

*Central Valley Regional
Hazardous Waste
Technical Advisory Group*

Minutes

May 19, 2017
10:00 AM-12:00 PM

Meeting Location: Kern County CUPA – Bakersfield Office

Attendees: Gabe Rubio, Kern County CUPA, Bilal Korin, Kern County CUPA, Jeffrey Marshall, Kern County CUPA, Marty Brownfield, Kern County CUPA, Laurel Funk, Kern County CUPA, Christian Iwuchukwu, Kern County CUPA, Shelly Lee, Kern County CUPA, Waqar Rustam, Kern County CUPA, Brody Saleen, Kern County CUPA, Evie Shamoon, Kern County CUPA, Lydia Von Sydow, Kern County CUPA, Jamie Trulove, Kern County CUPA, Craig Perkins, Bakersfield City Fire, Kerri Gibbons, Inyo County, Cindy Sauls, Fresno County, Caroline San Miguel, Fresno County, Joel Martens, Tulare County (via telephone), Lee Johnson, Kings County (via telephone).

I. Hazardous Waste Tank vs. Container

- Discussed seven (7) items that Gloria Conti w/DTSC mentioned during the So. Cal. HW TAG meeting from March 15, 2017. It was not intended to act as official guidance from DTSC, but may need to be considered by inspectors if they encounter this issue. 1) What was the unit “designed” to be used for? 2) What is the “intended” use of the unit? As a container or a tank? 3) Is it intended to be moved? 4) Is it in secondary containment that does not allow movement? 5) Is it set in place? 6) If it is not a “shippable” container, it is probably a tank. 7) If it can’t be moved, or hard piped in, then probably a tank.
- P.E. Certification Exemption for LQG’s with non-RCRA HW Tanks. If hazardous waste tanks contain Used Oil or Waste Anti-Freeze, then the generator may use three-year “AST Certification & Engineering Assessment Exemption Notification”, in lieu of PE Certification, if completed, approved, and available on site, with >100% secondary containment and leak detection program, written leak detection program and daily inspection logs.

II. DTSC’s Advisory Letter – Drained Used Oil Filters

- Discussed DTSC’s September 2016 Advisory Letter regarding “Draining of Used Oil Filters”. Improperly drained used oil filters must be managed as hazardous waste. It is the generators responsibility to demonstrate to the CUPA inspector and the transporter that all filters have been properly drained, i.e. crushed or punctured. Filters without metal housings are not considered recyclable and must be managed as hazardous waste.

III. Certified Used Oil Collection Centers

- Although CalRecycle approves and issues certifications to businesses as Certified Used Oil Collection Centers, with the passage of SB 612, this program now falls under the oversight of the CUPA’s. A business that is a certified collection center, but also is a service center, (i.e. lube and oil change service), must maintain the used oil and filters received from Do-It-Yourself (DIY) customers separate from the used oil and filters generated from oil change service. A CUPA inspector recently discovered during an inspection at an auto repair shop that an auto parts business that delivers merchandise to this customer was transporting the used oil and filters for

the customer back to the collection center. Auto parts businesses that are certified collection centers may not transport used oil and filters from customers. They may lose their certification from CalRecycle.

IV. P-Listed Waste Containers/Manifests at Retail Pharmacies

- During manifest review at pharmacies, it was discovered that the same amount/quantity (1 lb.) is on almost all manifests of P-Listed wastes (i.e. Warfarin, Nicotine). Hazardous Waste Transporters may not be properly weighing waste. They should include, not only residue, but containers as well.
- Some pharmacies have informed CUPA inspectors that their hazardous waste transporters “encourage” collection of non-RCRA waste in RCRA containers.
- Medical facilities (hospitals, clinics, prisons) are generating P-Listed waste. Some facilities are LQG’s and may not know it. CUPA needs to notify these facilities that they require a Hazardous Waste permit. In Kern County, the Local Enforcement Agency (LEA) enforces Medical Waste Act. However, LEA inspectors are not very knowledgeable on hazardous waste regulations. CUPA should assist other agencies/departments with educating and informing these facilities of requirements.

V. CUPA Forum Board Updates

- AB 1179 – Establishing inspection frequency at hazardous waste facilities to no less than once per calendar year.
- April 27, 2017 DTSC letter to Clean Harbors regarding Chlordane in used motor oil. Clean Harbors would like to manage the chlordane contaminated used oil as a non-RCRA waste stream because it comes from households and CESQG’s. Clean Harbors would need to demonstrate that the used oil, even used oil that comes from collection centers that are not household hazardous waste collection facilities, comes entirely from household sources or CESQG.

VI. 2017 TAG Schedule

- Central Valley Hazardous Waste Technical Advisory Group (TAG) decided to have TAG meetings quarterly.

VII. Roundtable

- Kerri Gibbons discussed paint waste generated from water-based paint. A “paint cake” is generated during the cleaning process. It is presumptive waste unless analytical indicates that it is non-haz.
- Craig Perkins discussed a complaint they received about a facility illegally treating hazardous formaldehyde (formalin). The complainant alleges that a local hospital is utilizing a treatment technology (Tissue-Tek FormaGO) that does not have a valid technology certification from DTSC. The hospital, according to the complainant, previously had used a certified technology (NEUTRALEX, which is provided by the complainant’s company). DTSC no longer issues technology certifications. Craig contacted DTSC about the matter and is waiting for an “official” response.
- Jamie Trulove discussed arsenic removal from a waste water treatment process. It is a back wash process with no filter press. Once the “sludge/water” ends up in a tote/container for disposal, it continues to settle and some of the water is allowed to evaporate and the remainder of the water is removed from the top of the container and put back into the back wash process and the sludge is disposed of as hazardous waste. Is it considered treatment? If so, where is the point of generation (P.O.G.)? The P.O.G is going to determine the status of the operator, LQG or SQG. It was suggested that the operator develop a flow chart to assist. Will contact DTSC for guidance.

VIII. Next Meeting

- August 2017. Tulare or Fresno County may be willing to host next Central Valley HAZ Waste TAG meeting. Joel Martens will confirm prior to establishing a date and time.