



# Retail Hazardous Waste Compliance

Presented by:

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# Course Objective

- Retailers
  - Basic training on retail hazardous waste program management and compliance
  - Opportunity to benchmark with Ulta Beauty's hazardous waste team
- CUPAs
  - Better understanding on the challenges of hazardous waste compliance from a retailer's perspective



# Poll Question #1 (Multiple Choice)

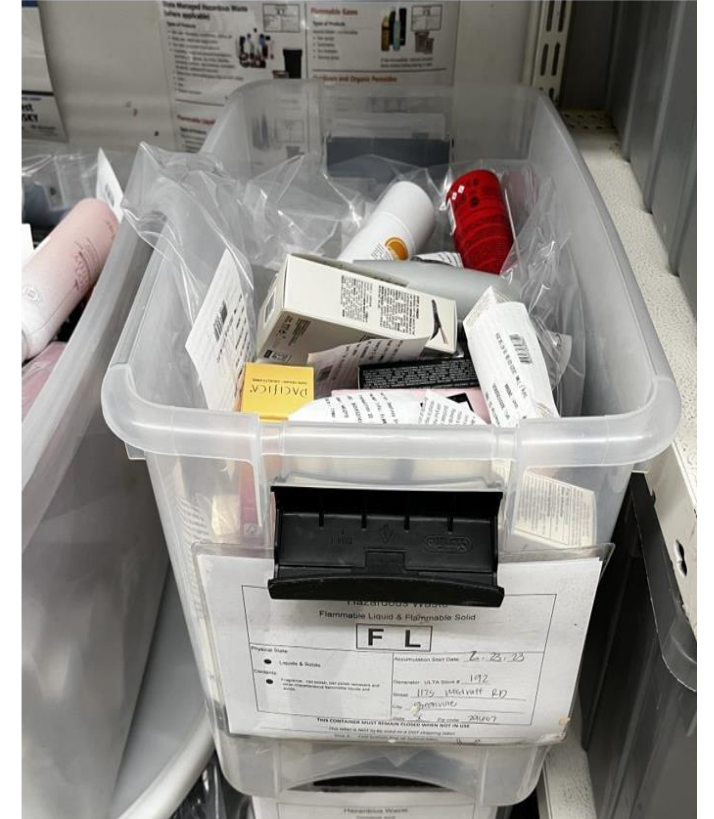
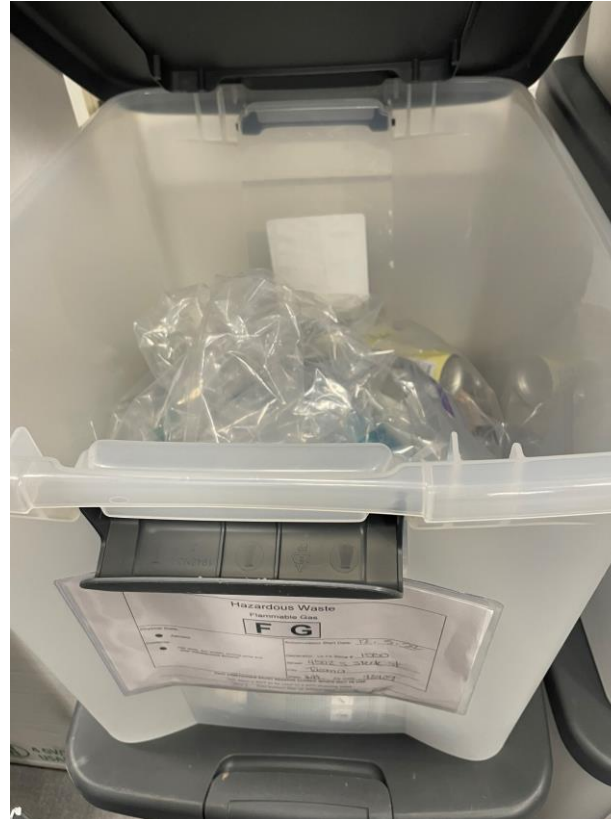
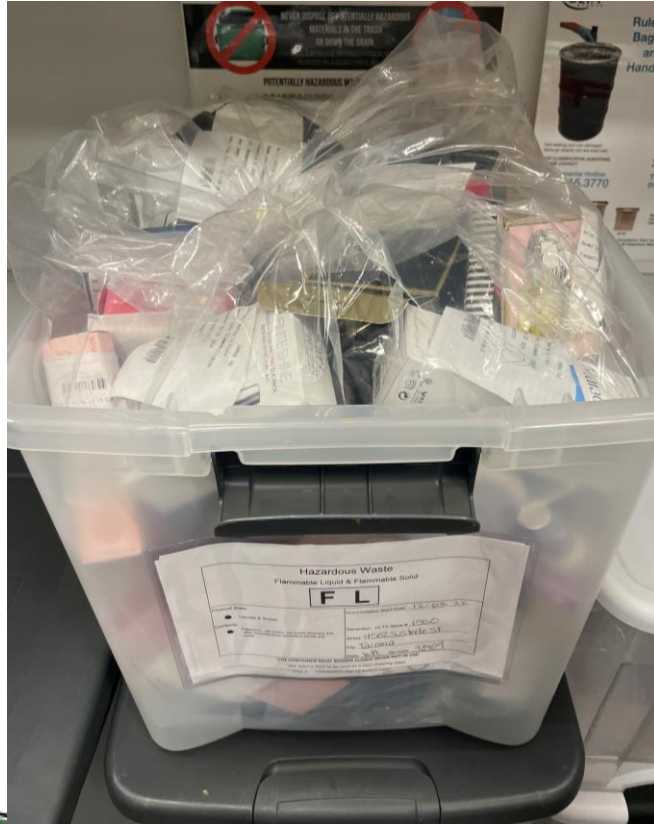
- What is your background?
  - Retailer
  - CUPA
  - Fire Agency
  - Other



# Traditional Hazardous Waste



# Retail Hazardous Waste



# The Ulta Beauty Team

- 168 Retail Stores in California
  - 1,360 stores nationwide
  - Stores in all 50 states
- 1 Distribution Center in California
  - 6 DCs and FFCs nationwide
- ≈6,800 Associates in California
  - ≈50,000 Associates nationwide



# Ulta Beauty's Hazardous Waste Compliance Journey

- 2013 – 2016
  - Emerging program
- 2016-2018
  - Maturing program
  - Focus on closing compliance gaps
- 2018 - Present
  - Mature program
  - Focus on beyond compliance (training, auditing, recordkeeping)



# Poll Question #2 (Multiple Choice)

- Retailers: Where are you on your compliance journey?
- CUPAs: In the field, what do you see most frequently in retail stores:
  - Emerging Program
  - Maturing Program
  - Mature Program





# Poll Question #3 (Word Cloud)

- What are the biggest challenges for managing a retail hazardous waste program?



# Challenges in Retail Hazardous Waste

- Multiple facilities across the state/country
- Complex regulations
  - Requirements vary by jurisdiction
- Tens of thousands (or more) SKUs
- Potential for high fines
- Limited backroom space in stores
- High level of staffing turnover
- Staff has little to no previous hazardous waste experience
- Shared dumpsters with other retailers
- Midnight dumpers
- Reliant on 3<sup>rd</sup> parties to classify SKUs as hazardous
- Program is expensive
  - Disposal costs
  - Training
- Need internal alignment and support from cross-functional partners



# Internal Stakeholder Alignment Needed for a Successful Program

- EHS/Compliance
  - Program development
  - Hazardous waste vendor management
- Operations
  - Task management
  - Allocate payroll for program management
- Legal
  - Approve contracts
  - Research laws and regulations
- Merchandising/Brands
  - Waste classification
  - Destroy in field orders
- IT
  - Include hazardous waste classification in systems
- Finance
  - Budget
  - Pay invoices
- Human Resources
  - Accountability
  - Training





# POP QUIZ!



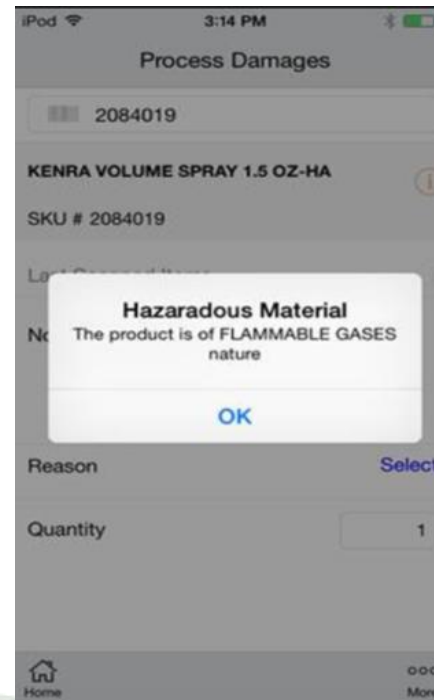
# Identifying Hazardous Waste

- Is it a Solid Waste?
  - A waste is a discarded material that can no longer be used for its intended purpose.
    - Solid, liquid, semi-solid, contained gas
- Is it a Hazardous Waste?
  - Hazardous waste is a waste with properties that make it potentially dangerous or harmful to human health or the environment.
    - Characteristic, listed, used oil
  - In California, the generator must determine if the waste meets the criteria of hazardous waste as defined in the California Health & Safety Code, 22 CCR.
    - Acutely hazardous, extremely hazardous, non-RCRA, special waste, universal waste



# Hazardous Waste Determination

- Generators are required to profile and characterize waste to determine if it is a hazardous waste
- There are many ways retailers determine if a waste is “hazardous”
  - Generator knowledge
  - Industry information
  - Safety Data Sheets
  - Testing



# What is Retail Hazardous Waste?

- Damages
  - Guest Returns
  - Damaged products in store
  - Damaged products in transit
  - Expired products
- Destroy in Field Orders
- Testers
- Spills
- Cleaning supplies
- Lightbulbs, Batteries
- E-waste (computer monitors, printers)
- Pharmaceuticals/Medical Waste
- Used Oil



# Hazardous Waste Area in a Retail Store

- Area should be set to a specific planogram
- Neat, clean and organized
- Separate containers for different waste streams
- Spill kit
- Hazardous waste supplies
- Manifest records accessible
- Training records accessible
- HMBP elements accessible, if applicable





# Hazardous Waste Area in a Retail Store – Cont'd

- Container Management
  - Properly labeled
  - No cracks, damaged, dented or leaking containers
  - Different containers for separate waste streams
    - No comingling of separate hazardous waste streams
  - Containers must be closed except when adding or removing waste
- Weekly inspections are required
  - Records of weekly inspections not required



# Hazardous Waste Labels

- Each container needs a separate label
- All fields on the label must be filled out when the first item is placed inside the container
- Words “hazardous waste”
- Generator information
- Hazardous properties of the waste
  - Flammable, toxic, corrosive
- Physical state of the waste
  - Liquid, solid, gas
- Composition of waste
- **Accumulation start date**

Hazardous Waste	
Flammable Gas	
<b>F G</b>	
Physical State (Check all that apply): <input checked="" type="checkbox"/> Aerosol	Accumulation Start Date: <u>6 / 20 / 2016</u>
Contents (Check all that apply): <input checked="" type="checkbox"/> Hair spray <input checked="" type="checkbox"/> Sun screen <input checked="" type="checkbox"/> Tanning spray <input type="checkbox"/> Other: _____	Generator: ULTA Store # <u>155</u> Address line 1: <u>12771 Town Center Dr.</u> Address line 2: _____ City: <u>Cerritos</u> State: <u>CA</u> Zip code: <u>90703</u>

THIS CONTAINER MUST REMAIN CLOSED WHEN NOT IN USE

*This label is NOT to be used as a DOT shipping label.*



# Hazardous Waste Manifests

- Manifests are records of the amount and type of waste that is picked up at the point of generation
  - Cradle to grave
- Generator is required to retain 3 years of manifest records
- Always checked by CUPA inspectors
  - Store employees who implement program must have knowledge of how to access manifests
- Person signing manifests on behalf of generator must have hazardous waste and DOT training

Please print or type.

Form Approved OMB No. 2050-0030

②

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number CAL000414506	2. Page 1 of 1	3. Emergency Response Phone 8004518346	4. Manifest Tracking Number 014045701 FLE	
5. Generator's Name and Mailing Address Uita Beauty #1181 (949) 489-1841 1000 Resington Boulevard Suite 120 Uita Beauty#1181 Bolingbrook, IL 60440 San Clemente, CA 92672						
6. Transporter 1 Company Name Stericycle Specialty Waste Solutions Inc				U.S. EPA ID Number NNS000110924		
7. Transporter 2 Company Name				U.S. EPA ID Number		
8. Designated Facility Name and Site Address Rho Lhea, L.L.C. 425 Isis Avenue Inglewood, CA 90301						
Facility's Phone: 3237766233				U.S. EPA ID Number CAD000364432		
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No. Type	11. Total Quantity	12. Unit Weight	13. Waste Codes
	X	UN1900, Waste Hexosols, Flammable, (each not exceeding 1 L capacity) 2.1, ERG#126	1 CF	00014	P	331 D001
	X	UN1995, Waste Flammable Liquids, n.o.s. (Acetone, Alcohols), 3, PG II, ERG#128	1 CF	00016	P	331 D001 U002
14. Special Handling Instructions and Additional Information 1.102784(Hexosols, Flammable) 2.102792(Flammable Liquids)						
15. GENERATOR/SOFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste identification statement specified in 40 CFR 262.27(a) (1) am a large quantity generator or (b) (1) am a small quantity generator is true.						
Generator/Officer Printed Name: Brian Weller Signature: [Signature] Uita Beauty#1181 Month: 01 Day: 13 Year: 2020						
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.:						
17. Transporter Acknowledgment of Receipt of Materials Transporter 1 Printed Name: Brian Weller Signature: [Signature] Month: 01 Day: 13 Year: 2020 Transporter 2 Printed Name: Signature: [Signature] Month: Day: Year:						
18. Discrepancy 18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection						
18b. Alternate Facility (or Generator) Manifest Reference Number: U.S. EPA ID Number:						
Facility's Phone: Signature of Alternate Facility (or Generator): Month: Day: Year:						
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)						
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest enclosed is noted in 18a. Printed Name: Signature: [Signature] Month: 12 Day: 23 Year: 2020						

EPA Form 8700-22 (Rev. 12-17) Previous editions are obsolete. DESIGNATED FACILITY TO EPA'S e-MANIFEST SYSTEM  
8700-22\_12v3 CAL20090629 S41042557 041643902 M PD011320 SD011320



# Employee Training

- Federal
  - SQG and LQG annual training required
  - VSQG annual training not required
- California
  - Annual training required for employees that implement hazardous waste program
- Facilities with HMBPs are required to maintain 3 years of training records
- What store employees should be trained? Do they:
  - Determine if a waste item is hazardous?
  - Add materials to hazardous waste containers?
  - Clean up spills?
  - Fill out hazardous waste labels?
  - Perform weekly inspections?
  - Prepare hazmat packages for shipment?
  - Sign manifests?





# POP QUIZ!



# EPA ID Numbers

- Federal EPA ID Number
  - Required for all SQGs and LQGs
- California – State ID Number
  - Required for ALL sites that generate hazardous waste
    - Register through DTSC or RCRAInfo
    - Recommended to register one month before the site opens

**IMPORTANT: Please read the instructions before completing this form. Fill out this form completely and accurately. Incomplete and inaccurate forms will be rejected. All fields are required except those indicated as optional.**

**NEW NUMBER REQUESTS.** Check all that apply

1. I am applying for a new permanent State ID number as a hazardous waste:  
 a) Generator  b) Transporter

Reason for a new number:

- a) Never had a number  b) Business moved  c) Legal business owner changed

**CHANGES TO STATUS OR INFORMATION FOR AN EXISTING STATE ID NUMBER**

For existing ID number (include the lettered prefix): \_\_\_\_\_

2. I am updating the mailing address and/or contact information only.  
 3. I am inactivating this ID number.  
 4. I am reactivating this ID number.  
 5. I am changing the business name only, no ownership change.

The screenshot shows the RCRAInfo website interface. At the top is a navigation bar with links for Home, Reports/Extracts, Tools, Documentation, and Feedback/Report an Issue. The user's name, Tracey, is visible in the top right. Below the navigation bar, there is a section for 'My Sites' with a 'Create New Site ID' button. The 'Create New Site ID' form is displayed, featuring a yellow warning banner that reads: 'For assistance completing this form, please review the application help and form instructions.' The form is divided into three main sections: 1. Reason for Submittal, which includes radio button options for 'Obtaining or updating an EPA ID number for an on-going regulated activity that will continue for a period of time. (Includes HSM activity) [Source N]' (selected) and 'Obtaining or updating an EPA ID number for conducting Electronic Manifest Broker activities only. [Source K]'; 2. Site ID, which contains a table with two columns: 'EPA ID' (value: NOT YET ASSIGNED) and 'Activity Location' (value: CA); 3. Site Name, which includes a text input field labeled 'Name' with a red asterisk indicating it is required.



# CERS – California Environmental Reporting System

- CERS registration is required for every site that generates hazardous waste
- Required information:
  - Owner / Operator information
  - Business activities
  - HMBP (Hazardous Materials Business Plan)
- Annual Renewal
  - Deadlines vary by county, but most are due by March

	Facility Name	Address	Last Submittal	CERS ID
<a href="#">Start / Edit / Certify Submittal</a>	Ultra Beauty #1315 (Los Angeles)	10925 W KINROSS AVE, LOS ANGELES 90024	1/31/2023	10258327
<a href="#">Start / Edit / Certify Submittal</a>	ULTA BEAUTY	3010 BRIDGEPONTE PKWY, SAN MATEO 94404	1/30/2023	10503319
<a href="#">Start / Edit / Certify Submittal</a>	ULTA BEAUTY 0568	119 COLMA BLVD 209, COLMA 94014	1/31/2023	10507696
<a href="#">Start / Edit / Certify Submittal</a>	Ultra Beauty #1628 (Rancho Cucamonga)	12188 Foothill Blvd, Rancho Cucamonga 91739	1/31/2023	10594342
<a href="#">Start / Edit / Certify Submittal</a>	ULTA Beauty #606	401 Kenilworth Dr Ste 520, Petaluma 94952	1/31/2023	10599454
<a href="#">Start / Edit / Certify Submittal</a>	ULTA BEAUTY	2080 California Ave, Seaside 93955	1/31/2023	10629046
<a href="#">Start / Edit / Certify Submittal</a>	Ultra Beauty #1517 (Lompoc)	615 N H St, Lompoc 93436	1/31/2023	10636471
<a href="#">Start / Edit / Certify Submittal</a>	ULTA BEAUTY	600 EL PASEO DE SARATOGA, SAN JOSE 95130	1/31/2023	10643659
<a href="#">Start / Edit / Certify Submittal</a>	ULTA BEAUTY	20580 HOMESTEAD RD., CUPERTINO 95014	1/30/2023	10643665
<a href="#">Start / Edit / Certify Submittal</a>	ULTA BEAUTY	31 CURTNER AV, SAN JOSE 95125	1/31/2023	10643674



# HMBP – Hazardous Materials Business Plan

- Applicability
  - 55 gallons (liquids)
  - 500 pounds (solids)
  - 200 cubic feet (compressed gas)
  - Aggregated per type of material, not the sum of all materials
- Chemical inventory
- Site map
- Training records
- Contingency plan
- Property owner notification letter





# Emergency Procedures

- Contingency plans in place
- Employee knowledge
- Emergency coordinator
- Spill response / control measures





# POP QUIZ!



# Compliance Auditing

- Required: Weekly inspection of hazardous waste area
  - Containers, labels, no co-mingling of incompatible waste and satellite accumulation, if applicable
  - Every 7 days
- Best Practices: multiple, redundant, independent audits
  - Loss Prevention, Store Operations, EHS, Internal Audit, Store Self-Audits
  - Proactive dumpster audits



# Poll Question #4 (Multiple Choice)

- What is the most common violation you have issued (if you are a CUPA) or that you have received (if you are a retailer)?
  - Missing/Incorrect Manifests
  - Lack of Training
  - Broken/Damaged/Leaking Containers
  - Permitting
  - Lack of Weekly Inspections
  - Comingled/Incompatible Waste in Containers



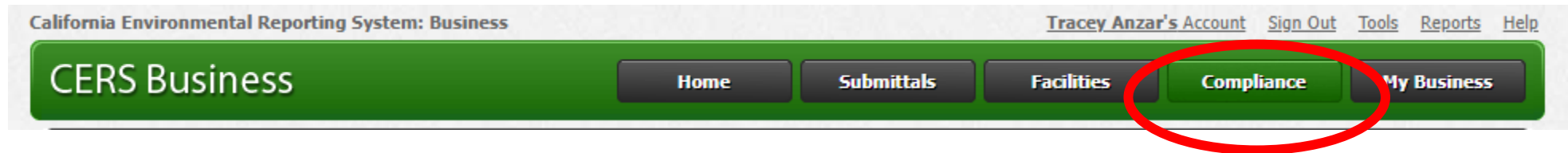
# Inspections – Tips for Retailers

- Check identification of anyone claiming to be an inspector
- Always stay with inspector, take pictures and notes
- Recommendation: Have an internal inspection reporting process for stores to notify Corporate EHS Team
  - Report within 24 hours
  - Notify District Managers and Loss Prevention Managers



# Inspections – Tips for Retailers - Continued

- Corporate EHS Team should be the point person for all responses
- Check CERS weekly for any inspections on Compliance page



- Keep an inspection log
- Save all inspection reports
- Give recognition to stores that pass inspections



# Inspections – Tips for CUPAs

- Schedule inspections in advance, when possible
  - Retailer staffing runs lean
    - Allows retailer to schedule someone to accompany CUPA
  - Gather information / paperwork in advance
  - Have identification ready to show
  - Speak to your audience
    - Store employees may not be familiar with technical industry terms such as “HMBP” or “CERS”



# Inspections – Tips for CUPAs - Continued

- Reach out to Corporate EHS contact for technical questions (check CERS)
- Send a copy of the inspection report to Corporate EHS contacts
- **AVOID** inspections during Holiday time (Thanksgiving through New Years)
  - This would be the time to inspect every other industry, not retail
- Share any positive feedback with the store or Corporate EHS teams
- Provide guidance to retailers with emerging programs







# POP QUIZ!



# Distribution Center Hazardous Waste Compliance

- Most DCs are either SQGs or LQGs
- Key differences for DCs
  - Accumulation time
    - 180 days or 90 days
  - Higher volume of hazardous waste
  - Workforce tends to have more technical experience regarding hazardous waste regulations



# Distribution Center Hazardous Waste Compliance –Cont'd

- Less employee turnover
- Department of Transportation labeling
- Larger containers
  - Gaylords / 55-gallon drums
- Secondary containment
- Satellite accumulation



# Key Takeaways for Retailers

- Partner with your CUPA for guidance, questions and interpretations
- Benchmark with other retailers
  - RILA, NRF, CUPA Conference
- Audit, Audit, Audit!
  - Especially dumpsters
- Over comply whenever possible
- Make your program easy to operationalize



# Key Takeaways for CUPAs

- Speak to your audience during inspections
  - Retail Store Team vs. Corporate EHS Team
- Schedule inspections in advance
- Avoid inspections during Holiday
- Know that most retailers take hazardous waste compliance extremely seriously





# POP QUIZ!





# QUESTIONS?

