

AMENDED IN SENATE MAY 18, 2011

AMENDED IN SENATE APRIL 25, 2011

SENATE BILL

No. 589

Introduced by Senator Lowenthal
(Coauthor: Assembly Member Allen)

February 17, 2011

An act to amend Section 25218.8 of the Health and Safety Code, relating to hazardous waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 589, as amended, Lowenthal. Household hazardous waste.

Existing law requires hazardous waste facilities to operate under hazardous waste facilities permits issued by the Department of Toxic Substances Control and exempts from this requirement a recycle-only household hazardous waste collection facility if the facility meets certain requirements, including that the public agency, or its contractor, that intends to operate a household hazardous waste collection facility, submit a certification regarding the operation of the facility to the certified unified program agency (CUPA).

This bill would allow, as an alternative to that requirement, that the facility accept only universal waste, as defined, and that this waste be managed pursuant to specified regulations.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 25218.8 of the Health and Safety Code
- 2 is amended to read:

1 25218.8. (a) Except as provided in subdivision (b), a hazardous
2 waste facilities permit shall be obtained for the operation of a
3 household hazardous waste collection facility.

4 (b) A hazardous waste facilities permit is not required for the
5 operation of a recycle-only household hazardous waste collection
6 facility if all of the following conditions are met:

7 (1) The facility accepts only the following recyclable household
8 hazardous waste materials for subsequent transport to an authorized
9 recycling facility:

10 (A) Latex paint.

11 (B) Used oil.

12 (C) Used oil filters.

13 (D) Antifreeze.

14 (E) Spent lead-acid batteries.

15 (F) Nickel-cadmium, alkaline, carbon-zinc, or other small
16 batteries, if the facility is in compliance with Section 25216.1.

17 (G) Intact spent fluorescent lamps.

18 (H) Intact spent high intensity discharge (HID) lamps.

19 (2) No hazardous wastes or other materials are handled at the
20 facility other than the materials specified in paragraph (1).

21 (3) The materials are transported to the collection facility by
22 either of the following:

23 (A) The person who generated the material.

24 (B) The authorized curbside household hazardous waste
25 collection program.

26 (4) The materials transported to the facility are transported in
27 accordance with Section 25218.5.

28 (5) The materials collected are not stored at the facility for more
29 than 180 days, except that less than one ton of spent lead-acid
30 batteries may be stored at the facility for up to one year. More than
31 one ton of spent lead-acid batteries shall not be stored at the facility
32 for more than 180 days.

33 (6) The materials collected are managed in accordance with the
34 hazardous waste labeling, containerization, emergency response,
35 and personnel training requirements of this chapter.

36 (7) The facility meets either of the following conditions:

37 (A) The facility is in compliance with Section 25218.2.

38 (B) The facility accepts only universal waste, as defined in
39 Section ~~66291.9~~ 66261.9 of Title 22 of the California Code of
40 Regulations, and this waste is managed pursuant to Chapter 23

- 1 (commencing with Section 66273.1) of Division 4.5 of Title 22
- 2 of the California Code of Regulations.

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