; and

17 (8) Photovoltaic modules, as described in section 66273.7.1, subsection (a).

18 (b) This chapter provides an alternative set of management standards in lieu of
19 regulation as hazardous wastes pursuant to chapters 10 through 16, 18, and 20 through
20 22 of this division. The alternative management standards of articles 1 through 3 of this
21 chapter do not apply to destination facilities, as defined in section 66273.9, except as
22 otherwise specified in section 66273.60, subsections (b) or (c).

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25 NOTE: Authority cited: Sections 25141, 25150, 25150.6, 25201, 25214.9, 25219.1,
26 ~~and 25259, and~~ 58012, Health and Safety Code; and Section 42475, Public Resources
27 Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25212, 25214.6, 25214.9,
28 25219, 25219.1, ~~and 25219.2, and 25259,~~ Health and Safety Code; 40 CFR Section
29 273.1.

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1 **Add** Title 22, division 4.5, chapter 23, article 1, section 66273.7.1 to read:

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3 **§66273.7.1. Applicability — PV modules.**

4

5 (a) PV modules covered pursuant to chapter 23:

6 (1) The requirements of this chapter apply to PV modules, as defined in section

7 66273.9, except PV modules listed in subsection (b) of this section; and

8 (2) Discarded PV modules that are hazardous solely because the modules exhibit

9 the characteristic of toxicity specified in section 66261.24.

10 (b) PV modules not covered pursuant to chapter 23. The requirements of this chapter

11 do not apply to the following PV modules:

12 (1) PV modules that are not yet wastes pursuant to chapter 11 of this division.

13 Subsection ~~(ed)~~ of this section describes when PV modules become wastes;

14 (2) PV modules that do not exhibit a characteristic of a hazardous waste as set forth

15 in article 3 of chapter 11 and that are not otherwise identified as hazardous waste

16 pursuant to chapter 11 of this division;

17 (3) PV modules that exhibit any characteristic of a hazardous waste other than the

18 characteristic of toxicity. Such PV modules shall be managed as hazardous wastes

19 pursuant to chapters 10 through 16, 18, and 20 through 22 of this division;

20 (4) PV modules that are destined for recycling (or are recycled) by being “used in a

21 manner constituting disposal,” as described in section 66266.20. Such PV modules

22 shall be managed as hazardous waste pursuant to chapters 10 through 16, 18, and

23 20 through 22 of this division;

24 (5) Except as otherwise provided in section 66273.72 of this chapter, PV modules

25 that are destined for disposal at a permitted hazardous waste disposal facility. Such

26 PV modules shall be managed as hazardous wastes pursuant to chapters 10

27 through 16, 18, and 20 through 22 of this division;

28 (6) PV modules that are managed as hazardous wastes pursuant to chapters 10

29 through 16, 18, and 20 through 22 of this division; and

30 (7) PV modules that were previously identified as waste pursuant to chapter 11, but

31 are no longer identified as a waste (e.g., discarded PV modules that are refurbished

32 and are returned to service).; **and**

33 **(8) PV module integrated devices that are not an electronic device. If such**

34 **devices exhibit a characteristic of a hazardous waste as set forth in article 3 of**

35 **chapter 11, they are regulated as hazardous waste pursuant to chapters 10**

36 **through 16, 18, and 20 through 22 of this division.**

37 ~~(c8)~~ PV modules that are integrated into the structure of an electronic devices as

38 defined in section 66273.9 (e.g., calculators) shall be managed as an electronic device.

39 ~~(de)~~ Generation of waste PV modules.

40 (1) A used PV module becomes a waste on the date it is discarded.

41 (2) Unused PV modules.

42 (A) An unused PV module that is not a retrograde material becomes a waste on

43 the date it is discarded (e.g., when stored while destined for reclamation); or

44 (B) An unused PV module that is a retrograde material becomes a waste on the

45 date that it becomes a recyclable material pursuant to subsection (e) of the

46 definition of “recyclable materials” in section 66260.10.

1 (ed) A respondent in an action to enforce regulations in this division who claims that a
2 PV module is not a waste bears the burden of demonstrating that there is a known
3 market or disposition for its use as a PV module.

4
5 NOTE: Authority cited: Sections 25141, 25150, 25214.6, 25159, and 58012, Health and
6 Safety Code. Reference: Sections 25141, 25150, and 25259, Health and Safety Code.
7

1 **Amend** Title 22, division 4.5, chapter 23, article 1, section 66273.9 to read:

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3 **§ 66273.9. Definitions.**

4

5 When used in this chapter, the terms listed in this section have the meaning given
6 below. Unless otherwise specified, listed terms that cross-reference the definitions of
7 other terms refer to the definitions set forth in this section for those other terms. Terms
8 that are also defined in chapter 10 of this division are duplicated here solely for
9 convenience of the regulated community. Terms used in this chapter that are not
10 defined in this section but are defined in chapter 10 of this division, and/or chapter 6.5 of
11 division 20 of the Health and Safety Code have the meanings given in those sources.

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15 “Onsite” means the same or geographically contiguous property which may be divided
16 by public or private right-of-way, provided that the entrance and exit between the
17 properties is at a cross-roads intersection, and access is by crossing as opposed to
18 going along the right-of-way. Non-contiguous properties owned by the same person but
19 connected by a right-of-way which the person controls and to which the public does not
20 have access, are also considered onsite property.

21

22 “Photovoltaic cell” means a specialized semiconductor diode designed to convert solar
23 radiation into electrical energy. Photovoltaic cells are individual cells that are not
24 electrically connected or an integral part of PV modules that are electrically connected.
25 Photovoltaic cells are also commonly referred to as solar cells. Photovoltaic cells are
26 managed as photovoltaic modules.

27

28 ***“Photovoltaic module integrated device” means a device with a photovoltaic***
29 ***module embedded or attached, for which the photovoltaic module is not intended***
30 ***to be removed or replaced as part of the normal use and operation of the device,***
31 ***and is intended for personal or household use or adornment (e.g. garden lights,***
32 ***backpacks, luggage).***

33

34 “Photovoltaic module” means a device consisting of one or more electrically connected
35 photovoltaic cells that are ~~protected, such as in glass, and~~ designed to convert solar
36 **radiation** into electrical energy. Photovoltaic module includes ~~any ancillary integrated~~
37 ~~components that cannot be separated without breaking the photovoltaic module glass.~~

38

39 ***Examples of integrated components include, but not limited to, such as***
40 ***protective*** glass, conductive metal contact, metal framings the photovoltaic cells,
41 ***housing or pocket holding the photovoltaic cells/modules,*** and top and back layer,
42 ~~used to support the module, junction boxes, batteries, invertors, wires, and cables that~~
43 ~~are connected to and are part of the photovoltaic module. Types of p~~Photovoltaic
44 modules are composed of ~~include,~~ but are not limited to, monocrystalline silicon
45 photovoltaic modules, polycrystalline silicon photovoltaic modules, amorphous silicon
46 photovoltaic modules, cadmium telluride photovoltaic modules, copper indium gallium
selenide photovoltaic modules, and gallium indium phosphide/gallium arsenide/gallium,

1 ~~and perovskite-photovoltaic modules.~~ Photovoltaic modules are also commonly referred
2 to as photovoltaic panels or solar panels. Photovoltaic cells that are not electrically
3 connected are managed as photovoltaic modules.

4
5 “Photovoltaic panel” see “photovoltaic module.”

6
7 “Photovoltaic system” means a set of components consisting of one or more
8 photovoltaic modules and includes any ancillary components that can be manually
9 separated without breaking the photovoltaic module glass such as, but not limited to,
10 metal frames used to support the photovoltaic module, connectors, junction boxes,
11 batteries, inverters, wires, and cables that are connected to the photovoltaic module.
12 Photovoltaic systems are also commonly referred to as solar systems. **Photovoltaic**
13 **system excludes photovoltaic module integrated devices.**

14
15 “Pressure or vacuum gauge” means any device in which pressure or vacuum is
16 measured using the height of a column of liquid mercury. “Pressure or vacuum gauge”
17 includes, but is not limited to, barometers, manometers, and sphygmomanometers.

18
19 “Producer” see “Generator.”

20
21 “PV cell” see “photovoltaic cell.”

22
23 ~~“PV module integrated device”~~ see ~~“photovoltaic module integrated device.”~~

24
25 “PV module” see “photovoltaic module.”

26
27 “PV system” see “photovoltaic system.”

28
29 “Scrap metal” means (a) any one or more of the following, except as provided in
30 subsection (b) of this section:

- 31 (1) Manufactured, solid metal objects and products;
- 32 (2) Metal workings, including cuttings, trimmings, stampings, grindings, shavings
33 and sandings;
- 34 (3) Solid metal residues of metal production; or
- 35 (4) Printed circuit boards that are recycled [except for printed circuit boards
36 referenced in subsec. (b)(7) of this section].

37 (b) “Scrap metal” excludes all of the following:

- 38 (1) lead-acid storage batteries, waste elemental mercury, and water-reactive
39 metals such as sodium, potassium and lithium;
- 40 (2) magnesium borings, trimmings, grindings, shavings and sandings and any
41 other forms capable of producing independent combustion;
- 42 (3) beryllium borings, trimmings, grindings, shavings and sandings and any other
43 forms capable of producing adverse health effects or environmental harm in the
44 opinion of the Department;

- 1 (4) any metal contaminated with a hazardous waste, such that the contaminated
2 metal exhibits any characteristic of a hazardous waste under article 3 of chapter
3 11 of this division;
4 (5) any metal contaminated with an oil that is a hazardous waste and that is free-
5 flowing;
6 (6) sludges, fine powders, semi-solids and liquid solutions that are hazardous
7 wastes; and
8 (7) any printed circuit board that has been removed from a universal waste
9 electronic device or PV module by a universal waste handler as a result of the
10 handler's conduct of activities authorized by sections 66273.71, 66273.72, and/or
11 66273.73 of chapter 23 of this division and is subject to management as a
12 hazardous waste pursuant to sections 66273.71, 66273.72, and/or 66273.73.

13
14 "Solar cell" see "photovoltaic cell."

15
16 "Solar panel" see "photovoltaic module."

17
18 "Solar system" see "photovoltaic system."

19
20 "Thermometer" means any thermometer that uses the expansion and contraction of a
21 column of mercury to measure temperature.

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25 Note: Authority cited: Sections 25141, 25141.5, 25150, 25214.6, 25150.6, 25201,
26 25214.9, 25219.1, 25259, and 58012, Health and Safety Code; and Section 42475,
27 Public Resources Code. Reference: Sections 25141, 25141.5, 25150, 25159.5, 25201,
28 25212, 25214.6, 25214.9, 25219, 25219.1, ~~and 25219.2,~~ and 25259, Health and Safety
29 Code; 40 CFR Sections 261.4, 261.5 and 273.9.

30

1 **Amend** Title 22, division 4.5, chapter 23, article 3, section 66273.31 to read:

2

3 **§66273.31. Prohibitions.**

4

5 A universal waste handler is:

6

7 (a) Prohibited from disposing of universal waste [however, a universal waste handler
8 may send or take batteries, thermostats, mercury-added novelties containing no liquid
9 mercury, ~~and mercury-containing rubber flooring,~~ and PV modules that are universal
10 wastes to a destination facility for disposal]; and

11

12 (b) Prohibited from diluting or treating universal waste, except by responding to releases
13 as provided in section 66273.37, or by managing specific wastes as provided in
14 sections 66273.33, ~~and 66273.33.5,~~ and 66273.33.6.

15

16 Note: Authority cited: Sections 25141, 25150, 25219.1, 25259, and 58012, Health and
17 Safety Code. Reference: Sections 25141, 25150, 25159.5, 25219, 25219.1,
18 ~~and 25219.2,~~ and 25259, Health and Safety Code; 40 CFR Section 273.31.

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1 **Amend** Title 22, division 4.5, chapter 23, article 3, section 66273.32 to read:

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3 **§ 66273.32. USEPA Notification, Department Notification, and Reporting**
4 **Requirements for Universal Waste Handlers.**

5

6 (a) USEPA notification requirements.

7

8 ***

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10 (c) Department notification requirements for universal waste handlers of electronic
11 devices, CRTs, and CRT glass.

12 (1) Any universal waste handler who might accept and accumulate, but not treat, any
13 electronic device, CRT, and/or CRT glass from an offsite source shall submit to the
14 Department at the address given in subsection ~~(e) or (f)~~ (g) or (h) of this section, an
15 electronic or written notification containing the information specified in subsection
16 (c)(2) of this section no later than 30 calendar days prior to accepting any electronic
17 device, CRT and/or CRT glass.

18

19 ***

20 (d) Annual reporting requirements for universal waste handlers of electronic devices,
21 CRTs, and CRT glass.

22 (1) A universal waste handler that accepts more than 100 kilograms (or 220 pounds)
23 of electronic devices, CRTs, and CRT glass calculated collectively, from any offsite
24 sources in a calendar year shall, by February 1 of the following year, submit to the
25 Department at the address given in subsection ~~(e) or (f)~~ (g) or (h) of this section, an
26 electronic or written annual report containing the information specified in subsection
27 (d)(3) of this section. The information submitted pursuant to this subsection (d)(1)
28 shall cover the electronic-device-handling, CRT-handling, and CRT-glass-handling
29 activities conducted during the previous calendar year.

30 (2) A universal waste handler that generates 5,000 kilograms (or 11,000 pounds;
31 e.g., about 200 CRTs) or more of electronic devices, CRTs, and CRT glass
32 calculated collectively, in a calendar year shall, by February 1 of the following year,
33 submit to the Department at the address given in subsection ~~(e) or (f)~~ (g) or (h) of
34 this section, an electronic or written annual report containing the information
35 specified in subsection (d)(3) of this section. The information submitted pursuant to
36 this subsection (d)(2) shall:

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40 (e) Department notification requirements for universal waste handlers of PV modules.

41 (1) Any universal waste handler who might accept and accumulate, but not treat, any
42 PV modules from an offsite source shall submit to the Department, at the address
43 given in subsection (h) of this section, a written notification containing the
44 information specified in subsection (e)(2) of this section no later than 30 calendar
45 days prior to accepting any PV modules.

1 (2) This notification shall include:

2 (A) Name of the universal waste handler (If the facility owner is different than the
3 facility operator, also include the owner's name);

4 (B) ID Number of the universal waste handler, if applicable;

5 (C) Telephone number of the universal waste handler;

6 (D) Mailing address of the universal waste handler, and physical address,
7 including county, if different from the mailing address;

8 (E) Name of the contact person at the universal waste handler's site who should
9 be contacted regarding universal waste management activities;

10 (F) Telephone number of the contact person;

11 (G) An email address for the contact person or organization, if available;

12 (H) The type(s) of PV modules expected to be handled, if known (e.g.,
13 ~~mono~~crystalline silicon, thin film, etc.);

14 (I) The sources of the PV modules if known (i.e., residential collections, business
15 asset recovery, other collectors, etc.); and

16 (J) A statement indicating whether the universal waste handler might accumulate
17 5,000 kilograms or more of universal waste at one time.

18 (3) Notifications made pursuant to this subsection shall be made for each location at
19 which the universal waste handler accepts or accumulates PV modules from an
20 offsite source, i.e., the handler's facility.

21 (f) Annual reporting requirements for universal waste handlers of PV modules.

22 (1) A universal waste handler that accepts more than 100 kilograms (or 220 pounds)
23 of PV modules from any offsite sources in a calendar year shall, by February 1 of the
24 following year, submit to the Department, at the address given in subsection (h) of
25 this section, a written annual report containing the information specified in
26 subsection (f)(3) of this section. The information submitted pursuant to this
27 subsection shall cover the PV module-handling activities conducted during the
28 previous calendar year.

29 (2) A universal waste handler that generates 5,000 kilograms (or 11,000 pounds) or
30 more of PV modules in a calendar year shall, by February 1 of the following year,
31 submit to the Department, at the address given in subsection (h) of this section, a
32 written annual report containing the information specified in subsection (f)(3) of this
33 section. The information submitted pursuant to this subsection shall identify the PV
34 module-handling activities conducted during the previous calendar year; and

35 (3) This annual report shall include:

36 (A) Name of the universal waste handler (~~If~~ the facility owner is different than the
37 facility operator, also include the owner's name);

38 (B) ID Number of the universal waste handler, if applicable;

39 (C) Telephone number of the universal waste handler;

40 (D) Mailing address of the universal waste handler, and physical address
41 (including county) if different from the mailing address;

42 (E) Name of the contact person at the universal waste handler's site who should
43 be contacted regarding universal waste management activities;

44 (F) Telephone number of the contact person;

45 (G) An email address for the contact person or organization, if available;

1 (H) The type(s) of PV modules handled, if known (e.g., crystalline silicon, thin
2 film, etc.):

3 (I) The **total** quantity~~ities~~ of PV modules (**count or weight**) handled, which
4 include any quantities handled but not shipped during the previous calendar year;

5 (J) A list consisting of:

6 1. The name, address, and telephone number for each of the locations to which
7 the universal waste handler shipped PV modules during the previous calendar
8 year;

9 2. The **total** quantity of PV modules (**count or weight**) shipped to each of those
10 locations during the previous calendar year; and

11 3. A description of how each of those locations intended to manage the PV
12 modules, including whether the PV modules were to be recycled or disposed of.

13 ~~(e)~~ (g)(1) Electronic submissions. If submitted electronically through the Department's
14 universal waste web-based reporting system, Department notifications and annual
15 reports required pursuant to subsections (c) and (d) of this section shall be addressed to
16 the Department at <https://www.dtsc.ca.gov>.

17 (2) A person that has provided written submissions of any of the Department
18 notifications and annual reports required pursuant to subsections (c) or (d) of this
19 section is not required to submit the same information electronically.

20 (3) If the Department's universal waste web-based reporting system is not available
21 or cannot accommodate electronic submissions for any of the Department
22 notifications and annual reports required pursuant to subsections (c) or (d) of this
23 section, the handler shall provide written submissions in accordance with subsection
24 (h).

25 ~~(f)~~ (h)(1) Written submissions. If submitted in writing, Department notifications and
26 annual reports required pursuant to subsections (c) and (d), or (e) and (f) of this section
27 shall be sent to the Department by certified mail, return receipt requested, at the
28 following address: Department of Toxic Substances Control, Universal Waste
29 Notification and Reporting Staff, P.O. Box 806, Sacramento, CA 95812-0806, with the
30 words "Attention: Universal Waste Handling Activities" prominently displayed on the
31 front of the envelope.

32 (2) A person that has provided electronic submissions of any of the Department
33 notifications and annual reports required pursuant to subsections (c), (d), (e), or (f) of
34 this section through the Department's universal waste web-based reporting system
35 in accordance with subsection (g) of this section is not required to submit the same
36 information in writing.

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39 Note: Authority cited: Sections 25141, 25150, 25201, 25214.9, 25219.1, 25259, and

40 58012, Health and Safety Code; and Section 42475, Public Resources Code.
41 Reference: Sections 25141, 25150, 25159.5, 25201, 25214.9, 25219, 25219.1, and

42 25219.2, and 25259, Health and Safety Code; and 40 CFR Section 273.32.
43

1 **Add** Title 22, division 4.5, chapter 23, article 3, section 66273.33.6 to read:

2

3 **§ 66273.33.6 Universal Waste Management Requirements for PV Modules.**

4

5 The requirements of this section apply only to universal waste handlers of PV modules.

6 (a) PV modules.

7 (1) A universal waste handler of PV modules shall:

8 (A~~1~~) Comply with the applicable requirements of sections 66273.30 through
9 66273.32, and sections 66273.34 through 66273.39, of this article with respect to the
10 management of PV modules; and

11 (B~~2~~) Manage PV modules in a way that prevents releases of any constituent of a PV
12 module to the environment under reasonably foreseeable conditions, as follows:

13 1.a. (A) A universal waste handler shall contain any PV module in a manner that
14 prevents breakage and release of any constituent of a PV module to the
15 environment. If a container or package is used, such a container or package shall
16 prevent breakage, leakage, spillage, or damage that could cause leakage under
17 reasonably foreseeable conditions.

18 b. (B) Intact PV modules that are managed in a manner that prevents breakage of
19 the PV modules and release of constituents of the PV modules to the
20 environment under reasonably foreseeable conditions (e.g., stretch-film on a
21 pallet) shall be deemed to comply with subsection (a)(~~2~~1)(A~~B~~)1.a. of this section.

22 2. (C) A universal waste handler shall immediately clean up and place in a
23 container any PV module or constituent of the PV module if that PV module is
24 accidentally or unintentionally broken. The container shall be structurally sound,
25 compatible with the PV modules and their constituents, and shall prevent
26 releases of constituents of the PV modules to the environment under reasonably
27 foreseeable conditions.

28 (2~~b~~) Except as otherwise provided in subsection (a)(~~3~~) of this section, a universal
29 waste handler of PV modules shall comply with the applicable requirements of article
30 7 of this chapter in addition to the requirements of subsection (a)(1) of this section
31 with respect to the PV modules.

32 (3~~e~~) A universal waste handler of PV modules shall be exempt from the
33 requirements of article 7 of this chapter with respect to the PV modules if the
34 universal waste handler:

35 (A~~1~~) Manages only PV modules that are intact (except for the occasional PV module
36 that is accidentally or unintentionally broken and that is managed according to the
37 applicable provisions of this chapter);

38 (B~~2~~) Ensures that the intact PV modules remain intact (except for the occasional PV
39 module that is accidentally or unintentionally broken and that is managed according
40 to the applicable provisions of this chapter) throughout the entire time they are in the
41 universal waste handler's custody; and

42 (C~~3~~) Complies with the requirements of section (a)(1) of this section.

43

44 Note: Authority cited: Sections 25141, 25150, 25201, 25259, and 58012, Health and
45 Safety Code. Reference: Sections 25141, 25150, 25201, and 25259, Health and Safety
46 Code.

1 Amend Title 22, division 4.5, chapter 23, article 3, section 66273.34 to read:

2

3 **§ 66273.34. Labeling/Marking.**

4

5 Except as otherwise provided in subsection ~~(g)~~(h) of this section, a universal waste
6 handler shall label or mark universal waste to identify the type of universal waste as
7 specified in subsections (a) through ~~(f)~~(g) of this section.

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11 (f) A container of CRT glass shall be labeled or marked clearly with the following
12 phrase: "Universal Waste-CRT glass".

13 ~~(g) Each PV modules (i.e., each PV module), or each a container or pallet in or on~~
14 ~~which the holding PV modules are contained~~ ***or placed within a designated area***
15 ***demarkated by boundaries***, shall be labeled or marked clearly with the following
16 phrase: "Universal Waste-PV module(s)".

17 ~~(g) (h)~~ In lieu of labeling individual electronic devices, CRTs, ~~PV modules~~, and/or
18 containers of CRT glass pursuant to subsections (d) through ~~(f)~~(g) of this section, a
19 universal waste handler may combine, package, and accumulate those universal
20 wastes in appropriate containers or within a designated area demarcated by boundaries
21 that are clearly labeled with the applicable portion(s) of the following phrase: "Universal
22 Waste-Electronic Device(s)/Universal Waste-CRT(s)/Universal Waste-CRT
23 Glass/~~Universal Waste-PV module(s)~~".

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27 Note: Authority cited: Sections 25141, 25150, 25201, 25214.6, 25214.9, 25219.1,
28 25259, and 58012, Health and Safety Code; and Section 42475, Public Resources
29 Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25212, 25214.6, 25214.9,
30 25219.1, ~~and 25219.2~~, and 25259, Health and Safety Code; 40 CFR Section 273.34.

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1 **Amend Title 22, division 4.5, chapter 23, article 3, section 66273.37 to read:**

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3 **§ 66273.37. Response to Releases.**

4

5 (a) A universal waste handler shall immediately contain all releases of universal wastes
6 and of residues from universal wastes to the environment.

7

8 (b) A universal waste handler shall determine whether any material resulting from such a
9 release is a hazardous waste, and if so, shall manage the hazardous waste in
10 compliance with all applicable requirements of this division. The universal waste
11 handler is considered the generator of the hazardous waste resulting from the
12 release, and is subject to the requirements of chapter 12.

13

14 (c) Hazardous waste consisting only of residues of leaking, broken, or otherwise
15 damaged universal waste may be managed as universal waste provided that the
16 leaking, broken, or otherwise damaged universal waste is repackaged according to
17 the standards of section 66273.33, ~~or 66273.33.5,~~ or 66273.33.6.

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23 Note: Authority cited: Sections 25141, 25150, 25219.1, 25259, and 58012, Health and
24 Safety Code; and Section 42475, Public Resources Code. Reference: Sections 25141,
25 25150, 25159.5, 25219, 25219.1, ~~and 25219.2,~~ and 25259. Health and Safety Code; 40
26 CFR Section 273.37.

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1 **Amend** Title 22, division 4.5, chapter 23, article 3, section 66273.39 to read:

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3 **§ 66273.39. Tracking Universal Waste Shipments.**

4

5 (a) Receipt of shipments. A universal waste handler shall keep a record of each
6 shipment of universal waste received at the universal waste handler's facility. The
7 record may take the form of a log, invoice, manifest, bill of lading, movement document,
8 or other shipping document. The record for each shipment of universal waste received
9 shall include the following information:

10 (1) The name and address of the originating universal waste handler from which the
11 universal waste was sent;

12 (2) The quantity [count or weight, consistent with, for example, section 66273.32,
13 subsection (d)] of each type of universal waste received (e.g., batteries, thermostats,
14 lamps, electronic devices, CRTs, CRT glass, PV modules); and

15 (3) The date of receipt of the shipment of universal waste.

16

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19 (c) Shipments offsite. A universal waste handler shall keep a record of each shipment of
20 universal waste sent from the universal waste handler's facility to another facility. The
21 record may take the form of a log, invoice, manifest, bill of lading, movement document,
22 or other shipping document. The record for each shipment of universal waste sent shall
23 include the following information:

24 (1) The name and address of the universal waste handler or destination facility to
25 which the universal waste was sent;

26 (2) The quantity [count or weight, consistent with, for example, section 66273.32,
27 subsection (d)] of each type of universal waste sent (e.g., batteries, thermostats,
28 lamps, electronic devices, CRTs, CRT glass, PV modules); and

29 (3) The date of departure of the shipment of universal waste.

30

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33 Note: Authority cited: Sections 25141, 25150, 25150.6, 25219.1, 25219.2, 25259, and
34 58012, Health and Safety Code. Reference: Sections 25141, 25150, 25159.5, 25219,
35 25219.1, ~~and~~ 25219.2, and 25259, Health and Safety Code; 40 CFR Section 273.39.

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1 **Amend** Title 22, division 4.5, chapter 23, article 5, section 66273.51 to read:

2

3 **Article 5. Standards for Universal Waste Transporters**

4

5 **§ 66273.51. Prohibitions.**

6

7 A universal waste transporter is:

8 (a) Prohibited from disposing of universal waste;

9 (b) Prohibited from diluting or treating universal waste, except as a consequence of
10 responding to a release as provided in section 66273.54;

11 (c) Prohibited from transporting more than five CRTs at any one time unless the CRTs
12 are contained as described in section 66273.33.5, subsection (b)(1)(B); ~~and~~

13 (d) Prohibited from transporting more than 100 kilograms or 220 pounds of electronic
14 devices at any one time unless the electronic devices are contained as described in
15 section 66273.33.5, subsection (a)(1)(B); and

16 (e) Prohibited from transporting more than 100 kilograms (220 pounds) of PV modules
17 at any one time unless the PV modules are contained as described in section
18 66273.33.6, subsection (a)(~~1~~)(B).

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21 Note: Authority cited: Sections 25141, 25150, 25150.6, 25201, 25214.9, 25219.1,
22 25259, and 58012, Health and Safety Code; and Section 42475, Public Resources
23 Code. Reference: Sections 25141, 25150, 25159.5, 25201, 25214.9, 25219, 25219.1,
24 25219.2, and 25259, Health and Safety Code; and 40 CFR Section 273.51.

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1 **Amend** Title 22, division 4.5, chapter 23, article 7, section 66273.70 to read:

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3 **Article 7. Authorization Requirements for Universal Waste Handlers Who Treat**
4 **Universal Wastes**

5

6 **§ 66273.70. Applicability.**

7

8 (a) Except as otherwise provided in subsections (b), (c), and (d) of this section, a
9 universal waste handler, who treats universal waste, is subject to all applicable
10 requirements of chapters 14, 15, 16, 18, 20, and 22 of this division with respect to the
11 treatment of that universal waste.

12 (b) Except as otherwise provided in subsection (d) of this section, a universal waste
13 handler who manages a universal waste and its integral components, or the
14 components specified below that the handler has removed from the universal waste, for
15 purposes of recycling it or its component(s) or for the purpose of disposing of CRTs, or
16 CRT glass, or PV modules by performing one or more activities listed in one or more of
17 the three categories given in subsection (c) of this section, shall be deemed authorized
18 by the Department to conduct those activities, provided the universal waste handler
19 complies with the applicable requirements of this article in addition to the applicable
20 requirements of subsection (c) of section 66273.33, ~~and to the applicable requirements~~
21 of subsections (a)(1), (b)(1), and (c)(1) of section 66273.33.5, and to the applicable
22 requirements of subsection (a)(1) of section 66273.33.6, and to the applicable
23 requirements of article 8 of this chapter. The authorization created by this subsection
24 shall not be deemed to be any of the following:

- 25 (1) A permit-by-rule;
26 (2) A conditional authorization; or
27 (3) A conditional exemption.

28 (c) Activities eligible for authorization pursuant to subsection (b) of this section are any
29 of the following:

30 (1) Removal activities. Removing user-replaceable components from electronic
31 devices, ~~or PV modules systems,~~ as specified in section 66273.71.

32 (2) Disassembling/drainage activities.

33 (A) Removing CRTs from electronic devices, as specified in section 66273.72,
34 subsection (b);

35 (B) Dismantling electronic devices that are not CRT devices and/or removing
36 yokes from CRTs, as specified in section 66273.72, subsection (c);

37 (C) Removing mercury ampules and/or mercury switches from mercury-

38 containing equipment, as specified in section 66273.72, subsection (d); ~~and/or~~

39 (D) Draining liquid mercury from pressure or vacuum gauges, as specified in
40 section 66273.72, subsection (e); and/or

41 (E) Dismantling PV modules, as specified in section 66273.72, subsection (f).

42 (3) Treatment activities.

43 (A) Treating electronic devices and/or residual printed circuit boards, as specified
44 in section 66273.73, subsection (a); ~~and/or~~

1 (B) Treating CRTs and/or CRT glass, as specified in section 66273.73,
2 subsection (b)-; and/or
3 (C) Treating PV modules as specified in 66273.73, subsection (c).
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8 Note: Authority cited: Sections 25141, 25141.5, 25150, 25201, 25214.6, 25214.9,
9 26219.1, 25259, and 58012, Health and Safety Code; and Section 42475, Public
10 Resources Code. Reference: Sections 25141, 25141.5, 25150, 25159.5, 25201, 25212,
11 25214.6, 25214.9, 25219, 25219.1, ~~and 25219.2~~, and 25259, Health and Safety Code.
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1 **Amend** Title 22, division 4.5, chapter 23, article 7, section 66273.71 to read:

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3 **§ 66273.71. Authorization for Removal Activities.**

4

5 (a) Removing user-replaceable components.

6 A universal waste handler, who conducts the activities identified in subsections (b) and
7 (c) of this section on electronic devices, or PV modules systems, shall be deemed
8 authorized by the Department to perform these activities, and is exempt from the
9 requirements of sections 66273.74 through 66273.77, provided the universal waste
10 handler complies with the requirements specified in subsections (b) through (g) of this
11 section.

12 (b) A universal waste handler shall remove only those discrete assemblies, such as
13 batteries or ink cartridges from electronic devices, or batteries, inverters, cables,
14 connectors or diode boxes from PV modules systems, which are typically removed for
15 replacement during the normal operation and maintenance of an electronic device, or
16 PV module system.

17 (c) A universal waste handler shall conduct the removal of the discrete assemblies in
18 the manner that is prescribed in the operating manual for the electronic device, or PV
19 module system, or in a manner that would otherwise reasonably be employed during the
20 normal operation and maintenance of the electronic device, or PV module system.

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25 (f)(1) Prior to conducting any subsequent treatment activity authorized by section
26 66273.73 on any residual printed circuit board resulting from removal activities
27 conducted under this section, a universal waste handler shall manage the residual
28 printed circuit board in a manner that prevents a release to the environment by:

29 (A) Containing the residual printed circuit board in a container that is structurally
30 sound and compatible with the residual printed circuit board,

31 (B) Labeling the container with the following phrase: “Residual Printed Circuit
32 Boards,” and

33 (C) If the residual printed circuit board is spilled or might reasonably be expected
34 to cause a release to the environment under reasonably foreseeable conditions,
35 cleaning it up and placing it in a container.

36 (2) A universal waste handler who conducts any subsequent treatment activity
37 authorized by section 66273.73 on any residual printed circuit board resulting from
38 removal activities conducted under this section shall comply with section 66273.73,
39 subsections (a)(1), and/or (a)(2), (c)(1), and/or (c)(2), as applicable.

40 (3) A universal waste handler who does not conduct any of the subsequent treatment
41 activities authorized by section 66273.73 on a residual printed circuit board resulting
42 from removal activities conducted under this section shall manage the printed circuit
43 board as prescribed in section 66273.75, subsection (c).

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1 Note: Authority cited: Sections 25141, 25150, 25201, 25214.9, 25219.1, 25259, and
2 58012, Health and Safety Code; and Section 42475, Public Resources Code.
3 Reference: Sections 25141, 25150, 25159.5, 25201, 25212, 25214.9, 25219, 25219.1,
4 ~~and 25219.2,~~ and 25259, Health and Safety Code.

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1 **Amend** Title 22, division 4.5, chapter 23, article 7, section 66273.72 to read:

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3 **§ 66273.72. Authorization for Disassembling/Draining Activities.**

4

5 (a)(1) Universal waste handlers shall not conduct any activity pursuant to this section if
6 the activity involves the use or application of:

7 (A) Chemicals, including water; and/or

8 (B) External heat.

9

10 (2) A universal waste handler shall perform a hazardous waste determination
11 pursuant to section 66262.11 for all residuals resulting from the activities authorized
12 by subsections (c) or (f) of this section, and shall:

13 (A) Be deemed the generator of all residuals that are hazardous waste.

14 (B) For all residuals that are hazardous wastes, comply with all the applicable
15 requirements of chapters 12, 14, 15, 16, 18, 20, 22 and 23 of this division and the
16 applicable notification requirements in Health and Safety Code section 25153.6,
17 except as otherwise provided in subsections (a)(3), (a)(4), (a)(6) or (a)(7) of this
18 section.

19

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21

22 (f) Dismantling PV modules. A universal waste handler who conducts any of the
23 activities identified in subsection (f)(1) of this section shall be deemed authorized by the
24 Department to do so, provided the universal waste handler complies with the
25 requirements in this subsection.

26 (1) The universal waste handler who dismantles, removes, or otherwise manually
27 segregates components (e.g., glass panels, metal framings used to support the
28 photovoltaic cells/modules, housing or pocket holding the photovoltaic
29 cells/modules module, junction boxes, inverters, wires and cables) of a PV module,
30 but does not break the PV module glass.

31 (2) The universal waste handler shall:

32 (A) Comply with the notification, annual reporting, and recordkeeping requirements
33 specified in section 66273.74, subsections (a)(4) and/or (a)(5), (b)(3), and (c)(3);

34 (B) Ensure that all segregated or removed components resulting from the activities
35 authorized by subsection (f)(1) of this section that meet the definition of scrap
36 metal in section 66273.9 are recycled; and

37 (C) Except as provided in subsection (f)(3) of this section, treat the PV modules
38 pursuant to section 66273.73 or send or take PV modules to another universal
39 waste handler for treatment pursuant to section 66273.73; and

40 (D) Conduct the activities in a manner that protects persons managing the PV
41 modules, and that prevents releases of any universal wastes and/or any
42 constituents of the PV modules to the environment under reasonably foreseeable
43 conditions, as follows:

44 1. Dismantle PV modules over or in a designated area (e.g., a concrete surface)
45 sufficient in size and construction to contain any materials from being released to
the environment under reasonably foreseeable conditions, and provided the

- 1 universal waste handler conducts such activities in a manner that prevents
2 breakage of the PV modules;
3 2. Contain any hazardous residuals produced from dismantling PV modules in a
4 manner that prevents releases of the residuals to the environment under
5 reasonably foreseeable conditions;
6 3. Immediately clean up and place in a container any PV module that is
7 accidentally or unintentionally broken and that may reasonably be expected to
8 cause a release to the environment under reasonably foreseeable conditions.
9 Such a container shall be structurally sound, be compatible with the contents of
10 the PV module, and prevent releases to the environment under reasonably
11 foreseeable conditions;
12 4. Ensure that persons performing the activities are thoroughly familiar with the
13 hazards associated with such treatment, have access to the proper procedures
14 and protective equipment necessary to conduct the treatment safely, use such
15 protective equipment if required by any applicable health and safety
16 requirements, and comply with the requirements of this section;
17 5. Ensure that the facility is operated in compliance with all applicable health and
18 safety laws and regulations [e.g., Cal. Code Regs., tit. 8, ch. 4 (Division of
19 Industrial Safety) subch. 7 (General Industry Safety Orders), group 16 (Control of
20 Hazardous Substances), art. 107 (Dusts, Fumes, Mists, Vapors, and Gases), and
21 art. 109 (Hazardous Substances and Processes), and sec. 5198 (Lead)]; and
22 6. Ensure that the facility maintains aisle spacing in compliance with applicable
23 fire safety code standards in California.
24 (3) A universal waste handler who does not conduct further treatment on PV modules
25 pursuant to section 66273.73 or send or take PV modules to another universal waste
26 handler for treatment pursuant to section 66273.73 shall:
27 (A) Ensure that the PV modules are recycled or disposed of as required by this
28 section; and
29 (B) Ensure that fFor disposal at a permitted hazardous waste disposal facility:
30 1. Be deemed the generator of hazardous waste PV modules;
31 2. Manage the PV modules as hazardous waste in accordance with all applicable
32 requirements of chapters 12 through 16, 18, 20, and 22 of this division; and
33 3. Notify the Department in accordance with 66273.74 (a)(5).

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37 Note: Authority cited: Sections 25141, 25141.5, 25143.2, 25150, 25173, 25201,
38 25214.6, 25214.9, 25219.1, 25259, and 58012, Health and Safety Code; and Section
39 42475, Public Resources Code. Reference: Sections 25141, 25141.5, 25150, 25159.5,
40 25173, 25201, 25212, 25214.6, 25214.9, 25219, 25219.1, ~~and 25219.2~~, and 25259,
41 Health and Safety Code.

1 **Amend** Title 22, division 4.5, chapter 23, article 7, section 66273.73 to read:

2

3 **§ 66273.73. Authorization for Treatment (Processing) Activities**

4

5 (a) Treatment of electronic devices.

6 (1) A universal waste handler described in subsection (a)(1)(A) of this section shall
7 be deemed authorized by the Department to conduct the activities identified in
8 subsection (a)(1)(B) of this section, provided the universal waste handler complies
9 with the requirements specified in subsections (a)(1)(B) and (a)(1)(C) of this section.

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13 (B) The universal waste handler treats electronic devices and/or residual printed
14 circuit boards for which the handler is deemed to be the generator pursuant to
15 sections 66273.71 and/or 66273.72 by conducting activities other than, or in addition
16 to, the removal activities authorized in section 66273.71 or the
17 disassembling/draining activities authorized by section 66273.72, and using only one
18 or more of the methods allowed pursuant to subsection (~~de~~) of this section.

19

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22 (2) A universal waste handler described in subsection (a)(2)(A) of this section shall
23 be deemed authorized by the Department to conduct the activities identified in
24 subsection (a)(2)(B) of this section, provided the universal waste handler complies
25 with the requirements specified in subsections (a)(2)(B) and (a)(2)(C) of this section.

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28

29 (B) The universal waste handler treats electronic devices and/or residual printed
30 circuit boards for which the handler is deemed to be the generator pursuant to
31 sections 66273.71 and/or 66273.72 by conducting activities other than, or in addition
32 to, the removal activities authorized in section 66273.71 and the disassembling/
33 draining activities authorized in section 66273.72, and using only one or more of the
34 methods allowed pursuant to subsection (~~de~~) of this section.

35

36 ***

37

38 (b) Treating CRTs and/or CRT glass.

39 A universal waste handler described in subsection (b)(1) of this section shall be deemed
40 authorized by the Department to conduct the activities identified in subsection (b)(2) of
41 this section, provided the universal waste handler complies with the requirements
42 specified in subsections (b)(2) and (b)(3) of this section.

43 (1) The universal waste handler treats CRTs, breaking the CRTs' glass.

44 (2) The universal waste handler treats CRTs by: conducting activities other than, or
45 in addition to, the disassembling/ draining activities authorized by section 66273.72,

1 subsections (b) or (c); and using only one or more of the methods allowed pursuant
2 to subsection ~~(d)~~ of this section.

3
4 ***

5
6 ~~(c)~~ Treatment of PV ~~m~~Modules.

7 (1) A universal waste handler described in subsection ~~(c)~~(1)(A) and (c)(1)(B) of this
8 section shall be deemed authorized by the Department to conduct the activities
9 identified in subsection ~~(c)~~(3) of this section, provided the universal waste handler
10 complies with the requirements specified in subsections ~~(c)~~(3) and ~~(c)~~(4) of this
11 section.

12 (A) The universal waste handler treats PV modules by intentionally breaking the PV
13 modules (e.g., glass).

14 (B) The universal waste handler treats PV modules and/or residual printed circuit
15 boards for which the handler is deemed to be the generator pursuant to sections
16 66273.71 and/or 66273.72 and produces any residuals that exhibit a hazardous
17 waste characteristic described in article 3 of chapter 11 of this division when
18 managed pursuant to section 66273.75, subsection (c) and meet the following
19 criteria:

- 20 1. They meet the definition of scrap metal in section 66273.9; or
21 2. They qualify for management as universal wastes pursuant to this chapter.

22 (2) A universal waste handler described in subsection (c)(2)(A) and (c)(2)(B) of this
23 section shall be deemed authorized by the Department to conduct the activities
24 identified in subsection (c)(3) of this section, provided the universal waste handler
25 complies with the requirements specified in subsections (c)(3) and (c)(4) of this
26 section.

27 (A) The universal waste handler treats PV modules by intentionally breaking the PV
28 modules (e.g., glass).

29 (B) The universal waste handler treats PV modules and/or residual printed circuit
30 boards for which the handler is deemed to be the generator pursuant to sections
31 66273.71 and/or 66273.72 and produces any residuals that exhibit a hazardous
32 waste characteristic described in article 3 of chapter 11 of this division when
33 managed pursuant to section 66273.75, subsection (c) and meet the following
34 criteria:

- 35 1. They do not meet the definition of scrap metal in section 66273.9; and
36 2. They do not qualify for management as universal waste pursuant to this
37 chapter.

38 ~~(3)~~ The universal waste handler treats PV modules by: conducting activities other
39 than, or in addition to, the removal activities authorized in section 66273.71 and the
40 dismantling activities authorized by section 66273.72, subsection (f); and using only
41 one or more of the methods allowed pursuant to subsection ~~(d)~~ of this section.

42 ~~(4)~~ The universal waste handler complies with all of the following requirements in
43 addition to the requirements of section 66273.33.6, subsection (a)(1):

44 (A) The notification, annual reporting, and recordkeeping requirements specified in
45 section 66273.74;

1 (B) The standards specified in section 66273.75;

2 (C) The closure plan and financial requirements specified in section 66273.76; and

3 (D) When applicable, the closure requirements specified in section 66273.77.

4 ~~(de)~~ Electronic device, CRT, PV modules, and residual printed circuit board treatment
5 methods allowed.

6 (1) Except as otherwise provided in subsection ~~(de)~~(2) of this section, one or more of
7 the following treatment methods is eligible for authorization pursuant to this
8 section, if performed by a universal waste handler described in subsections (a),
9 ~~and/or (b), and/or (c)~~ of this section:

10 (A) Physical treatment that changes only the physical properties of electronic
11 devices, PV modules, residual printed circuit boards, and/or CRTs, such as cutting,
12 sawing, breaking, shredding, crushing, grinding, screening, sieving, acceleration, or
13 compacting (e.g., screening to separate different particle sizes of the same
14 component);

15 (B) Physical separation based on differences in physical properties such as size,
16 color, density, or ferromagnetism (e.g., screening to separate different components
17 based on differences in their sizes);

18 (C) Use of a pinpoint torch or hot wire to check (i.e., thermally crack) CRTs for glass
19 separation;

20 (D) Sampling, burning (ashing) and ball-milling of samples of electronic devices
21 and/or treatment residues thereof [i.e., shredded circuit boards excluded under 40
22 C.F.R. sec. 261.4(a)(13)] provided the sample size does not exceed 250 kg, and no
23 more than 250 kg (one sample) is subject to thermal assay per 24 hour period;

24 (E) Physical separation of CRT panel glass from CRT funnel glass for the disposal
25 of CRT panel glass in a CRT panel glass approved landfill pursuant to article 8 of
26 this chapter; and

27 (F) Physical separation of CRT panel glass from CRT funnel glass for the
28 management of CRT panel glass in accordance with section 25143.2.5 of the Health
29 and Safety Code.

30 (2) Any treatment activity identified subsection ~~(de)~~(1) of this section is not eligible
31 for authorization pursuant to this article, but is instead subject to all applicable
32 requirements of chapters 14, 15, 16, 18, 20, and 22 of this division, if the
33 treatment activity involves:

34 (A) The use or application of:

35 1. Chemicals, including water, other than coolant recirculated in CRT cutting
36 machines; and/or

37 2. External heat.

38 (B) Except as specifically provided in subsection ~~(de)~~(1)(D), the onsite treatment of
39 the residuals resulting from the activities authorized by section 66273.73, subsection
40 (a)(1), ~~or (a)(2), (c)(1), or (c)(2)~~.

41 (C) The treatment of electronic devices containing PCBs, a medical waste, a
42 radioactive material, a reactive material, or an ignitable material.

43 ~~(e) PV module treatment methods allowed.~~

~~(1) Except as otherwise provided in subsection (e)(2) of this section, one or more of the following treatment methods is eligible for authorization pursuant to this section, if performed by a universal waste handler described in subsection (d) of this section:~~

~~(A) Physical treatment that changes only the physical properties of PV modules, such as cutting, sawing, breaking, shredding, crushing, grinding, screening, sieving, or compacting;~~

~~(B) Physical separation based on differences in physical properties such as size, color, density, or ferromagnetism (e.g., screening to separate different components based on differences in their sizes);~~

~~(2) Any treatment activity identified in subsection (e)(1) of this section is not eligible for authorization pursuant to this article, but is instead subject to all applicable requirements of chapters 14, 15, 16, 18, 20, and 22 of this division, if the treatment activity involves:~~

~~(A) The use or application of chemicals, including water;~~

~~(B) The use or application of external heat;~~

~~(3) For disposal of PV modules at a permitted hazardous waste disposal facility, the universal waste handler shall be deemed the generator of hazardous waste PV modules, and shall:~~

~~(A) Manage the PV modules as hazardous waste in accordance with all applicable requirements of chapters 12 through 16, 18, 20, and 22 of this division; and~~

~~(B) Notify the Department in accordance with section 66273.74(a)(5).~~

(d)(e)(1) Notwithstanding subsections (a)(1)(B), (a)(2)(B), and (b)(2), and (c)(3) of this section, the authorizations provided in this section shall not be required for a handler who recycles scrap metal, including printed circuit boards produced by an authorized handler.

(2) As used in this subsection, “printed circuit boards produced by an authorized handler” means residual printed circuit boards that a handler has:

(A) derived from electronic devices or PV modules by completing treatment authorized under this article,

(B) containerized and labeled pursuant to section 66273.75, subsection (b), and

(C) subsequent to the authorized treatment, determined to be exempt scrap metal pursuant to section 66273.71, subsection (e), section 66273.72, subsection (a)(3), or section 66273.75, subsection (c)(1)(C).

Note: Authority cited: Sections 25141, 25141.5, 25143.2.5, 25150, 25201, 25214.9, 25219.1, 25259, and 58012, Health and Safety Code; and Section 42475, Public Resources Code. Reference: Sections 25141, 25141.5, 25143.2, 25150, 25159.5, 25201, 25212, 25214.9, ~~25219~~, 25219.1, and 25219.2, and 25259, Health and Safety Code.

1 **Amend** Title 22, division 4.5, chapter 23, article 7, section 66273.74 to read:

2
3 **§ 66273.74. Notification, Annual Reporting, and Recordkeeping.**

4
5 (a) Notification.

6
7 ***

8 (4) Universal waste handlers of PV modules.

9 A universal waste handler who intends to treat PV modules pursuant to this article
10 shall submit to the Department at the address provided in subsection (f) of this
11 section, a written notification containing the following information no later than 30
12 calendar days prior to treating any PV modules:

13 (A) Name of the universal waste handler ~~(If the facility owner is different than the~~
14 ~~facility operator, also include the owner's name.)~~;

15 ~~(B) ID Number of the universal waste handler, if applicable~~ Telephone number of
16 universal waste handler;

17 ~~(C) Telephone number of the universal waste handler~~ Mailing address of
18 universal waste handler, and physical address, including county, if different from
19 the mailing address;

20 ~~(D) Mailing address of universal waste handler, and physical address, including~~
21 ~~county, if different from the mailing address~~ If different from the notifier pursuant
22 to subsection (a)(4)(A) of this section, the name and mailing address of the
23 organization (as authorized to transact business in California) that owns and/or
24 operates the facility;

25 (E) Name, business telephone number, and e-mail address (if available) of the
26 ~~contact~~ person at the universal waste handler's site who should be contacted
27 regarding universal waste management activities;

28 ~~(F) Telephone number of the contact person~~ Facility ID Number, if issued;

29 ~~(G) An e-mail address for the contact person or organization, if available;~~ A
30 general description of the source(s) of PV modules (e.g., residential collection(s),
31 other collector(s), etc.);

32 (H) Type(s) of PV modules expected to be treated, if known (e.g., crystalline
33 silicon, thin film, etc.);

34 ~~(H) A description of the authorized treatment method~~ process(es) to be used to
35 ~~treat PV modules; and~~

36 ~~(I) A description of how treated PV modules will be recycled and/or disposed of.~~

37 (J) Documentation that the facility operator has notified the facility property owner
38 (if different from the operator of the facility) that the facility operator is treating PV
39 modules at the facility.

40 (5) A universal waste handler who makes a determination to dispose of PV modules
41 pursuant to subsection (f)(3)(B) of section 66273.72 ~~or subsection (e)(3) of section~~
42 ~~66273.73~~ of this chapter, shall submit to the Department, at the address provided in
43 subsection (f) of this section, a written notification containing the following
44 information no later than 15 calendar days after determining that the PV modules
45 are destined for disposal:

- 1 (A) The ID number for the universal waste handler’s facility where the PV
- 2 modules ~~was~~ were generated;
- 3 (B) A description of the authorized treatment method(s) used to generate the PV
- 4 modules to be disposed of; and
- 5 (C) The name, address, and ID number of the hazardous waste disposal facility
- 6 where the PV modules will be disposed of.

7 (b) Annual reporting.

8
9 ***

10 (3) Universal waste handlers of PV modules.

11 Except as otherwise provided in section 66273.71, a universal waste handler who

12 treated any PV module pursuant to this article in a calendar year shall, by February

13 1 of the following year, submit to the Department at the address provided in

14 subsection (f) of this section, a written annual report containing the information

15 specified in subsection (b)(3)(A) through (b)(3)(K) of this section. ~~following:~~

16 ~~(A) Name of the universal waste handler (if the facility owner is different than the~~

17 ~~facility operator, also include the owner’s name), mailing address (and physical~~

18 ~~address, including county, if different from the mailing address), and telephone~~

19 ~~number of the universal waste handler;~~

20 ~~(B) Telephone number of the universal waste handler;~~ A description of the facility;

21 ~~(C) Mailing address of the universal waste handler, and physical address,~~

22 ~~including county, if different from the mailing address;~~ Name and mailing address

23 of the organization (as authorized to transact business in California) that owns

24 and/or operates the facility;

25 (D) Name, title, telephone number, and e-mail address (if available) of the

26 contact person at the universal waste handler’s ~~site~~ physical address who should

27 be contacted regarding universal waste management activities at the location;

28 ~~(E) Telephone number of the contact person;~~

29 ~~(F) An e-mail address for the contact person or organization, if available;~~

30 ~~(G) Facility ID Number, if issued;~~

31 ~~(H) Number of days the facility operated;~~

32 (G) Type(s) of PV modules treated at the facility, if known (e.g., crystalline silicon,

33 thin film, etc.);

34 ~~(H) A description of the authorized ~~t~~ treatment method(s) used to treat ~~for~~ PV~~

35 ~~modules treated at the facility; and~~

36 ~~(I) The total quantity (count or weight) of PV modules treated during the~~

37 ~~previous calendar year;~~

38 ~~(J) A list consisting of:~~

39 1. The name, address, and telephone number for each of the locations to which

40 the universal waste handler shipped PV modules, scrap metal, and/or exempt

41 materials during the previous calendar year; and

42 2. The total number (count or weight) of PV modules shipped to that location

43 during the previous calendar year, including in this case a declaration of

44 whether that location is a glass manufacturer, a reclamation facility, or a

45 destination facility.

1 ~~(L)(K) A~~Whenever necessary, a universal waste handler who utilizes a mass-
2 based inventory system to quantify PV modules and PV module residuals may
3 convert mass data to count data through application of an appropriate conversion
4 factor (e.g., 40 pounds per PV module) to fulfill the annual reporting requirement
5 of this subsection (b)(3). A universal waste handler who performs such a data
6 conversion(s) shall indicate that the count data were derived from mass data and
7 shall include the conversion factor(s) used in the annual report ~~must provide an~~
8 ~~appropriate conversion factor to convert mass data to count data.~~

9
10 ***

11
12 (c) Recordkeeping.

13 (1)(A) Universal waste handlers of electronic devices and/or CRTs.

14 Except as otherwise provided in sections 66273.71 and 66273.72, a universal waste
15 handler who treats any electronic device and/or CRT pursuant to this article shall
16 maintain on file at the universal waste handler's facility, the following documents as
17 specified:

18
19 ***

20
21 (3) Universal waste handlers of PV modules.

22 (A) Except as otherwise provided in sections 66273.71, a~~The~~ universal waste
23 handler who treats any PV modules pursuant to this article shall maintain on file at
24 the universal waste handler's facility the following documents as specified:

25 1. A copy of the notification submitted to the Department as required by
26 subsection (a)(4) of this section;

27 2. A copy of the notification submitted to the Department as required by
28 subsection (a)(5) of this section;

29 ~~23.~~ 3. A copy of the most recent annual report submitted to the Department as
30 required by subsection (b) of this section, beginning no later than February 1 of
31 the year following the most recent calendar year during which the universal
32 waste handler treated any PV modules at the universal waste handler's facility
33 pursuant to this article; and

34 ~~34.~~ 4. A current copy of any local air district permit and/or other relevant permit(s)
35 required for the facility, beginning no later than the date on which the local air
36 district and/or other relevant permitting authority required the universal waste
37 handler to possess such a permit.

38 (B) The universal waste handler shall make available the relevant documents
39 identified in subsection (c)(3)~~(A)~~1 through ~~(c)(3)(A)3~~ of this section at the
40 universal waste handler's facility upon request, to any representative of the
41 Department, U.S. EPA, or a local governmental agency having jurisdiction over the
42 facility.

43 (C) The universal waste handler shall either deliver in person or send to the
44 Department by certified mail, return receipt requested, a copy of any relevant
45 document identified in subsection (c)(3)(A)~~3~~ of this section upon receipt of a written

1 request from the Department. The Department shall specify in its written request all
2 of the following: the identities of the documents for which copies are required; the
3 place where those copies shall be delivered or sent; and the date by which those
4 copies shall be submitted.

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6 ***

7 (e)(1) If submitted electronically, notifications and annual reports required pursuant to
8 subsections (a) and (b) of this section shall be addressed to the Department at
9 <http://www.dtsc.ca.gov>. For electronic notifications and annual reports made pursuant
10 to this section, the universal waste handler signature required by subsection (d) of this
11 section shall be submitted to the address provided in subsection (f) of this section.

12 (2) A person that has provided written submissions of any of the Department
13 notifications and annual reports required pursuant to subsections (a) and (b) of this
14 section is not required to submit the same information electronically.

15 (3) If the Department's universal waste web-based reporting system is not available
16 or cannot accommodate electronic submissions for any of the Department
17 notifications and annual reports required pursuant to subsections (a) and (b) of this
18 section the handler shall provide written submissions in accordance with subsection
19 (f).

20 (f)(1) If submitted in writing, notifications and annual reports required pursuant to
21 subsections (a) and (b) of this section shall be sent to the Department by certified mail,
22 return receipt requested, at the following address: Department of Toxic Substances
23 Control, Universal Waste Notification and Reporting Staff, P.O. Box 806, Sacramento,
24 CA 95812-0806, with the words "Attention: Universal Waste Handling Activities"
25 prominently displayed on the front of the envelope.

26 (2) A person that has provided electronic submissions of any of the Department
27 notifications and annual reports required pursuant to subsections (a) and (b) of this
28 section through the Department's universal waste web-based reporting system in
29 accordance with subsection (e) of this section is not required to submit the same
30 information in writing.

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32
33 Note: Authority cited: Sections 25141, 25141.5, 25150, 25201, 25214.6, 25214.9,
34 26219.1, 25259, and 58012, Health and Safety Code; and Section 42475, Public
35 Resources Code. Reference: Sections 25141, 25141.5, 25150, 25159.5, 25179.6,
36 25201, 25212, 25214.6, 25214.9, 25219, 25219.1, ~~and 25219.2,~~ and 25259, Health and
37 Safety Code.

1 **Amend** Title 22, division 4.5, chapter 23, article 7, section 66273.74 to read:

2

3 **§ 66273.75. Treatment (Processing) Standards.**

4

5 A universal waste handler who treats electronic devices, residual printed circuit boards,
6 ~~and/or CRTs, and/or PV modules~~ pursuant to section 66273.73 shall comply with the
7 following standards:

8

9 (a) Treatment.

10 The universal waste handler shall:

11 (1) Utilize only treatment methods identified in section 66273.73, subsection ~~(d)~~ for
12 electronic devices, residual printed circuit boards, and/or CRTs, and/or treatment
13 ~~methods identified in section 66273.73, subsection (e) for PV modules;~~

14 (2) Ensure that all mercury-containing lamps, PCB capacitors, and other
15 components containing fluids (i.e., liquids or gases) that would be identified as
16 hazardous wastes, are removed prior to treatment methods that may release the
17 fluids such as cutting, sawing, breaking, shredding, crushing, grinding, screening,
18 sieving, acceleration, or compacting;

19

20

21 ***

22

23 (10) Not accept for treatment, any electronic devices ~~or, PV modules, or~~ CRTs that
24 are managed, or that are required to be managed, as hazardous wastes pursuant to
25 chapters 10 through 16, 18, 20 and 22 of this division, unless authorized to do so
26 pursuant to a hazardous waste facility permit or other authorization granted by the
27 Department pursuant to those chapters.

28 (b) Containment of residuals.

29 (1) The universal waste handler shall manage all residuals produced from treating
30 electronic devices, residual printed circuit boards, PV modules, and/or CRTs, in a
31 manner that prevents a release to the environment of any universal waste or any
32 component or constituent thereof, as follows:

33 (2) Contain any residuals that are produced from treating electronic devices, residual
34 printed circuit boards, PV modules, and/or CRTs, in a manner that prevents releases
35 of hazardous residuals to the environment under reasonably foreseeable conditions.

36 (3) Clean up and immediately place in a container any electronic device, residual
37 printed circuit board, PV module, and/or CRT that is accidentally or unintentionally
38 broken and that might reasonably be expected to cause a release to the
39 environment under reasonably foreseeable conditions. Such containers shall be
40 structurally sound, be compatible with the contents of the electronic devices, residual
41 printed circuit boards, PV modules, and/or CRTs, and prevent releases under
42 reasonably foreseeable conditions.

43

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46

1 (d) Worker safety.

2 (1) A universal waste handler, who treats electronic devices, residual printed circuit
3 boards, PV modules, and/or CRTs, shall be thoroughly familiar with the hazards
4 associated with such treatment, have access to the proper procedures and
5 protective equipment necessary to conduct the treatment safely, use such protective
6 equipment if required by any applicable health and safety requirements, and comply
7 with the requirements of this section;

8 (2) A universal waste handler, who treats electronic devices, residual printed circuit
9 boards, PV modules, and/or CRTs, shall ensure that the universal waste handler's
10 facility is operated in compliance with all applicable health and safety laws and
11 regulations [e.g., Cal. Code Regs., tit. 8, ch. 4 (Division of Industrial Safety), subch.
12 7 (General Industry Safety Orders), group 16 (Control of Hazardous Substances),
13 art. 107 (Dusts, Fumes, Mists, Vapors and ~~Mists~~ Gases), and art. 109 (Hazardous
14 Substances and Processes), and sec. 5198 (Lead)].

15 (e) Zoning.

16 (1) A universal waste handler, who treats electronic devices, residual printed circuit
17 boards, PV modules, and/or CRTs using any of the methods allowed pursuant to this
18 section, shall ensure that such treatment is consistent with local zoning requirements
19 and land use patterns applicable to the universal waste handler's facility.
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1 **Amend** Title 22, division 4.5, chapter 23, article 7, section 66273.76 to read:

2

3 **§ 66273.76. Closure Plan and Financial Requirements.**

4

5 (a) Except as otherwise provided in subsections (a)(4) and (b)(5) of this section, and in
6 addition to the universal waste handler notification required pursuant to section
7 66273.74, subsection (a), a universal waste handler who intends to conduct one or
8 more of the treatment activities described in section 66273.73, subsections (a)(2), ~~and~~
9 (b), ~~and (c)~~, shall submit the information specified in subsections (a)(1) through (d) of
10 this section to the Department in the manner and at the address given in subsections
11 (e) and (f) of this section, no later than 30 calendar days prior to initially conducting
12 those treatment activities:

13

14 (1) Closure plan

15

16 ***

17

18 (4) Universal waste handlers who notify the Department pursuant to section
19 66273.74, subsection (a), of their intent to conduct one or more of the treatment
20 activities described in section 66273.73, subsections (a)(2), ~~and (b), and (c)~~ ~~on or~~
21 ~~before [OAL to insert effective date of these regulations]~~ shall submit the closure
22 plan required by subsection (a)(1) of this section when they submit the notification
23 ~~or before December 31, 2008.~~

24

25 (b)(1) Cost estimate for closure.

26

27 ***

28

29 (5) Notwithstanding subsection (b)(2) of this section, universal waste handlers who
30 notify the Department pursuant to section 66273.74, subsection (a), of their intent to
31 conduct one or more of the treatment activities described in section 66273.73,
32 subsections (a)(2), ~~and (b), and (c)~~, ~~on or before [OAL to insert the effective date of~~
33 ~~these regulations]~~, shall submit a revised cost estimate for closure as required by
34 this subsection when they submit the notification ~~on or before December 31, 2008.~~

35

36 ***

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38 Note: Authority cited: Sections 25141, 25150, 25201, 25214.9, 25219.1, 25259, and
39 58012, Health and Safety Code; and Section 42475, Public Resources Code.

40 Reference: Sections 25141, 25150, 25159.5, 25201, 25212, 25214.9, 25219, 25219.1,
41 ~~and 25219.2~~, and 25259, Health and Safety Code.

42

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44

1 **Amend** Title 22, division 4.5, chapter 23, article 7, section 66273.77 to read:

2

3 **§ 66273.77. Closure of Universal Waste Treatment Facilities.**

4

5 (a) Closure notification.

6 A universal waste handler who intends to close a universal waste treatment facility or
7 any universal waste treatment unit, including universal waste units that also treat
8 residual printed circuit boards that have been determined to be exempt scrap metal
9 pursuant to section 66273.71, subsection (e), section 66273.72, subsection (a)(3), or
10 section 66273.75, subsection (c)(1)(C), and who conducts any of the treatment activities
11 described in section 66273.73, subsection (a)(2), ~~or (b), or (c)~~, shall:

12 (1) Submit to the Department in the manner and at the address given in subsections
13 (c) and (d) of this section, a notification containing the following information:

14 (A) The date of the last day on which the universal waste handler intends to
15 conduct the treatment activities specified in section 66273.73, subsection (a)(2),
16 ~~or (b), or (c)~~;

17 (B) The date of the last day on which the universal waste handler intends to
18 conduct handling activities other than the treatment activities specified in section
19 66273.73, subsection (a)(2), ~~or (b), or (c)~~ at the facility, if applicable; and

20 (C) The date the universal waste handler intends to complete the closure
21 activities described in the handler's closure plan and/or, if applicable, vacate the
22 facility.

23

24 ***

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26 Note: Authority cited: Sections 25141, 25150, 25201, 25214.9, 25219.1, 25259, and
27 58012, Health and Safety Code; and Section 42475, Public Resources Code.

28 Reference: Sections 25141, 25150, 25159.5, 25201, 25212, 25214.9, 25219, 25219.1,
29 ~~and 25219.2~~, and 25259, Health and Safety Code.

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