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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 23@ Standards for Universal Waste Management

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Article 3@ Standards for Universal Waste Handlers

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Section 66273.38@ Offsite Shipments

66273.38 Offsite Shipments

(a)

A universal waste handler is prohibited from sending or taking universal waste to a place other than another universal waste handler, a destination facility, or a foreign destination.

(b)

If a universal waste handler self-transportes universal waste offsite, the universal waste handler becomes a universal waste transporter for those self-transportation activities and shall comply with the transporter requirements of article 5 of this chapter while transporting the universal waste.

(c)

If a universal waste being offered for offsite transportation meets the definition of hazardous material pursuant to 49 CFR parts 171 through 180, a universal waste handler shall package, label, mark and placard the shipment, and prepare the proper shipping papers in accordance with the applicable Department of Transportation regulations pursuant to 49 CFR parts 172 through 180;

(d)

Prior to sending a shipment of universal waste to another universal waste handler or to a destination facility, the originating universal waste handler shall ensure that the receiving universal waste handler or destination facility agrees (e.g., verbal or written communication) to receive the shipment.

(e)

If a universal waste handler sends a shipment of universal waste to another universal waste handler or to a destination facility and the shipment is rejected by the receiving universal waste handler or destination facility, the originating universal waste handler shall either: (1) Receive the universal waste back when notified that the shipment has been rejected; or (2) Agree with the receiving universal waste handler on a destination facility to which the shipment will be sent.

(1)

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(2)

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(f)

A universal waste handler may reject a shipment containing universal waste, or a portion of a shipment containing universal waste that the universal waste handler has received from another universal waste handler. If a universal waste handler rejects a shipment or a portion of a shipment, the universal waste handler shall contact and notify the originating universal waste handler of the rejection and to discuss reshipment of the load. The universal waste handler shall: (1) Send the shipment back to the originating universal waste handler; or (2) If agreed to by both the originating and receiving universal waste handler, send the shipment to a destination facility.

(1)

Send the shipment back to the originating universal waste handler; or

(2)

If agreed to by both the originating and receiving universal waste handler, send the shipment to a destination facility.

(g)

If a universal waste handler receives as universal waste, a shipment containing hazardous waste that is not a universal waste, the universal waste handler shall immediately notify the Department of the illegal shipment, and provide the name, address, and telephone number of the originating shipper. The Department will provide instructions for managing the hazardous waste.

(h)

If a universal waste handler receives as universal waste, a shipment of nonhazardous waste, the universal waste handler shall manage the nonhazardous waste in any way that is in compliance with applicable federal, state and local solid waste regulations.