

Treated Wood Waste Workshop

Alternative Management
Standards

March 16, 2006

Treated Wood Waste (TWW)

- Treated wood is wood that has been treated with a chemical preservative.
- Preservatives are registered pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and by the California Department of Pesticide Regulation.
- Some commonly applied chemicals include creosote, pentachlorophenol, and chromated copper arsenate (CCA).

Sources of Treated Wood Waste



Yard Waste

Renovation



Demolition

New Construction



Department of Toxic Substances Control



Hazardous Waste

- Assembly Bill 1353 addresses only TWW that is a hazardous waste
- Most TWW exhibits hazardous characteristics and is a hazardous waste subject to California Hazardous Waste Law
- If TWW is not a hazardous waste, none of this applies

Hazardous Waste

- Hazardous waste findings
 - CCA fails TCLP for metals
 - Total concentration of pentachlorophenol fails toxicity testing
 - Creosote analysis is not consistent



Special TWW Provisions

- Conditional exemption for TWW removed from electric, gas, or telephone service
- These proposed regulations for alternative management of TWW when managed in accordance with specified standards

HSC 25150.7

- Defines Treated Wood Waste (b) & (c)
- Conditionally exempts TWW from hazardous waste laws until January 1, 2007 (e)
- Established requirements for wholesale and retail of Treated Wood products (f)
- Voids all DTSC variances for TWW (i)

HSC 25150.7

- TWW must be disposed to a Class 1 hazardous waste landfill or a composite-lined landfill (d)
- Mandates that DTSC adopt regulations for TWW Alternative Standards (g)
- Allows generators to comply either with TWW Alternative Standards or hazardous waste laws (h)
- This law sunsets June 1, 2012 (l)

HSC 25150.7(g)

TWW Alternative Standards shall

- address storage, treatment, transportation, tracking, disposal to the extent practical
- prevent releases of hazardous constituents
- prevent scavenging
- prevent harmful exposure to people, aquatic life, and animals
- prevent reuse unless is a FIFRA “approved use”
- must ensure employees training
- size reduction conducted safely to prevent releases
- sawdust and other particles must be captured and managed as TWW

TWW Alternative Standards Scope and Applicability

Alternative management standards shall apply only to TWW that is:

- non- RCRA
- hazardous solely due to preservatives regulated under FIFRA
- not subject to utility service exemption

Is the applicability consistent with Health and Safety Code section 25150.7?

TWW Alternative Standards Prohibited Activities

TWW managed under the alternative management standards shall not be:

- Burned
- Scavenged
- Stored in contact with the ground
- Disposed, treated, or reused except as specified

**Are the prohibited activities consistent with
Health and Safety Code section 25150.7?**

TWW Alternative Standards Definitions

- “Agent”
- “Resizing”
- “Treated wood”
- “TWW”
- “TWW consolidation site”
- “TWW remote site”
- “Unit”

Are other definitions needed?

TWW Alternative Standards Labeling

The person in control of TWW shall ensure that each unit of TWW is labeled as specified

- Label must be applied on the first day of generation/accumulation
- Name, address, date that generation/accumulation commenced, and manifest number on each label

TWW Alternative Standards Labeling

Should label specifications be included such as font, label size color, etc.?

Should additional warnings or prohibited activities be included on the label?

Is there alternative method to communicate this information?

TWW Alternative Standards Accumulation

- Releases to environment are prevented to the extent practical
- Access is controlled
- Accumulation limited to 90 days
- Self inspection required
- Generator may hire another party if both comply with standards
- Businesses handling TWW have additional requirements

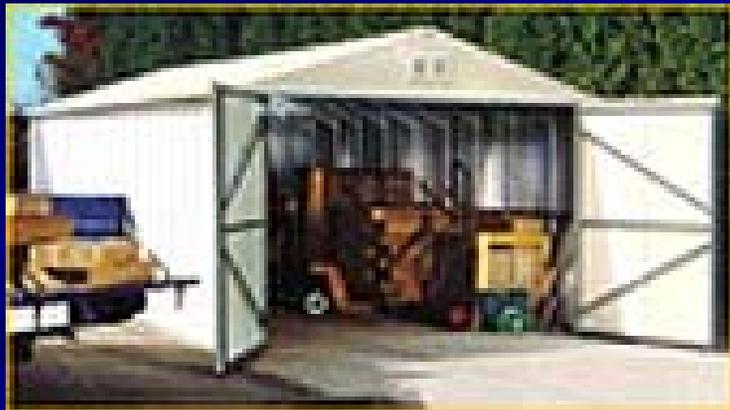
TWW Alternative Standards Accumulation



block & tarp (elevate)



containerize



storage building



**containment pad
(surface)**

TWW Alternative Standards Accumulation

How is TWW being currently managed to meet the statutory requirement: “prevent run-on, and run-off”, “placed on a surface sufficiently impervious to prevent contact and any leaching to soil or water” “to the extent practical”?

Are there other options that should be included in subsection 67386.6(a)(2)?

Does the 90 days in subsection (c) provide adequate time for the accumulation of TWW?

Should we revert to a performance standard based on the statutory language?

TWW Alternative Standards Training

A business handling TWW shall provide training to employees that includes:

- Safe handling practices
- Requirements of the alternative management standards
- All applicable CalOSHA requirements

TWW Alternative Standards Training

- AB 1353 Language
- Identifying & Segregating
 - generator knowledge
 - dedicated loads
 - tags
- Very difficult to separate TWW once at a landfill



TWW Alternative Standards

Transportation: Generators

A person who generates TWW and offers for transport:

- Shall obtain an EPA identification Number
- Shall use a hazardous waste manifest
- May consolidate from offsite
- May hire another party (agent) who then shares the generators responsibilities

Exemption: Household generated TWW may be transported by a resident without a hazardous waste manifest

TWW Alternative Standards

Transportation: Transporter

A person transporting TWW shall:

- Be a registered hazardous waste transporter
- Use a hazardous waste manifest
- Comply with hazardous waste discharge requirements
- Use a TWW consolidated manifest to collect from multiple generators

TWW Alternative Standards Transportation: Landfills

A landfill receiving TWW shall:

- Use a hazardous waste manifest
- Report hazardous waste manifest discrepancies
- Should Material Recycling Facilities (MRFs) be allowed to accept TWW?
- Procedures/paperwork?
- Issues: legal, land use, permitting?



TWW Alternative Standards Transportation

Would alternative tracking mechanisms such as asbestos waste shipment records, or the used/waste tire manifest program be appropriate for TWW?

Describe how the generator and DTSC will be assured that treated wood waste was properly disposed?

TWW Alternative Standards Treatment

- Resizing and sorting/segregation are the only treatment options approved as an alternative management standard
- All other treatment of TWW must be approved in accordance with hazardous waste law
- When resizing, all sawdust and other particles must be collected and managed as TWW
- Businesses treating TWW have additional training requirements

TWW Alternative Standards Treatment

Is there a better method to determine what should be containerize in subsection (a)(2)?

What other physical activities may be necessary to facilitate the disposal of TWW?

TWW Alternative Standards Disposal

All TWW must be disposed:

- to a hazardous waste landfill, or
- to a composite-lined solid waste landfill

TWW becomes solid waste if it is accepted by a landfill meeting specific requirements

Are the disposal requirements consistent with Health and Safety Code section 25150.7?

Additional Landfill Requirements 25150.8



Additional Landfill Requirements

25150.8

- Provision does not sunset on 6/1/2012
- Landfill meets requirements under Water Code
- Landfill shall
 - Prevent scavenging
 - Ensures compliance with hazardous waste laws or these alternative standards
 - If monitoring indicates a release, TWW is not longer placed in landfill until the release is stopped

Draft Timeline

- Public workshops March 16, 2006
- Comments due March 30, 2006
- Possible additional workshop TBD
- OAL submittal September 20, 2006
- Implementation date January 1, 2007

Conclusions

- HSC §25150.7 requires DTSC to develop alternative management standards by January 1, 2007
- HSC §25150.7 places many restrictions on the form and content of the alternative management standards
- Short timeline, **INPUT NEEDED**
- Comments due by March 30, 2006

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