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Title 22@ Social Security

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Division 4.5@ Environmental Health Standards for the Management of Hazardous Waste

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Chapter 14@ Standards for Owners and Operators of Hazardous Waste Transfer, Treatment, Storage, and Disposal Facilities

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Article 1@ General

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Section 66264.1@ Purpose, Scope and Applicability

## **66264.1 Purpose, Scope and Applicability**

### **(a)**

The purpose of this chapter is to establish minimum standards which define the acceptable management of hazardous waste.

### **(b)**

The standards in this chapter apply to owners and operators of all facilities which transfer, treat, store, or dispose of hazardous waste, except as specifically provided otherwise in this chapter or chapters 11, 12 or 13 of this division.

### **(c)**

The requirements of this chapter apply to a person disposing of hazardous waste by means of ocean disposal subject to a permit issued under the Federal Marine Protection, Research, and Sanctuaries Act (33 U.S.C. section 1401, et seq.) only to the extent they are included in a permit by rule granted to such a person under chapter 20 of this division. Such person shall comply with the requirements of chapter 14 of this division when transferring, treating or storing hazardous waste before it is loaded onto an ocean vessel for incineration or disposal at sea.

### **(d)**

The standards in this chapter apply to owners and operators of all destination facilities, as defined in section 66273.9, that transfer, treat, store, or dispose of universal waste listed in section 66261.9, except as specifically provided otherwise in section 66273.60, subsections (b) and (c).

**(e)**

The requirements of this chapter apply to the owner or operator of a POTW which transfers, treats, stores, or disposes of hazardous waste only to the extent they are included in a permit by rule granted to such a person under chapter 20 of this division.

**(f)**

(Reserved)

**(g)**

The requirements of this chapter do not apply to: (1) (reserved); (2) the owner or operator of a facility managing recyclable materials described in section 66261.6(a)(2)(B) of this division (except to the extent they are referred to in article 8 of chapter 16 of this division); (3) a generator accumulating waste on-site in compliance with section 66262.15, 66262.16 or 66262.17 of this division; (4) a farmer disposing of waste pesticides from the farmer's own use in compliance with section 66262.70 of this division; (5) (reserved); (6) (reserved); (7) (reserved); (8) (A) except as provided in subsection (g)(8)(B) of this section, a person engaged in treatment or containment activities during immediate response to any of the following situations: 1. a discharge of a hazardous waste; 2. an imminent and substantial threat of a discharge of hazardous waste; 3. a discharge of a material which, when discharged, becomes a hazardous waste; (B) an owner or operator of a facility otherwise regulated by this chapter shall comply with all applicable requirements of articles 3 and 4 of this chapter; (C) any person who is covered by subsection (g)(8)(A) of this section and who continues or initiates hazardous waste treatment or containment activities after the immediate response is over is subject to all applicable requirements of this chapter and chapter 21 of this division for those activities; (D) In the case of emergencies

involving military munitions, the responding military emergency response specialist's organizational unit shall retain records for three years identifying the dates of the response, the responsible persons responding, the type and description of material addressed, and its disposition. For the purposes of this subsection, the term "military munitions" is as defined in 40 Code of Federal Regulations section 260.10. The requirements of this subsection apply only to military munitions that are regulated under the federal act, as defined in Health and Safety Code section 25115.1; (9) a transporter storing manifested shipments of hazardous waste in containers at a transfer facility, or a transfer facility storing manifested shipments of hazardous waste in containers, for six days or less, or 10 days or less for transfer facilities in areas zoned industrial by the local planning authority, and meeting the requirements of sections 66262.30 and 66263.18; (10) the addition of absorbent material to waste in a container (as defined in section 66260.10 of this division) or the addition of waste to absorbent material in a container, provided that these actions occur at the time waste is first placed in the container; and sections 66264.17(b), 66264.171, and 66264.172 are complied with; (11) persons managing hazardous waste in a hazardous waste management unit not subject to 40 Code of Federal Regulations Part 264 (incorporated by reference in section 66260.11 of this division) pursuant to an exemption in 40 Code of Federal Regulations Section 264.1(g), if the waste managed in that unit is identified as a hazardous waste solely because it exhibits the characteristic of toxicity set forth in section 66261.24(a)(1) of this division. (12) universal waste handlers and universal waste transporters, as defined in chapter 23 of this division, who manage universal waste as listed in section 66261.9. These universal waste handlers and universal waste transporters are subject to regulation under chapter 23 when managing universal wastes listed in

section 66261.9 of this division.

**(1)**

(reserved);

**(2)**

the owner or operator of a facility managing recyclable materials described in section 66261.6(a)(2)(B) of this division (except to the extent they are referred to in article 8 of chapter 16 of this division);

**(3)**

a generator accumulating waste on-site in compliance with section 66262.15, 66262.16 or 66262.17 of this division;

**(4)**

a farmer disposing of waste pesticides from the farmer's own use in compliance with section 66262.70 of this division;

**(5)**

(reserved);

**(6)**

(reserved);

**(7)**

(reserved);

**(8)**

(A) except as provided in subsection (g)(8)(B) of this section, a person engaged in treatment or containment activities during immediate response to any of the following situations: 1. a discharge of a hazardous waste; 2. an imminent and substantial threat of a discharge of hazardous waste; 3. a discharge of a material which, when discharged, becomes a hazardous waste; (B) an owner or operator of a facility otherwise regulated by this chapter shall comply with all applicable requirements of

articles 3 and 4 of this chapter; (C) any person who is covered by subsection (g)(8)(A) of this section and who continues or initiates hazardous waste treatment or containment activities after the immediate response is over is subject to all applicable requirements of this chapter and chapter 21 of this division for those activities; (D) In the case of emergencies involving military munitions, the responding military emergency response specialist's organizational unit shall retain records for three years identifying the dates of the response, the responsible persons responding, the type and description of material addressed, and its disposition. For the purposes of this subsection, the term "military munitions" is as defined in 40 Code of Federal Regulations section 260.10. The requirements of this subsection apply only to military munitions that are regulated under the federal act, as defined in Health and Safety Code section 25115.1;

**(A)**

except as provided in subsection (g)(8)(B) of this section, a person engaged in treatment or containment activities during immediate response to any of the following situations: 1. a discharge of a hazardous waste; 2. an imminent and substantial threat of a discharge of hazardous waste; 3. a discharge of a material which, when discharged, becomes a hazardous waste;

**1.**

a discharge of a hazardous waste;

**2.**

an imminent and substantial threat of a discharge of hazardous waste;

**3.**

a discharge of a material which, when discharged, becomes a hazardous waste;

**(B)**

an owner or operator of a facility otherwise regulated by this chapter shall comply with all

applicable requirements of articles 3 and 4 of this chapter;

**(C)**

any person who is covered by subsection (g)(8)(A) of this section and who continues or initiates hazardous waste treatment or containment activities after the immediate response is over is subject to all applicable requirements of this chapter and chapter 21 of this division for those activities;

**(D)**

In the case of emergencies involving military munitions, the responding military emergency response specialist's organizational unit shall retain records for three years identifying the dates of the response, the responsible persons responding, the type and description of material addressed, and its disposition. For the purposes of this subsection, the term "military munitions" is as defined in 40 Code of Federal Regulations section 260.10. The requirements of this subsection apply only to military munitions that are regulated under the federal act, as defined in Health and Safety Code section 25115.1;

**(9)**

a transporter storing manifested shipments of hazardous waste in containers at a transfer facility, or a transfer facility storing manifested shipments of hazardous waste in containers, for six days or less, or 10 days or less for transfer facilities in areas zoned industrial by the local planning authority, and meeting the requirements of sections 66262.30 and 66263.18;

**(10)**

the addition of absorbent material to waste in a container (as defined in section 66260.10 of this division) or the addition of waste to absorbent material in a container, provided that these actions occur at the time waste is first placed in the container; and sections 66264.17(b), 66264.171, and 66264.172 are complied with;

**(11)**

persons managing hazardous waste in a hazardous waste management unit not subject to 40 Code of Federal Regulations Part 264 (incorporated by reference in section 66260.11 of this division) pursuant to an exemption in 40 Code of Federal Regulations Section 264.1(g), if the waste managed in that unit is identified as a hazardous waste solely because it exhibits the characteristic of toxicity set forth in section 66261.24(a)(1) of this division.

**(12)**

universal waste handlers and universal waste transporters, as defined in chapter 23 of this division, who manage universal waste as listed in section 66261.9. These universal waste handlers and universal waste transporters are subject to regulation under chapter 23 when managing universal wastes listed in section 66261.9 of this division.

**(h)**

The requirements of this chapter apply to owners or operators of all facilities that transfer, treat, store, or dispose of hazardous wastes referred to in chapter 18 of this division.