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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 7@ Authorization Requirements for Universal Waste Handlers Who Treat Universal Wastes

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Section 66273.71@ Authorization for Removal Activities

66273.71 Authorization for Removal Activities

(a)

Removing user-replaceable components. A universal waste handler, who conducts the activities identified in subsections (b) and (c) of this section on electronic devices, or PV systems, shall be deemed authorized by the Department to perform these activities, and is exempt from the requirements of sections 66273.74 through 66273.77, provided the universal waste handler complies with the requirements specified in subsections (b) through (g) of this section.

(b)

A universal waste handler shall remove only those discrete assemblies, such as batteries or ink cartridges from electronic devices, or batteries, inverters, cables, connectors or diode boxes from PV systems, which are typically removed for replacement during the normal operation and maintenance of an electronic device or PV system.

(c)

A universal waste handler shall conduct the removal of the discrete assemblies in the manner that is prescribed in the operating manual for the electronic device, or PV system or in a manner that would otherwise reasonably be employed during the normal operation and maintenance of the electronic device or PV system.

(d)

(1) A universal waste handler shall perform a hazardous waste determination

pursuant to section 66262.11 for all residuals resulting from the activities authorized by subsection (a) of this section, and shall: (A) Be deemed the generator of all residuals that are hazardous waste. (B) For all residuals that are hazardous wastes, comply with all the applicable requirements of chapters 12, 14, 15, 16, 18, 20, 22 and 23 of this division and the applicable notification requirements in Health and Safety Code section 25153.6, except as otherwise provided in subsections (e) or (f) of this section;

(1)

A universal waste handler shall perform a hazardous waste determination pursuant to section 66262.11 for all residuals resulting from the activities authorized by subsection (a) of this section, and shall: (A) Be deemed the generator of all residuals that are hazardous waste. (B) For all residuals that are hazardous wastes, comply with all the applicable requirements of chapters 12, 14, 15, 16, 18, 20, 22 and 23 of this division and the applicable notification requirements in Health and Safety Code section 25153.6, except as otherwise provided in subsections (e) or (f) of this section;

(A)

Be deemed the generator of all residuals that are hazardous waste.

(B)

For all residuals that are hazardous wastes, comply with all the applicable requirements of chapters 12, 14, 15, 16, 18, 20, 22 and 23 of this division and the applicable notification requirements in Health and Safety Code section 25153.6, except as otherwise provided in subsections (e) or (f) of this section;

(e)

Notwithstanding section 66261.3, subsection (c) and section 66262.11, subsection (d), a handler who is deemed the generator of a residual that is a hazardous waste pursuant to subsection (d)(1) of this section may manage that

hazardous waste residual pursuant to any applicable chapter 11 exclusion or exemption [e.g., the scrap metal exclusion provided in § 66261.6, subsec. (a) (3) (B)], except for residual printed circuit boards, which shall be managed pursuant to subsection (f) of this section.

(f)

(1) Prior to conducting any subsequent treatment activity authorized by section 66273.73 on any residual printed circuit board resulting from removal activities conducted under this section, a universal waste handler shall manage the residual printed circuit board in a manner that prevents a release to the environment by:

(A) Containing the residual printed circuit board in a container that is structurally sound and compatible with the residual printed circuit board, (B) Labeling the container with the following phrase: "Residual Printed Circuit Boards," and (C) If the residual printed circuit board is spilled or might reasonably be expected to cause a release to the environment under reasonably foreseeable conditions, cleaning it up and placing it in a container.

(2) A universal waste handler who conducts any subsequent treatment activity authorized by section 66273.73 on any residual printed circuit board resulting from removal activities conducted under this section shall comply with section 66273.73, subsections (a)(1), (a)(2), (c)(1), and/or (c)(2), as applicable. (3) A universal waste handler who does not conduct any of the subsequent treatment activities authorized by section 66273.73 on a residual printed circuit board resulting from removal activities conducted under this section shall manage the printed circuit board as prescribed in section 66273.75, subsection (c).

(1)

Prior to conducting any subsequent treatment activity authorized by section 66273.73 on any residual printed circuit board resulting from removal activities conducted under

this section, a universal waste handler shall manage the residual printed circuit board in a manner that prevents a release to the environment by: (A) Containing the residual printed circuit board in a container that is structurally sound and compatible with the residual printed circuit board, (B) Labeling the container with the following phrase: "Residual Printed Circuit Boards," and (C) If the residual printed circuit board is spilled or might reasonably be expected to cause a release to the environment under reasonably foreseeable conditions, cleaning it up and placing it in a container.

(A)

Containing the residual printed circuit board in a container that is structurally sound and compatible with the residual printed circuit board,

(B)

Labeling the container with the following phrase: "Residual Printed Circuit Boards," and

(C)

If the residual printed circuit board is spilled or might reasonably be expected to cause a release to the environment under reasonably foreseeable conditions, cleaning it up and placing it in a container.

(2)

A universal waste handler who conducts any subsequent treatment activity authorized by section 66273.73 on any residual printed circuit board resulting from removal activities conducted under this section shall comply with section 66273.73, subsections (a)(1), (a)(2), (c)(1), and/or (c)(2), as applicable.

(3)

A universal waste handler who does not conduct any of the subsequent treatment activities authorized by section 66273.73 on a residual printed circuit board resulting from removal activities conducted under this section shall manage the printed circuit board as prescribed in section 66273.75, subsection (c).

(g)

Except as provided in subsections (e) or (f) of this section, a universal waste handler who conducts further treatment on any residual that is a hazardous waste resulting from any activity authorized by this section shall not conduct such treatment, nor use any treatment method, unless that person obtains a hazardous waste facility permit or other form of authorization from the Department.