

Treated Wood Waste Alternative Management Standards

Department of Toxic
Substances Control

June 2007

Class Agenda

- History & Background
- What is TWW?
- What is a TWW Facility?
- TWW Regulations
- Issues
- TWW Online System

History - Laws

- RCRA exclusion
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)
- Old Variances
- Utility Service exclusion

Why TWW Regulations?

- Treated Wood Waste has always been a Hazardous Waste
- Traditionally been ignored
- Does not fit into the normal Hazardous Waste scheme
 - 120,000 generators
 - 100,000 tons annually
 - Limited treatment options
 - Household exemptions do not fit

New law (AB 1353)

- Effective date
- Alternative to full HW laws
- Limits recycling
- Must be land disposed in California
- Requires DTSC to adopt regulations
- Rescinds the variances

Authorities

Health and Safety Code

§25150.7, §25150.8 - AB1353 (TWW)

§25143.1.5 – Utility exemption

§25180 et seq. – DTSC authority/penalties

§25404 et seq. – CUPA authority

Labor Code

§6300 et seq. – Cal OSHA

Code of Federal Regulations

40 CFR 261.4(b)(9) – CCA intended use exemption

Examples of TWW Preservatives

■ Preservative registered pursuant to FIFRA include:

- Chromated Copper Arsenate (CCA)
- Creosote
- Pentachlorophenol
- Copper based
- Borates
- Others

■ Does not include lead based paint, fire retardants, or formaldehyde

What is Treated Wood?

■ Products

- New
- Reused
- Continued use

■ Waste

- RCRA HW
- Non-RCRA Hazardous Waste
- Non-Hazardous
- Utility Service (gas, electric, & phone)

Treated Wood Waste (TWW)

- Defined by HSC 25150.7
- Treated wood is wood treated with a FIFRA approved chemical preservative.
- TWW is a hazardous waste due to the FIFRA preservative.
- TWW can not be a RCRA regulated hazardous waste.
- Utility service exemption – not TWW

Identification of TWW

- End Tags indicate type of chemical and level of treatment
- Laboratory or field testing
- Generator knowledge
- Appearance
 - TWW with copper appears green
 - Color fades to gray and becomes undistinguishable
 - Incisions look like staple marks
- Conservative approach is to assume TWW, if analytical sampling is not done.

TWW Health Risks

- Chemicals are toxic & carcinogenic
 - Arsenic: known carcinogen (lungs, bladder, liver, kidney and prostate)
 - Chromium : known carcinogen (lungs)
 - Copper: toxic to human & aquatic life
 - Creosote: probable carcinogen (skin)
 - Pentachlorophenol: probable carcinogen (liver, adrenal gland, and nasal tumors)
- Agency for Toxic Substances and Disease Registry at www.atsdr.cdc.gov

Who Uses TWW?

- Homeowners
- Contractors
- Harbors & Ports
- Parks
- Caltrans
- Railroads
- Government



What is a TWW Facility?

- Landfills
 - Solid waste composite-lined with RWQCB approved WDRs
 - Class 1 Landfill
- Solid Waste Transfer Stations & Load Operations
(Transfer Stations)



Solid Waste Transfer Stations & Load Operations

- Transfer Station
- Gasification Facility
- Small Volume Construction & Demolition
- Limited Volume Transfer Operation
- Does not include
 - Compositing
 - Transformation

Alternative Management Standards

- TWW is a hazardous waste.
- The TWW regulations are an alternative to full hazardous waste requirements.
- The generator has the choice of complying with full hazardous waste requirements or the alternative management standards.
- TWW regulations do not change current solid waste load check requirements.

Scope and Applicability

§67386.1, §67386.2

TWW regulations

- establish Chapter 34, within division 4.5 of title 22, CCR,
- Establish new California Waste Code 614,
- identify the specific hazardous waste management standards that may be replaced,
- define “treated wood waste” by identifying the wastes that are and are not eligible (parallels the statutory construction).

Prohibited Activities §67386.3

Paraphrasing the statutory language,

➤ Prohibits

burning; scavenging; commingling; ground contact storage; unspecified recycling; treatment; and disposal outside of TWW landfill.

➤ Removal of label

➤ Attempts to clarify reuse/recycling options.

Labeling §67386.5

- requires that each unit and/or area designated for accumulation of TWW be labeled,
- specifies the language to be included on the label,
- grants exemptions for specified household accumulation and transport.

Labeling §67386.5

TREATED WOOD WASTE – Do not burn
or scavenge.

TWW Handler Name and Address:

Accumulation Date: _____

Accumulation §67386.6

- specifies a hierarchy of containment options that relate risk of release to accumulation time,
- offers an endless list of options including the generic statutory language (ground contact, sufficiently impervious, etc.),
- requires documentation of accumulation time,
- exempts specified household and small business activities.

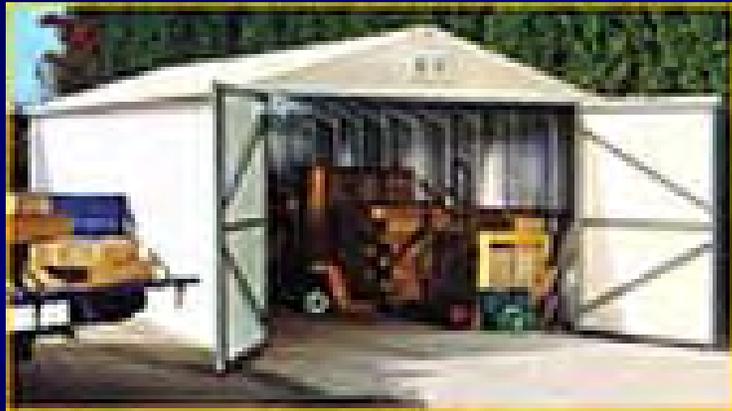
Accumulation §67386.6



block & tarp (90 days)



**Containerize
(1 year or 90 days after being filled)**



storage building (1 year)



**containment pad
(180 days)**

Accumulation §67386.6

- Other: The TWW may be accumulated if protected from run-on and run-off on an impervious surface for 90 days.
- Household exemption allows 30 days if TWW is not physically altered.
- Business exemption allows 30 days if less than 1,000 pounds.

Offsite Shipments §67386.7

- TWW may only be shipped offsite to an approved TWW facility,
- the generator is responsible for ensuring that the receiving facility will accept the TWW,
- hazardous waste manifest and transporter is not required,
- access to and release from TWW shall be prevented during transport,
- remote accumulation is authorized.

Tracking \$67386.8

In lieu of hazardous waste manifests, TWW will be tracked by a combination of reporting and recordkeeping requirements.

- TWW generators: required to maintain records of TWW shipments (3 yrs)
- TWW facility: required to report semiannually to DTSC
- Households: exempt from recordkeeping

Notification §67386.9

Anyone generating more than 10,000 lbs of TWW in a calendar year must,

- Obtain and maintain an Identification Number (EPA ID#),
- Notify DTSC in writing within 30 days (DTSC is developing an online notification procedure)

Treatment §67386.10

These regulations do not remove the general requirements for the treatment of hazardous waste (permitting).

Two treatments are authorized under these alternative standards:

- resizing (see definition) to facilitate transport, and
- sorting and segregating.

Disposal §67386.11

Paraphrases the statutory requirements of HSC §25150.7(d) and §25150.7(e)(1)(F), requiring disposal to a hazardous waste landfill or to an approved (WDR for TWW) composite-lined solid-waste landfill that,

- Complies with the alternative management standards,
- Monitors for releases,
- Complies with Cal OSHA.

Training §67386.12

Requires employers managing TWW to provide training to employees that includes,

- Cal OSHA requirements,
- procedures for identifying and segregating TWW,
- safe handling practices,
- Requirements of the alternative standards,
- Proper disposal methods.

Cal/OSHA

California Code of Regulations, Title 8

- §5194. Hazard Communication
- §5214. Inorganic Arsenic
- §5192. Hazardous Waste Operations and Emergency Response, Subsection (p)
 - Safety & Health
 - Hazard Communication
 - Medical Surveillance
 - Decontamination
 - New Technology
 - Material Handling
 - Training Program
 - Emergency Response
- Contact: Deborah Gold (510) 286-7000

TWW Overview

Generators

CalTrans, Fencing
Vineyards, Docks
Railroads, Parks



Transporters

Hauled in Safe &
Protective manner
Remote Consolidation

~~HW Hauler
HW Manifest~~



Offsite Storage

Block & Tarp (90d)
Containment Pad (180d)
Container (1 yr)
Storage Building (1 yr)

~~Composting &
Transformation~~



Disposal

Hazardous Waste LF (3)
Composite Lined SWLFs
w/ RWQCB approval (40)



CUPA/DTSC
HW

DTSC
HW

DTSC
HW

LEA/CIWMB/ DTSC
Non HW

CUPA Issues

- Inspection Priority
 - Generators
 - Negotiate priority with 3 year review
 - LQG already covered – parks, marinas
- CUPA Authority
 - limited to generator activities
 - Load check at Solid Waste Facilities
- New CUPA Info
 - TWWTS accessible

LEA Issues

■ LEA Authority

- limited to solid waste landfill activities
- No authority over the TWW activities at TWW Facilities that are transfer stations only
- Load check requirements

■ Permits Conditions

- Prohibition of hazardous waste

TWW Issues

- Identification of loads of TWW
- Creosote
- Out-of-State disposal
- Commingling prohibition
- Facility liability for generator compliance
- Training requirements
- Reporting requirements
- Current management standards

Disposal

- HSC 25150.7(d) “...treated wood waste shall be disposed of in ...a composite-lined portion of a solid waste landfill unit that meets all requirements applicable to disposal of municipal solid waste in California after October 9, 1993, and that is regulated by waste discharge requirements issued pursuant to Division 7 ... of the Water Code for discharges of designated waste...”
- HSC 25150.7(g)(3) ”This subdivision does not authorize the department to adopt a regulation that ...supersedes subdivision (d) concerning the disposal of treated wood waste.”
- Out of State disposal

Sort and Segregate

- No change to existing load check requirements.
- Hazardous waste determined by “representative sample.”
- Load checked TWW is eligible for alternative standards.



Current Status

- Statutory exemption of AB 1353 sunset on December 31, 2006.
- Emergency regulations have been adopted and readopted extending the statutory exemption.
- Permanent regulations have been submitted to OAL .
- Expected effective date of regulations is July 1, 2007.
- First semiannual reports are due January 30, 2008.

DTSC Contacts

➤ DTSC TWW website:

http://www.dtsc.ca.gov/HazardousWaste/Treated_Wood_Waste.cfm

➤ TWW Listserv:

<http://www.calepa.ca.gov/Listservs/dtsc/>

➤ DTSC TWW Staff

Ed Nieto

tww_help@dtsc.ca.gov

(916) 322-7893

Matthew Mullinax

(916) 324-0064

Evelia Rodriguez

(916) 322-3810

Bill Beckman

(916) 324-8293

Questions?



Picture Credit:
Florida Center for Solid and Hazardous Waste Management

Treated Wood Waste Online Systems

Department of Toxic
Substances Control

June 2007

Generator Responsibilities

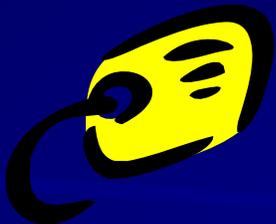
Labeling

Clearly marked for inspection:

Treated Wood Waste-Do not burn or scavenge.

Name, Address

Accumulation Date



Accumulation

Block & Tarp (90d)
Containment Pad (180d)
Container (1 yr)
Storage Building (1 yr)



Shipping

~~HW Hauler~~
~~HW Manifest~~



Recordkeeping

Keep for 3 years:
Facility Name,
Address, TWW weight,
Date shipped



Notification

Shipped >10,000 lbs/year

Name, Address,
Contact Name,
Contact Telephone

Date exceed >10,000 lbs

Statement that you generated >10,000 lbs



Treated Wood Waste Notification

§67386.9

- Who submits:
 - Any TWW handler who generates more than 10,000 lbs of TWW in a year.
- When submits:
 - TWW handler shall submit a written notification to DTSC within 30 days of exceeding 10,000lbs limit.
- What to submit: [TWW Notification Form](#)

(Preliminary Draft)

Treated Wood Waste Notification (§ 67386.9)

Date:	
TWW Facility Name:	
Identification Number:	
Mailing Address	
Street:	
City:	
State:	
Zip Code:	
TWW Contact Person:	
Name:	
Telephone:	
TWW Activity:	
Street or Location:	
City:	
State:	
County	
Zip Code:	
Date exceeded 10,000 lbs:	
E-mail Address:	

Statement: By submitting this notification, I am indicating that I am a duly authorized representative of this TWW Handler and that the TWW Handler has generated more than 10,000 pounds of TWW this calendar year.

A confirmation e-mail will be sent to the e-mail address entered above. If you have questions regarding the on-line notification, please contact Evelia Rodriguez at (916) 322-3810 or Matthew Mullinax at (916) 324-0064 or send an e-mail with the above information to tww_help@dtsc.ca.gov.



Transporter

- Signs & dates manifest
- Gives a copy of manifest to generator
- Obtains TSD signature and date of acceptance
- Keeps a copy
- Gives rest to TSD

Generator

- Initiates manifest
- Obtains Transporter signature and date of acceptance
- Keeps a copy for 3 yrs
- Sends a copy to DTSC

HWTS

TSD Facility

- Completes manifest
- Sends a copy to Generator
- Sends a copy to DTSC
- Keeps a copy

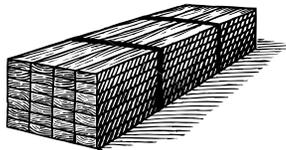
Generator

- Contacts TWW facility to ensure waste acceptable
 - Maintains shipment records (log, invoice, bill of lading) for 3 yrs
 - Generators >10,000 lbs obtains EPA ID & notifies DTSC
- Notification** includes TWW handler's contact information; Identification Number; date exceeded 10,000 lbs



TWW Facility

- Obtains generator information (No Households)
- Keeps records for 3 years
- Online system must be used
- Submits semi annual report to DTSC



NOTIFICATION

TWWTS

Treated Wood Waste Tracking System

Department of Toxic
Substances Control

June 2007

Treated Wood Waste Tracking System

- By law we are required to track the TWW. (HSC 25150.7(g))
- In lieu of the HWTS we have developed this TWW Tracking System
- TWW Tracking System is under development and is scheduled to be online in Summer/Fall 2007.

TWW Tracking System

- DTSC require that TWW facilities submit a semi-annual report in an electronic format.
 - The TWWTS will be used by
 - TWW Facilities (Reports due Jan 30 & July 30)
 - CUPAs
 - LEAs
 - DTSC Staff
 - Public

TWW Tracking System

What information is tracked?

- Who shipped the TWW?
- Where the TWW was shipped?
- How much TWW received/shipped?

TWW Tracking System

- Who shipped the TWW?
 - Generator EPA ID Number (Not required)
 - Generator Name
 - Generator Site Address
 - Generator Contact Name
 - Generator Contact Telephone Number
 - Generator Contact Mailing Address
 - Date of Shipment Received

TWW Tracking System

- Where the TWW was shipped?
 - Facility EPA ID Number (Required)
 - Facility Name
 - Facility Site Address
 - Facility TWW Contact Name
 - Facility TWW Contact Telephone Number
- How much TWW received (Weight)?
 - From TWW Generator to TWW Facility
 - From TWW Facility to TWW Facility
 - From Household Generators to TWW Facility
 - From TWW Facility Load Check Program

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TWW Facility Functions

New account - Click [ID Assistance](#) to set up your account.

Identification Number required to perform TWW functions below.

*

- Shipments Received
- Shipments Sent
- Household Loads
- Load-Check Loads
- Semi Annual Report
- Modify Receipts
- Modify Shipments
- Modify Facility Information
- Shipment Transfers (Downloads)

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Treated Wood Waste Facility Information

(Required) *

ID Number * and . (ID required for all TWW functions.)

Click [ID Assistance](#) to obtain an Identification Number.

Facility Information

Name *

Address *

City *

State *

Zip *

E-mail

Telephone * (9161239999) Ext:

Facility Type

Comments

Contact Information

Name *

Telephone * (9161119999) Ext:

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Treated Wood Waste Facility Information

(Required) *

ID Number * and . (ID required for all TWW functions.)Click [ID Assistance](#) to obtain an Identitfication Number.

Facility Information

Name * Address * City * State * County Zip * E-mail Telephone * (9161239999) Ext: Facility Type Comments

Contact Information

Name * Telephone * (9161119999) Ext:



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(Required) *

ID Number * and . (ID required for all TWW functions.)

Click [ID Assistance](#) to obtain an Identitfication Number.

Facility Information

Name *

Address *

City *

State *

County

Zip *

E-mail

Telephone * (9161239999) Ext:

Facility Type ▼

Comments

Contact Inform

Name *

Telephone * Ext:

- Other
- MSW Facility
- Landfill
- Recovery Facility
- Transfer Station
- Processing Station
- Gasification Facility
- TWW-Approved Landfill
- Class-1 Hazardous Waste Landfill

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Facility Verification

Facility Information

Identification Number	CAL012345678
Facility Name	ABC County TWW Facility
Address	1234 Landfill Drive
City	Sacramento
State	CA
County	34
Zip Code	95123
Telephone Number	9161234567
Email	tww_help@dtsc.ca.gov
Type	MSW facility

Contact Information

Name	Matthew Mullinax	
Telephone	9161234567	Ext: 0806

Print a copy

Change information

Submit record

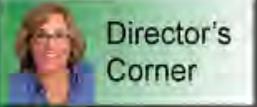
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TWW Shipments Received



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Generator ID (if known) and click .

Generator information

(Required) *

Receipt Date * (mm/dd/yyyy)

Name *

Address *

City *

State * Zip *

County *

Telephone * (9165559999) Ext:

Contact Information

Name *

Telephone * (9161239999) Ext:

Mailing Information

Check here if the mailing address is the same as generators address above..



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TWW Shipments Received

Generator ID (if known) and click

Generator info (Required) *

Receipt Date * (mm/dd/yyyy)

Name *

Address *

City *

State * **Zip ***

County *

Telephone * (9165559999) **Ext:**

Contact Information

Name *

Telephone * (9161239999) **Ext:**

Mailing Information

Check here if the mailing address is the same as generators address above..

- 24 - Merced
- 25 - Modoc
- 26 - Mono
- 27 - Monterey
- 28 - Napa
- 29 - Nevada
- 30 - Orange
- 31 - Placer
- 32 - Plumas
- 33 - Riverside
- 34 - Sacramento
- 35 - San Benito
- 36 - San Bernardino
- 37 - San Diego
- 38 - San Francisco
- 39 - San Joaquin
- 40 - San Luis Obispo
- 41 - San Mateo
- 42 - Santa Barbara
- 43 - Santa Clara
- 44 - Santa Cruz
- 45 - Shasta
- 46 - Sierra
- 47 - Siskiyou
- 48 - Solano
- 49 - Sonoma
- 50 - Stanislaus
- 51 - Sutter
- 52 - Tehama
- 53 - Trinity



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Shipments Received

Generator ID

Generator info

(Required) *

Receipt Date *

Name *

Address *

City *

State *

County *

Telephone *

Contact Information

Name *

Telephone *

Mailing Information

Check here if the mailing address is the same as generators address above..

Update

d/yyyy)

(9165559999)

(9161239999)

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Generator ID (if known) and click .

Generator information

(Required) *

Receipt Date * (mm/dd/yyyy)

Name *

Address *

City *

State * Zip *

County *

Telephone * (9165559999) Ext:

Contact Information

Name *

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County *

Telephone * (9165559999) Ext:

Contact Information

Name *

Telephone *

Mailing Inform

Name *

Address *

City *

State *

County

TWW Type Inf

- Type not listed
- Private Households
- Agriculture - All Farms
- Electric Power Generation
- Wired Telecommunication Carriers
- Residential Building Construction
- Nonresidential Building Construction
- Foundation, Structure, Building
- Highway, Street, and Bridge Construction
- Residential Remodler
- Sawmills and Wood Preservation
- Building material and supplies dealer
- Rail Transportation
- Landscaping Services
- MSW Solid Waste Collection
- Solid Waste Landfill
- Material Recovery Facility
- Amusement Parks and Arcades
- Marinas
- Deep Sea, Coastal, and Great Lakes Waterways
- Port and Harbor Operations
- Public Works - City
- Public Works - County
- City Parks
- County Parks
- State Parks
- Federal Parks
- Cal Trans - Highway, Streets, and Bridge Construction
- Department of Defense - Nationa Security and International affairs
- Type not listed

Main Menu

Submit

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County *

Telephone * (9165559999) Ext:

Contact Information

Name *

Telephone * (9161239999) Ext:

Mailing Information

Check here if the mailing address is the same as generators address above..

Name *

Address *

City *

State * Mail Zip *

County

TWW Type Information

- CCA
- Copper-Based
- Unknown/Mixture
- Creosote
- Pentachlorophnol
- Other

Weight * (Lbs) Estimated weight

Industry



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[TWW Handlers System](#)

Substances Control

Generator Receipt Verification

Generator Information

Name	TWW Generator Inc.
Address	3456 Copper Based Drive
State	CA
Zip Code	95123
County	34
Telephone Number	9165551234

Mail Information

Name	TWW Generator Inc.
Address	3456 Copper Based Drive
City	Sacramento
State	CA
Zip Code	95123
County	34

Contact Information

Name	Matthew Mullinax
Telephone	9165551234 Ext: 0806
Industry	Construction-NonResident

TWW Type Information

Type	copper
Weight (lbs)	5500
Estimated Weight	Yes

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Department of Toxic Substances Control



[TWW Handlers System](#)

Director's
Corner

Treated Wood Waste Facility Main Menu

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TWW Facility Functions

New account - Click [ID Assistance](#) to set up your account.

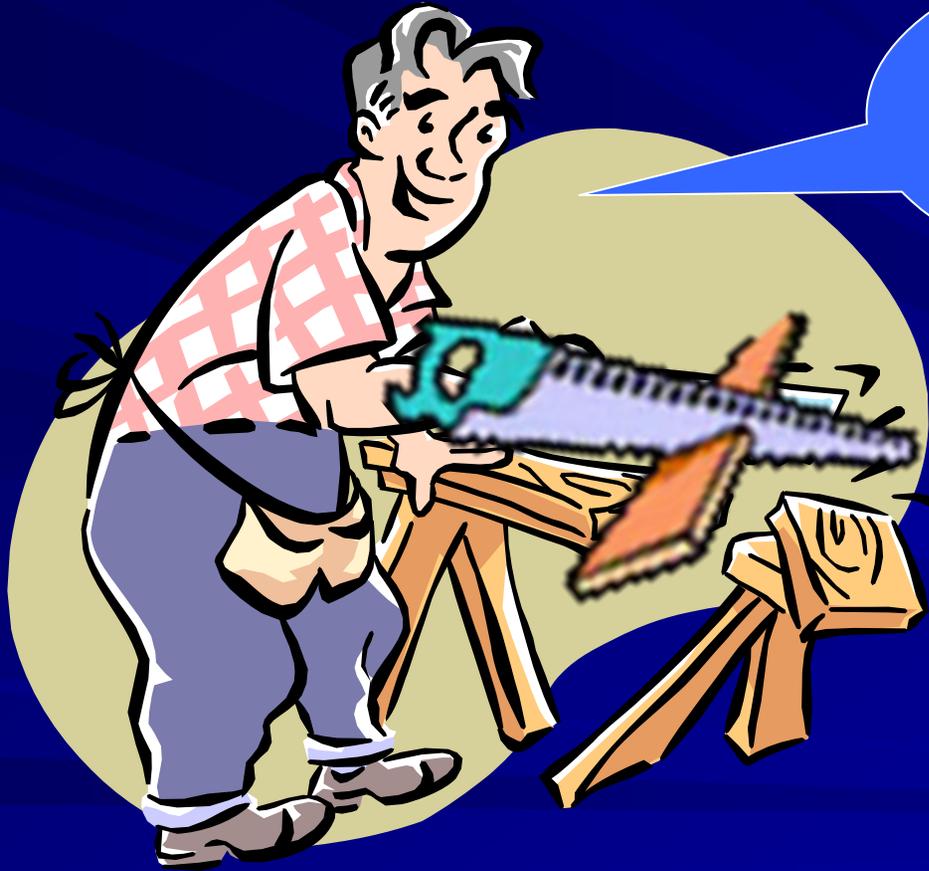
Identification Number required to perform TWW functions below.

*

- Shipments Received
- Shipments Sent
- Household Loads
- Load-Check Loads
- Semi Annual Report
- Modify Receipts
- Modify Shipments
- Modify Facility Information
- Shipment Transfers (Downloads)

DTSC
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Questions?



Hi, I'm Mike Horner,
and *I know wood*.
Always remember to
handle treated wood
waste safely.

Picture Credit

■ Florida Center for Solid
and Hazardous Waste
Management



DTSC Contacts

➤ DTSC TWW website:

http://www.dtsc.ca.gov/HazardousWaste/Treated_Wood_Waste.cfm

➤ TWW Listserv:

<http://www.calepa.ca.gov/Listservs/dtsc/>

➤ DTSC TWW Staff

Ed Nieto

tww_help@dtsc.ca.gov

(916) 322-7893

Matthew Mullinax

(916) 324-0064

Evelia Rodriguez

(916) 322-3810

Bill Beckman

(916) 324-8293