

**Consolidated Universal Waste Regulations and Authorized
Treatment of Electronic Hazardous Waste – Final Regulations
(Adopted February 4, 2009)**

~~Brief~~

Summary Table of Substantive Amendments¹

Department of Toxic Substances Control

Section (2004-2008 Emergency Regulations)	Section (New)	Summary of Amendments
66260.10	66260.10	Various definitions are added to chapter 10, including: cathode ray tube, electronic device, and mercury-containing motor vehicle light switch. These changes will provide the same meaning to those terms, as used in 66261.9, as was previously adopted in chapter 23.
66260.10	66260.10	This section revises the definition of hazardous waste to include universal waste. This change will make DTSC's regulations consistent with the message contained in DTSC's guidance; i.e., that universal wastes are hazardous wastes.
66260.10	66260.10	The definition of scrap metal is amended to clarify that printed circuit boards are considered scrap metal; but for purposes of compliance with chapter 23, article 7 requirements, certain printed circuit boards are not scrap metal dependent on how they are generated and by whom (UW handlers who treat electronic devices).
66260.201	66260.201	This section is adopted essentially as it was modified by the current emergency regulations.
66260.202	66260.202	This section adopts the prohibition on the sale of covered electronic devices that are prohibited by the EU RoHS directive due to their metals content. It also adopts the EU's MCVs, and exemptions. Subsection (d) exempts covered electronic devices that use metals for the purpose of meeting a health and safety requirement.
NA	66261.4	The amendments to (b)(2) clarify that M-listed wastes (chapter 11, article 4.1) cannot gain the 40 CFR 261.4 exclusion for HW that do not exhibit a characteristic of HW.
66261.9	66261.9	The amendment shortens the list of UWs by consolidating the mercury-containing wastes under "(a)(3), Mercury-containing equipment." This will make this regulation the same as the federal

¹ For a full explanation of these amendments, always refer to the 45-Day notice (for background), Initial Statement of Reasons, Final Statement of Reasons, and Response to Comments for the 45-day and 15-day public notices. These are found on the DTSC web site under the Laws, Regs, and Policies page.

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Section (2004-2008 Emergency Regulations)	Section (New)	Summary of Amendments
		<p>rule (except for the section number). "Cathode ray tubes" and "cathode ray tube glass" are added as separate UW categories (no longer contained within the "CRT material" category, which is repealed).</p> <p>This section adds reference to 66273.60 requirements for destination facility management standards to indicate that 66273.60 makes some allowances for the management of certain UWs under chapter 23 standards, and not as HW, under the conditions prescribed in that section.</p>
NA	Article 4.1 (66261.50)	These amendments remove implementation dates. They also remove the LCD exclusion in M003 as this is now inconsistent with SB 50 CED lists in chapter 11, appendix X.
Ch. 11, App. X, subsec.(c)	Ch. 11, App. X, subsec.(c)	This section adopts the list as referenced in SB 50. The list is adopted essentially as it exists under the emergency regulations, including the addition of DVD players with LCD screens. Text is added to clarify that LCD projection and plasma projection TVs are not covered in the listing.
NA	66264.1	<p>This section adds subsection (d) to clarify that destination facilities are specifically required to comply with chapter 14, unless otherwise provided for in 66273.60.</p> <p>This section also changes "person" to "universal waste handler" to clarify that the terms are different for purposes of chapter 23 requirements; this change will strengthen existing language to ensure that requirements apply to handlers (which include persons) and not just persons (does not include handlers).</p>
NA	66265.1	<p>This section adds subsection (d) to clarify that destination facilities are specifically required to comply with chapter 15, unless otherwise provided for in 66273.60.</p> <p>This section also changes "person" to "universal waste handler" to clarify that the terms are different for purposes of chapter 23 requirements; this change will strengthen existing language to ensure that requirements apply to handlers (which include persons) and not just persons (does not include handlers).</p>
66273.1	66273.1	The amendment shortens the list of UWs by consolidating the mercury-containing wastes under "(a)(3), Mercury-containing equipment." This will make this regulation the same as the federal (except for the section number). "Cathode ray tubes" and "cathode ray tube glass" are added as UW separate categories (no longer combined within "CRT materials" category, which is repealed).

FOR DISCUSSION PURPOSES USE ONLY – DO NOT CITE OR REFERENCE – CONSULT REGULATIONS AND STATUTES FOR COMPLETE INFORMATION

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		This section clarifies that articles 1-3 do not apply to destination facilities, unless otherwise specified in 66273.60, which makes some allowances for the management of certain UWs under chapter 23 standards, and not as HW, under the conditions prescribed in that section.
66273.2	66273.2	<p>These amendments clarify the regulatory status of batteries that fall under chapter 23 requirements and those batteries that must be managed under the federal universal waste regulations.</p> <p>These amendments clarify that an unused battery becomes a waste when that battery meets the definition of retrograde material.</p>
66273.3	66273.3	<p>This section contains only minor changes for consistency across sections to change "consumer electronic device" to "electronic device." EDs now include CRT devices; CRTs and CRT glass are now separate UW categories</p> <p>Also, amendments add language that when a claim is made that an ED is not a waste the person making the claim must show that either: there is a known market or disposition for its use as an ED.</p> <p>The amendments clarify that an unused ED becomes a waste when that ED meets the definition of retrograde material.</p>
66273.4	66273.4	<p>This section is amended to remove "thermostats" and incorporate the "mercury-containing equipment" (MCE) category. This section now defines what constitutes mercury-containing equipment. A person who wants to know how the category "mercury-containing equipment" differs between the federal and California UW rules must read this section.</p> <p>The amendments clarify that an unused MCE becomes a waste when that MCD meets the definition of retrograde material.</p>
66273.5	66273.5	<p>This section contains only minor changes for consistency across sections.</p> <p>The amendments clarify that an unused lamp becomes a waste when that lamp meets the definition of retrograde material.</p>
66273.6	66273.6	<p>This section is amended to delete the UW category, "CRT materials" and create the UW category, "cathode ray tubes."</p> <p>The amendments clarify that an unused CRT becomes a waste when that CRT glass meets the definition of retrograde material.</p>

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Did not exist	66273.7	<p>This section is created to designate the UW category, "cathode ray tube glass" with the same regulatory construct as the "cathode ray tube" section.</p> <p>The amendments clarify that unused CRT glass becomes waste when that CRT glass meets the definition of retrograde material.</p>
66273.7.1	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.7.2	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.7.3	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.7.4	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.7.5	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.7.6	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.7.7	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.7.8	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.7.9	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.7.10	Will not exist	Repealed - Consolidated and relocated into 66273.4
66273.8	66273.8	<p>This section is amended to:</p> <ul style="list-style-type: none"> a) remove the expired text regarding the temporary disposal exemptions; b) clarify the household exemption and include provisions established in HSC 25218.1-25218.5 to allow households to place UW at curb for collection by authorized curbside household hazardous waste collection programs; and c) clarify the CESQUWG exemption.
66273.9	66273.9	<p>Various definitions are added to or amended in this section for use in chapter 23, including: ampule, closure, closure plan, current cost closure estimate, destination facility, electronic device, foreign destinations, household, management, mercury-added lamp, mercury-containing equipment, scrap metal, treatment, universal waste handler, and universal waste treatment unit. These changes will provide missing definitions, and will have the same meanings as the identical terms used throughout and defined elsewhere in division 4.5.</p>
66273.10	Will not exist	Repealed
66273.11	Will not exist	Repealed
66273.12	Will not exist	Repealed
66273.13	Will not exist	<p>Repealed</p> <p>Mercury-containing equipment standards are consolidated in 66273.33 and are based on the federal rule for the same universal waste category.</p> <p>Electronic device standards are relocated to 66273.33.5 and to article 7 for authorized treatment standards.</p>
66273.14	Will not exist	Repealed

FOR DISCUSSION PURPOSES USE ONLY – DO NOT CITE OR REFERENCE – CONSULT REGULATIONS AND STATUTES FOR COMPLETE INFORMATION

Section (2004-2008 Emergency Regulations)	Section (New)	Summary of Amendments
66273.15	Will not exist	Repealed
66273.16	Will not exist	Repealed
66273.17	Will not exist	Repealed
66273.18	Will not exist	Repealed
66273.19	Will not exist	Repealed
66273.20	Will not exist	Repealed
66273.21	Will not exist	Repealed - Relocated to 66273.33(c)
66273.30	66273.30	Only minor changes
66273.31	66273.31	This section contains only minor changes. This section also adds clarifying language that a universal waste handler may send or take batteries, thermometers, mercury-containing novelties containing liquid mercury, and mercury-containing rubber flooring [which are typically generated by households] to a destination facility for disposal.
66273.32	66273.32	<p>The amendments to this section contain the notification, ID number, and annual reporting requirements for handlers of electronic devices from existing 66273.13/33(d)(1) and (2), and from CRTs from existing 66273.82. These amendments include requirements for handlers to obtain state ID numbers under certain conditions when they would not otherwise be required to obtain an EPA ID Number (from USEPA).</p> <p>The amendments include the notification requirements for each location where EDs, CRTs, and CRT glass are accepted or accumulated. Notifications now include the name of facility owner name if different then the facility operator (UW handler).</p> <p>The amendments allow the electronic submittal of notification and reporting information via DTSC's web-based reporting system.</p>
66273.33	66273.33	<p>The amendments to this section consolidate the existing standards for handlers of: batteries from 66273.13/33(a), lamps from 66273.133/33(c), thermostats from 66273.13/33(b), and for all of the mercury containing equipment from 66273.13/33(e) through (l) into [amended] 66273.33(a), (b), and (c).</p> <p>The amendments add clarifying language for the management of UWs that are both EDs and M003 wastes (lamps). For these UWs, the handler must first comply with this section and 66273.33.5; once the handler removes the lamp from the ED, then the handler must comply with 66273.33.5 as those requirements apply to the management of EDs.</p>
Did not exist	66273.33.5	This section is added to consolidate all of the UW handler "E-waste" management standards (not including treatment standards for recyclers, which are in new article 7) into one place to implement SB 50. The existing standards for handlers of electronic devices are

FOR DISCUSSION PURPOSES USE ONLY – DO NOT CITE OR REFERENCE – CONSULT REGULATIONS AND STATUTES FOR COMPLETE INFORMATION

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		<p>relocated and consolidated from 66273.13/33(d), and for CRTs and CRT glass from 66273.83(a) to 66273.33.5(a), (b), and (c), respectively.</p> <p>The amendments for CRT packaging requirements change “sufficient packaging material” to “packing materials, if such material is necessary to prevent breakage” for purposes of CRT containerization.</p> <p>This section also contains minor clarifying language to provide clear a standard for “immediate” cleanup (necessary for only releases that are reasonably expected to cause a release to the environment).</p>
66273.34	66273.34	<p>Only minor changes.</p> <p>The alternative labeling standards for designated accumulation areas from 66273.84(d) and 66273.13/33(d) are relocated to this section. This amendment also includes labeling of containers that contain ED/CRTs/CRT glass inclusive (mixed containers).</p>
66273.35	66273.35	<p>This section is amended to remove the "flex-time" on the one year accumulation requirement. This amendment will provide DTSC with an enforceable and consistent accumulation time limit.</p>
66273.36	66273.36	<p>The amendments include:</p> <ol style="list-style-type: none"> 1) guidance on the content of the training required and who is trained (personnel and not just employees); 2) examples of training material format; 3) initial training and annual refreshers; and 4) documentation of personnel training (e.g., training records). <p>These general standards exist for CRT material handlers, but are new for all UW handlers.</p> <p>The amendments include different training requirements for personnel who manage wastes from offsite sources and those who manage only on-site generated wastes (office workers).</p>
66273.37	66273.37	<p>Only minor changes.</p>
66273.38	66273.38	<p>Only minor changes.</p>
66273.39	66273.39	<p>Amendment language is added to allow UW handlers to record aggregate quantity information from household and CESQUWGs, and in such cases use these designations under “originating universal waste handler” for recordkeeping.</p>

FOR DISCUSSION PURPOSES USE ONLY – DO NOT CITE OR REFERENCE – CONSULT REGULATIONS AND STATUTES FOR COMPLETE INFORMATION

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66273.40	66273.40	<p>This section consolidates the export requirements and includes amendments for consistency with new federal rules on exporting certain CRTs, CRT devices, and CRT glass (40 CFR 261.39-261.41).</p> <p>The existing standards for handlers who export CRTs are relocated here from 66273.90. The existing standards for handlers who export electronic devices and other universal wastes are relocated from 66273.20/40.</p> <p>The amendment from the emergency regulations regarding compliance with PRC requirements for exports is incorporated (PRC section 42476.5).</p> <p>The notification timeframe has been amended from 4 weeks to 60 calendar days for consistency with the new federal rule and with PRC notification provision.</p>
66273.41	66273.41	This section consolidates the foreign import requirements for all universal wastes. The existing standards for handlers who import universal waste are relocated from 66273.70.
66273.50	66273.50	Only minor changes (article numbering)
66273.51	66273.51	Only minor changes, which include amendments identical to the CRT device language which prohibits transporting certain quantities of EDs unless existing packaging requirements are met for these smaller loads.
66273.52	66273.52	Only minor changes
66273.53	66273.53	Only minor changes
66273.54	66273.54	Only minor changes
66273.55	66273.55	Only minor changes
66273.56	66273.56	<p>Only minor changes (alignment with federal UW language)</p> <p>PRC provisions in emergency regulations were deleted (not applicable to transporters).</p>
66273.60	66273.60	<p>These amendments will allow destination facilities certain reduced UW management activities for:</p> <ol style="list-style-type: none"> 1) specified activities for certain UW that are RCRA HW (e.g., some battery and lamp management, and certain ED, CRT, and CRT glass management activities) ; and 2) specified activities for certain UW that are non-RCRA HW (i.e., storage prior to certain treatment for specific wastes/residuals, and subject to Class 1 modification for facility modifications not listed in appendix I of chapter 20).
66273.61	66273.61	Only minor changes
66273.62	66273.62	Only minor changes

FOR DISCUSSION PURPOSES USE ONLY – DO NOT CITE OR REFERENCE – CONSULT REGULATIONS AND STATUTES FOR COMPLETE INFORMATION

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66273.70	66273.70	<p>Imports requirements are relocated to 66273.41.</p> <p>The amendments to this section delineate the various types of treatment authorized under this article, and reference the appropriate sections to find the authorization requirements for each type of universal waste.</p> <p>Requirements in this section were previously located in existing 66273.33 and 66273.83.</p>
Did not exist	66273.71	<p>This new section specifies the authorization requirements for <u>handlers who conduct removal activities for EDs</u>. These requirements were located in emergency section 66273.33(d)(3)(A).</p> <p>The amendments include requirements for the management of printed circuit boards that are removed by UW handlers conducting treatment activities under this section. These amendments will allow treatment of these newly classified materials, “residual printed circuit boards” which previously could not be managed as anything other than HW residuals, any treatment of which previously required a permit or other grant of authorization from DTSC. These amendments include the provision to classify these RPCBs and to manage those residuals as hazardous waste, including any applicable exclusions regarding “scrap metal” found in 66261.6.</p>
Did not exist	66273.72	<p>This new section specifies the authorization requirements for <u>handlers who disassemble or drain certain UWs</u>. These sections are relocated from 66273.33 and 66273.83. This section also includes the new provisions for the management of RPCBs, as described in section 66273.71, above.</p> <p>The amendments for CRT packaging requirements change “sufficient packaging material” to “packing materials, if such material is necessary to prevent breakage” for purposes of CRT containerization.</p> <p>The amendments include maintaining aisle space per fire code requirements.</p>
Did not exist	66273.73	<p>This new section specifies the authorization requirements for <u>handlers who treat EDs, RPCBs, CRTs and CRT glass</u>. These sections are relocated from 66273.33 and 66273.83.</p>
Did not exist	66273.74	<p>This new section specifies the notification, annual reporting and record keeping requirements for persons who treat EDs and CRTs. These requirements are consolidated from the existing and emergency sections referenced in sections 66273.71/72/73 (above).</p>

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Section (2004-2008 Emergency Regulations)	Section (New)	Summary of Amendments
Did not exist	66273.75	This new section specifies the treatment and management standards for UW handlers who treat EDs, RPCBs, and CRTs pursuant to section 66273.73. These requirements were relocated from sections 66273.33 and 66273.83.
Did not exist	66273.76	This new section applies to UW handlers who conduct certain authorized treatment under 66273.73 (a)(2) and (b) (e.g., operate high-speed shredders and treatment of CRTs and CRT glass). This section specifies the requirements for preparing closure plans, and cost estimates for closure and for modifying them, when necessary. This section also requires FA for funding closure and FR for maintaining liability (i.e., FA/FR)
Did not exist	66273.77	<p>This new section addresses closure notification and the process for release of financial mechanisms for UW handlers who conduct certain treatment activities.</p> <p>These requirements are new for all applicable UW recyclers [66273.73(a)(2) and (b) activities], and are also based on existing language for closure activities for CRT material recyclers [existing section 66273.83(c)].</p>
66273.80	Will not exist	Repealed - Removed CRT material "Applicability"
66273.81	Will not exist	Repealed - Removed CRT material "Prohibitions"
66273.82	Will not exist	Repealed - Removed CRT material "Notification for CRT Material Handlers"
66273.83	Will not exist	Repealed - Removed CRT material "Waste Management"
66273.84	Will not exist	Repealed - Removed CRT material "Labeling/Marking"
66273.85	Will not exist	Repealed - Removed CRT material "Accumulation Time Limits"
66273.86	Will not exist	Repealed - Removed CRT material "Employee Training"
66273.87	Will not exist	Repealed - Removed CRT material "Response to Releases"
66273.88	Will not exist	Repealed - Removed CRT material "Off-Site Shipments"
66273.89	Will not exist	Repealed - Removed CRT material "Tracking Universal Waste Shipments of CRT Materials"
66273.90	Will not exist	Repealed - Removed CRT material "Exports"

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