

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET
P.O. BOX 942732
SACRAMENTO, CA 94234-7320

(916) 324-1807

February 15, 1989

Mr. Marlen R. Silverii
Vice President, Marketing
Facet Automotive Filter Company
Two Warren Place
6100 S. Yale Avenue
Tulsa, OK 74136-1998



Dear Mr. Silverii:

This is in response to your January 24, 1989 letter asking for information regarding the disposal of motor vehicle oil filters and the crushing of such oil filters.

The Department has established as interim policy the disposal of motor vehicle oil filters as nonhazardous waste if the filters are drained of free-flowing used oil prior to their disposal. The used oil is considered hazardous waste and must be managed in accordance with all the applicable provisions of Chapter 6.5 of the Health and Safety Code and Title 22 of the California Code of Regulations.

The crushing of the motor vehicle oil filters would be an unregulated activity if the oil filters have been drained of free-flowing hazardous oils (as stated in the above paragraph) prior to being crushed. Any used oil that separates from the filters during the drainage or crushing procedures must be managed as hazardous waste. The law regarding the management of used oil is contained in Article 13, Chapter 6.5, Division 20, Health and Safety Code (HSC). A complete updated copy of Article 13 is not available at this time. We are enclosing a copy of last year's used oil laws (Senate Bill 86) and (most of) the 1988 amendments (Assembly Bill 379) for your information.

If you have any questions regarding this letter or the management of used oil please contact Leif Peterson at the letterhead address or telephone number.

Sincerely,

Robert McCormick
Alternative Technology Section
Toxic Substances Control Division

MAR 13 3 10 PM '89

AAUWHHAA

Enclosure

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET
P.O. BOX 942732
SACRAMENTO, CA 94234-7320



(916) 324-1807

February 2, 1989

Mr. Adrien Favareille
The Radiator Doctor
495 S. Washington St.
Sonora, CA 95370

Dear Mr. Favareille:

This is in response to your August 16, 1988 letter requesting the Department to provide information concerning the disposal of waste antifreeze and the recycling of scrap solder. You asked if it is acceptable to dispose of waste antifreeze to a sewer connected to a POTW if the POTW agrees to this discharge? Your second question asks if scrap solder generated from servicing radiators must be managed as hazardous waste?

Antifreeze must be managed as hazardous waste or tested to prove it to be nonhazardous. Regulations provide a permit-by-rule to POTW (publicly owned treatment works), see Section 66392 of Title 22, California Code of Regulations (22 CCR). The POTW is deemed to have a permit if they perform the requirements specified in Section 66392; no application form needs be submitted. You should contact your sanitation district and determine their regulatory status and whether the discharge of the antifreeze is permitted by them.

In general, scrap metal is exempted from regulation by Section 66804(a)(3), 22 CCR. However, the definition of scrap metal in Section 66189.5, 22 CCR has exceptions which, when applicable, remove the material from the exclusion. It is our understanding that solder does not meet the definition of scrap metal because it is contaminated with lead oxide as well as fluxing agents and must be processed for their removal. Since the solder does not meet the definition of scrap metal it must be managed as a regulated material. Solder that does not need to be processed is not regulated.

The Department also regulates lead compounds that are in a friable state (particles that are crushable ~~by~~ hand). If you have any questions concerning this letter please contact Leif Peterson of my staff at the letterhead address or telephone number.

Sincerely,

A handwritten signature in cursive script that reads "Robert McCormick".

Robert McCormick
Alternative Technology Section
Toxic Substances Control Division

Enclosure

RM:LP:lp:al

bcc: Kim Wilhelm

DEPARTMENT OF HEALTH SERVICES

TOXIC SUBSTANCES CONTROL DIVISION
REGION 4245 WEST BROADWAY, SUITE 350
LONG BEACH, CA 90802
(213) 590-4868

JAN 23 1989

JAN 27 4 19 PM '89

"HAMMUN"

Mr. Don L. Hedge
Vice President, Operations
Dean's Photo Service, Inc.
4782 Alvarado Canyon Road
San Diego, CA 92120

Dear Mr. Hedge:

HAZARDOUS WASTE FACILITY EXEMPTION DETERMINATION FOR AN ON-SITE RECYCLING

Thank you for your letter received by this Department on November 18, 1988. You inquired whether your process qualifies for the recycling exemption from permitting requirements. We have also coordinated our response with the Department's Alternative Technology Section (ATS).

Your letter stated that you are a film processor for the general public and that the waste in question is generated by your activities. You electrolytically remove silver from used EP-2 Bleach Fix and C-41 Fixer solutions in order to reclaim the Fixer solutions. You reuse both solutions. You sell the recovered silver metal flakes, 98% purity, to a refiner who resells the material. You recover approximately 200 pounds of silver per month.

Because you reuse the solutions on-site, the process described above is exempt from the hazardous waste facility permit requirements pursuant to Section 25143.2 (b)(1) of California's Health and Safety Code, Division 20, Chapter 6.5.

However, based on our discussion with ATS staff, we understand that the silver metal flake you recover is a hazardous waste and must be managed as such. Therefore the disposition of this silver must be accompanied by a manifest document. Any discharges to the sewer system resulting from those activities must comply with all requirements set forth by the City or County Sanitation District.

This determination is based on information provided by you. Should this information be incorrect or incomplete, this determination shall be invalid.

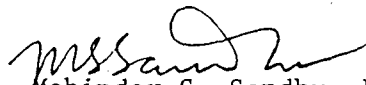
Mr. Don L. Hedge

Page 2 JAN 23 1989

You are considered a hazardous waste generator and as such must handle waste properly in accordance with applicable State, Federal, and Local regulations. You are hereby directed to notify your Local County Health Department, Hazardous Waste Control Program within 7 days of receipt of this letter and indicate your status as a hazardous waste generator.

If you have any questions, please feel free to contact Suwan Sonkprasha of my staff at (213) 590-4878.

Sincerely,



Mohinder S. Sandhu, P.E., Chief
Facility Permitting Unit
Region 4 (Long Beach)
Toxic Substances Control Division

cc: Caroline Cabilas
Hazardous Waste Management Section
Toxic Substances Control Division
714/744 P Street
P.O. Box 942732
Sacramento, CA 94234-7320

Robert McCormick
Alternative Technology Section
Toxic Substances Control Division
714/744 P Street
P.O. Box 942732
Sacramento, CA 94234-7320

Susie Shamsky
San Diego County Health Department
Environmental Health Services
P.O. Box 85261
San Diego, CA 92138-5261

Paula Rasmussen
Surveillance and Enforcement Unit
Region 4 (Long Beach)
Toxic Substances Control Division

To: FILES
FROM: CAROL CAROLLO

06-05-89
April 25, 1989 letter to Region 4
and from San Diego Co., HMMMS

Ruth Williams of Region 4 was asked to gather information re the 4 wastestreams (antifreeze, oil filters, solid silver from recovery units, and solder dross) for a response to San Diego County. I telecopied the ethylene glycol info sheet to her and went over the 4 wastestreams:

1. antifreeze - haz waste (6696(a)(b))

severable if POTW accepts haz waste as Permit by Rule
or if DHS grants variance

2. oil filters - nonhaz if drained

C. Dishita will limit application to passenger vehicles

3. silver from recovery units - if solid, nonhaz

if friable/finely divided, haz

4. solder dross - suspected confusion between scrap solder and
solder dross

solder dross - powdered/finely divided

haz if \geq 6699(b) thresholds

scrap solder - solid metal; nonhaz

there may be some "powdered" oxides on

outside or some flux on outside; further

investigation may be warranted.

I told Ruth there are some problems ^{within} _{ATS} in agreement on these wastes.

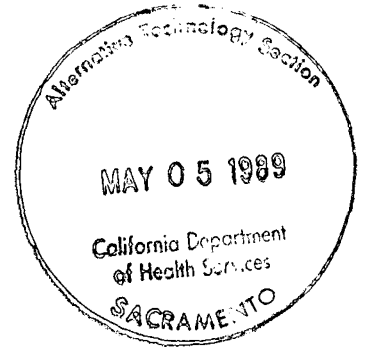
I suggested that Reg 4 per the letter to say "You're right, Dan.

We need consistency in information and complete dissemination

of that info. By copy of this letter, Reg 4 is requesting ATS
to respond and send out to all Districts of Env. Health."



Greg Carol
Carol - Carolyn



County of San Diego

J. WILLIAM COX, M.D., Ph.D.
DIRECTOR
(619) 236-2237

DEPARTMENT OF HEALTH SERVICES

1700 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA 92101-2417

STEVEN A. ESCOBOZA
ASSISTANT DIRECTOR
(619) 236-7633

ENVIRONMENTAL HEALTH SERVICES
HAZARDOUS MATERIALS MANAGEMENT DIVISION
P. O. BOX 85261
SAN DIEGO, CA 92138-5261
(619) 236-2222

April 25, 1989

Jack Kearns, Chief
Region 4
Toxic Substances Control Division
245 W. Broadway, Suite 350
Long Beach, CA 90802

Dear Mr. Kearns:

Carolyn -
This looks like it needs input
from WHEU (Carol) & Bob McLeif
in order to answer.
I wonder who in Region 4
is answering these statewide issues.
Greg 5/23

Recently Hazardous Materials Management Division (HMMMD) staff have received unclear and conflicting information from the State Department of Health Services (DOHS) regarding the management of several waste streams generated in San Diego County. The four waste streams in question are antifreeze, oil filters, solder dross, and solid silver from silver recovery units. This letter is to explain the current management status of these waste streams in San Diego County, the information we have received regarding their management and to request a clarification from your office on the management of these waste streams.

1) **ANTIFREEZE DISPOSAL:**

Currently most of the generators of antifreeze waste in San Diego have sewer district permits (or variances) for the discharge of waste anti-freeze to the sewer. A few of the large generators store their antifreeze (separately now that it cannot be mixed with waste oil) and have a recycling service pick the waste up.

The discharge of antifreeze to a sanitation district is legal per the attached DOHS letter to Mr. Adrien Favareille dated February 2, 1989. However, recently IT Corporation, located in San Diego County, was cited by DOHS for the disposal of antifreeze to the sewer. According to Jerry Early, DOHS, the

April 25, 1989

disposal of antifreeze to the sewer is illegal disposal of a hazardous waste to an unauthorized point whether or not the sewer district approves. Please advise us of the current status of the sewer disposal issue and also provide any data you have confirming that dilute Ethylene Glycol drained from radiators meets the toxicity requirements of Article 11 of the California Code of Regulations, Title 22, Division 4 (CCR).

2) OIL FILTER DISPOSAL:

Currently, the HMMD is advising generators that drained oil filters are considered to be a non-hazardous waste. The attached DOHS letter to Mr. Marlen R. Silverii dated February 15, 1989 is in agreement with our enforcement policy. However, IT Corporation, located in San Diego, was recently cited by DOHS for the illegal storage of drained oil filters (See attached letter). According to Jerry Early, DOHS, drained oil filters from vehicles with more than 18 wheels are considered a hazardous waste. Mr. Early said this is a new unwritten DOHS policy.

3) SOLDER DROSS:

Currently solid pieces of solder waste are being managed as scrap metal whereas the fine powdered solder waste is being managed as a hazardous waste. The recent attached DOHS letter to Mr. Adrien Favareille dated February 2, 1989, indicated that DOHS is considering solder from radiator repair with any quantity of fluxing agents or lead oxide to be hazardous waste. The only exception to this would be if the solder waste requires no treatment prior to reuse (I assume except for smelting). Solder waste managed under these requirements will necessitate the use of haulers and recyclers that hold the appropriate permits. Section 66071 CCR defines fine powders as "a metal in dry, solid form having a particle size smaller than 100 micrometers". A footnote to Section 66699 CCR indicates that the listed metals concentrations "only applies if they are in a friable, powdered or finely divided state". The waste from radiator shops typically is not a fine powder and the majority of the fluxing agents used would not be found with the waste solder, or would only leave very small concentrations. Please advise us of the DOHS' reasoning regarding the lead oxide concern and the specified components in the fluxing agents, and concentration levels that cause this material to be a hazardous waste. Also, do the same concerns exist for solder dross from wave soldering done in the electronics industry? Please provide a list of registered hazardous waste haulers who are willing to pick up solder in San Diego County and TSDF's licensed to treat solder waste.

4) SOLID WASTE FROM SILVER RECOVERY UNITS:

Currently solid silver waste from electrolytic and other types of silver recovery units are being managed as scrap metal

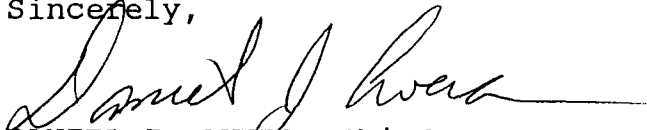
April 25, 1989

whereas, sludgy waste is being managed as hazardous waste. According to DOHS's attached letter to Mr. Don Hedge, dated January 23, 1989, his business' 98% pure silver flake is required to be managed as a hazardous waste. The HMMD is unsure of the basis for this determination. Is it the 2% impurities that disqualifies the waste as scrap metal? Is this comparable to the solder dross, in that if the waste silver does not require processing (except for smelting) prior to reuse, it is not a hazardous waste? Also, as discussed in #3 above, if the silver flake is not in a friable powdered or finely divided state would it be considered a hazardous waste?

Please advise the HMMD in writing of current DOHS policies regarding the management of the above waste streams. This information is needed to assist generators in San Diego County to properly manage their waste streams and for the HMMD to enforce the Hazardous Waste Control Act.

The HMMD is concerned with DOHS' procedures for distributing policy change information. With the exception of one letter that was directed to our office, we received information regarding the above DOHS policy changes through information received from industry contacts. This hearsay information prompted us to contact DOHS offices where we determined that no written policy existed or that a policy setting letter had been previously written to a generator. I would like to suggest some routine, organized mechanism to advise the Counties of the important decisions and policies made by DOHS. Although we faithfully attend the bimonthly Memorandum of Understanding meetings, it seems as though there is a significant amount of information that never reaches us. An idea to resolve this problem is to publish a monthly bulletin to the Counties, similar to the State Water Resources Control Board's LG bulletins. I believe this would enhance the enforcement of the Hazardous Waste Control Act.

Sincerely,



DANIEL J. AVERERA, Chief
Hazardous Materials Management Division

DJA:jw

Attachments

cc: Jim Allen, Chief, DOHS, Alternative Technology Section ✓
Paula Rasmussen, DOHS, Long Beach
Chuck Pryatel-HMMD
Suzy Shamsky-HMMD
Christina Graulau-HMMD