



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE

Department of Toxic Substances Control

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State Adopts Emergency Regulations for Perchlorate-Containing Materials

Sacramento – The California Department of Toxic Substances Control (DTSC) today announced the approval of emergency regulations for the management of perchlorate-containing materials. The best management practice (BMP) regulations were adopted as a result of Assembly Bill 826, the Perchlorate Contamination Prevention Act. The regulations were effective on January 1, 2006 and the BMP requirements will go into effect July 1, 2006.

“These new regulations are a necessary safety measure to protect the environment from perchlorate contamination,” said DTSC Director Maureen Gorsen. “The fiscal impacts of the new procedures are minimal, yet the benefits over time will be substantial. AB 826 promotes practices that reduce industrial pollution, a key provision of Governor Schwarzenegger’s environmental action plan.”

Perchlorate is a strong oxidizer, highly reactive and flammable when it is in its pure form. It can be found in much lower concentrations in model rockets, flares and fireworks. It is already regulated as a hazardous substance in its pure form. Residuals from perchlorate material or wastewater coming in contact with perchlorate are currently unregulated but may still pose a health risk especially if it seeps into groundwater. The adopted regulations will fill this gap and minimize perchlorate contaminating the environment.

Key requirements of the new regulations are as follows:

- Businesses managing more than 500 pounds of solid perchlorate material or 55 gallons of liquid perchlorate material must notify DTSC of their perchlorate-related activities.
- Businesses using fireworks in amounts greater than 4,000 pounds net explosive weight per year or rocket engines in amounts greater than 8,000 pounds per year must submit to DTSC the analytical results of environmental monitoring for perchlorate.
- Landfills and publicly owned treatment works that accept non-hazardous perchlorate wastes must notify the appropriate California Regional Water Quality Control Board of any perchlorate discharge and comply with any modifications to existing environmental monitoring programs.
- Those who manufacture, package and distribute perchlorate materials must ensure they are properly contained in water-resistant packaging and labeled.
- Perchlorate not in a water-resistant packaging must be stored in weather-resistant structures on floors that do not contain drains.

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- Road safety flares and marine safety flares should be used in a way to minimize release of perchlorate into the environment. Un-ignited pyrotechnics shall be collected within 24-hours of a fireworks display and properly disposed.
- Spills of non-hazardous perchlorate must be immediately contained and prevented from being released into storm drains.
- Non-hazardous perchlorate waste must be disposed in a hazardous waste landfill or in a composite-lined portion of a non-hazardous waste landfill.
- Discharges of non-hazardous perchlorate wastewater must be immediately reported to the overseeing agency and the appropriate California Regional Water Quality Control Board.
- By January 1, 2008, and every five years thereafter, businesses that use high quantities of perchlorate-containing products such as fertilizers, flares, explosives, and blasting agents must review their use of these products and consider non-perchlorate-containing alternatives.

DTSC plans to provide preliminary education and outreach to affected stakeholders. It will also maintain a website containing perchlorate best management practice information.

The new regulations are available on the DTSC website at <http://www.dtsc.ca.gov/LawsRegsPolicies>

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The Department of Toxic Substances Control's mission is to restore, protect, and enhance the environment and ensure public health, environmental quality and economic vitality by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.