

Draft DTSC Work Plan for Metal Shredder Residue

1. Brief problem statement:

All major metal shredders in California (seven active locations) are operating under an authorization issued by DTSC (then DHS) in the late 1980s. These authorizations, also known as “f” letters authorized facilities to manage “treated automotive shredder waste” (TASW) pursuant to CCR, title 22, section 66260.200(f) and DTSC Policy and Procedure No. 88-6. These facilities chemically treat their waste on site via chemical fixation/stabilization without a permit to “fix” soluble concentrations and to allow disposal at designated landfills as nonhazardous waste for alternative daily cover (ADC). A review of industry practices and recent concerns regarding changes and sufficiency of the treatment technology has caused DTSC to revisit this approach. Prior decisions were based upon science and information available and presented by the industry at that time. DTSC recognizes that management standards, scientific evaluation techniques and available test methods have evolved and improved. It is in the public’s (and the industry’s) interest to evaluate whether DTSC’s decisions made in the late 1980’s continue to be fully protective of public health and the environment, and to ensure that any similar operations meet the same protective standards.

2. Proposed solution:

DTSC is reviewing technical data about current and potential chemical treatments of metal shredder residue in order to reevaluate its prior waste classification decisions. In addition, DTSC is inviting input from the public. This process will ensure that DTSC’s decisions are based on the best available information and that all interested stakeholders are able to participate and provide feedback to DTSC. DTSC will develop a course of action based on the findings of this process.

3. Progress completed in past 12 months:

- DTSC has met several times with metal shredding industry to discuss DTSC’s information needs
- The metal shredding industry has provided submittals to DTSC:
 - Treatment information and environmental control requirements
 - Draft Automobile Shredder Residue Treatability Study Workplan for discussion

4. Timeline: Milestones

JUN 2013:

- June—DTSC to post the department workplan and available information about its review to its public web site.

JUL – SEP 2013:

- August—DTSC to meet with CalRecycle and the State Water Board to discuss agency's authorities and concerns.
- September—DTSC to meet with affected local agencies (air quality management districts and CUPAs) to discuss each agency's authorities and concerns.
- Mid-August—Metal shredders to submit revised treatability study workplan to DTSC.
- Various (as needed)—Meetings with metal shredding industry to discuss DTSC's information request and to assist in developing the industry's submittal(s).

OCT – DEC 2013:

- October—DTSC reviews information submittals for completeness.
- October through December—DTSC and other state and local agencies evaluate information related to potential releases and risks associated with metal shredder waste generation and treatment and management practices. If necessary, DTSC will request additional information or clarifying information from metal shredders.

JAN – NOV 2014

- January—DTSC to host public workshops (in Los Angeles and in Oakland) with other state and local agencies to solicit feedback on the industry's proposed treatability study workplan.
- January- September—DTSC coordinates with other state and local agencies to develop findings and recommendations.
- September—Metal shredders submit treatability study finding to DTSC for review and comments.

- October—DTSC, with other state and local agencies, hosts a second set of public workshops (in Los Angeles and in Oakland) presenting findings and recommendations to solicit public feedback.
- November—DTSC announces its decisions and develops a work plan for implementation.

5. Deliverables (how to measure success):

- DTSC implements an evaluation process that is legally defensible, transparent and provides viable alternatives for shredder operations and waste management in California.
 - Letter is sent to the metal shredder industry.
 - Information (including DTSC workplan) is posted to the DTSC website.
 - Workshops are scheduled and announced.
 - Other state and local agencies commit to the evaluation process and provide feedback.
 - Recommendations are developed.
 - Workplan for implementation is developed and carried out.
- Regulatory status of metal shredding operations and the waste they generate is made clear and unambiguous.
 - Operating standards for metal shredding operations are developed and implemented that are protective and enforceable.
 - Disposal and management standards for shredder waste are developed and implemented that are protective and enforceable.

6. Potential Challenges:

- The metal shredder industry fails to provide requested information in a timely fashion.
- The metal shredder industry pursues a political or legislative solution to preserve status quo rather than participate productively in DTSC's initiative.
- Other state and local agencies do not view this project as a priority and decline to participate in the process.