

2 **Proposed Regulations for Form 303 Household Hazardous Waste Collection Report**

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**PROPOSED REGULATIONS**

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**FORM 303 HOUSEHOLD HAZARDOUS WASTE COLLECTION REPORT**

**TITLE 14: NATURAL RESOURCES**  
**DIVISION 7. DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY**  
**CHAPTER 9. PLANNING GUIDELINES AND PROCEDURES FOR PREPARING, REVISING, AND AMENDING COUNTYWIDE OR REGIONAL INTEGRATED WASTE MANAGEMENT PLANS**  
**ARTICLE 6.3. HOUSEHOLD HAZARDOUS WASTE ELEMENTS**

6 **~~Section 18751.2. Household Hazardous Waste Existing Conditions Description.~~**

7 All public agencies responsible for household hazardous waste (HHW) management must complete  
8 and submit either the CIWMB (Board) Form CIWMB 303a (1/06) entitled "Lead Agency Form 303a  
9 Household Hazardous Waste Collection Information For Fiscal Year \_\_\_\_/\_\_\_\_", or Form CIWMB  
10 303b (1/06) entitled "Non-Lead Agency Form CIWMB 303b Household Hazardous Waste Collection  
11 Information For Fiscal Year \_\_\_\_/\_\_\_\_", to the Board each year. Both forms are incorporated herein by  
12 reference and are located in Appendix A. Commencing with reports for Fiscal Year 2006/2007, Forms  
13 CIWMB 303a and CIWMB 303b shall be completed and submitted electronically to the Department of  
14 Toxic Substances Control each year, or, upon request to the CIWMB, the public agency may be  
15 exempted from filing electronically, and instead complete and submit a hard copy of either Form  
16 CIWMB 303a or CIWMB 303b. Form CIWMB 303a provides a description of the existing household  
17 hazardous waste program identifying the types and quantities of household hazardous wastes that are  
18 currently collected, reused, recycled, treated and/or otherwise managed and/or disposed through  
19 existing programs. Form CIWMB 303b provides only contact information for a non-lead agency, and  
20 provides, if applicable, for the types and quantities of universal waste collected and recycled by a non-  
21 lead agency.

22 The following are requirements for submitting Forms CIWMB 303a or CIWMB 303b:

23 (a) The reporting timeframe shall be July 1 of the previous fiscal year through June 30 of the current  
24 fiscal year, with the form required to be returned to the state by the first of October each year.

25 (b) The forms must be completed, to the extent applicable, whether or not waste was collected by a  
26 jurisdiction. If a public agency is not the lead agency collecting waste through a HHW program or a  
27 waste collection program was not conducted by their jurisdiction, only Form CIWMB 303b must be  
28 completed and submitted to the CIWMB.

29 (c) Each public agency acting as lead agency for Household Hazardous Waste collection must complete  
30 and submit one Form CIWMB 303a that includes all HHW program types including, but not limited to,  
31 permanent, temporary, recycle only, mobile, door to door, curbside (other than oil), and with a  
32 category designated as "Other" for additional program type identification.

33 **~~Section 18751.2.1.~~**

34 The following terms used in this Article are defined as follows:

- 1 ~~(a) Program types listed in Section 18751.2(c) are defined in Health and Safety Code 25218.1;~~
- 2 ~~(b) With the exception of electronic waste, waste types listed in Section F of Form CIWMB 303a are~~  
3 ~~defined in 49 Code of Federal Regulations Section 172.101, and~~
- 4 ~~(c) Management Methods listed in Section F of Form CIWMB 303a have the following definitions:~~
  - 5 ~~(1) Destructive Incineration—treatment by thermal destruction at a high temperature hazardous~~  
6 ~~waste incinerator where the physical destruction is the sole intent of the treatment process.~~
  - 7 ~~(2) Fuel Incineration—treatment by thermal destruction where the waste, either by itself or blended~~  
8 ~~with another material, is burned to recover its potential thermal energy.~~
  - 9 ~~(3) Landfill—disposal of a waste in the ground (and in this case) at a hazardous waste landfill.~~
  - 10 ~~(4) Neutralization—treatment by chemically adjusting the pH of the waste so that the waste can be~~  
11 ~~discharged into a publicly owned treatment works (does not apply if after neutralization, the waste is~~  
12 ~~still hazardous and is sent for disposal or treatment by one of the other methods).~~
  - 13 ~~(5) Recycled—waste is sent for resource recovery where the raw materials used for making the~~  
14 ~~material before it became a waste are recovered to make new materials of the same or different~~  
15 ~~nature (does not include fuel incineration).~~
  - 16 ~~(6) Reused—waste is used without further treatment or handling for the original intended purpose of~~  
17 ~~the material before it became a waste.~~
  - 18 ~~(7) Stabilization—treatment where waste is chemically stabilized into a solid or semi-solid state such~~  
19 ~~that it no longer exhibits hazardous characteristics and can be managed as non-hazardous waste~~  
20 ~~(does not apply if after stabilization, waste is still hazardous and is sent for disposal or treatment by~~  
21 ~~one of the other methods described here).~~

22

23 **Section 18751.2. Household Hazardous Waste Existing Conditions Description.**

24 This Article establishes guidelines for the Form 303 Household Hazardous Waste Collection Report,  
25 which local government agencies who are responsible for household hazardous waste management in  
26 California must submit annually to report household hazardous waste amounts of material collected  
27 and managed by those agencies.

28 **Authority cited:** Section 40502 of the Public Resources Code; and Section 25218.10, Health and  
29 Safety Code.

30 **Reference:** Sections 41500, 41510, 41750 and 47103 of the Public Resources Code

31 **Section 18751.2.1. Definitions.**

32 (a) The following definitions shall only apply to this Article and except as otherwise noted, the  
33 definitions of this Article supplement and are governed by the definitions set forth in Chapter 5  
34 (commencing with §48700), Part 7, Division 30 of the Public Resources Code:

35 (1) "Must" or "shall" means a provision is mandatory.

36 (2) "May" means a provision is permissive.

37 (b) "Household hazardous waste," or "HHW" means household hazardous waste as defined in Health  
38 and Safety Code §25218.1(e)

1 (c) "Permanent household hazardous waste collection facility" means a permanent household  
2 hazardous waste collection facility as defined in Health and Safety Code §25218.1(h)

3 (d) Program types listed in Section 18751.2.3(c) are defined in Health and Safety Code §25218.1;

4 (e) ~~With the exception of electronic waste, w~~Waste types listed in §18751.2.3(a)(1)-(4) and (7)(1)-(9)  
5 are defined described in 49 Code of Federal Regulations Section 172.101. Waste types listed in  
6 §18751.2.3(a)(5), (6), (8), and (9) are defined as follows:

7 (1) "PCB-containing materials" means materials that contain polychlorinated biphenyls.

8 (2) "Reclaimable" means materials that are on the list of recyclable hazardous wastes  
9 described in the California Code of Regulations, Title 22, Division 4.5, Chapter 16, Section  
10 66266.2, and also latex paint.

11 (3) "Universal Waste" means universal waste as defined in Health and Safety Code §25123.8.

12 (4) "Other" means materials collected by Public Agency HHW programs that are not described  
13 in §18751.2.3(a)(1)-(8).

14 (f) Management Methods listed in §18751.2.3(d) have the following definitions:

15 (1) "Destructive Incineration" means treatment by thermal destruction at a high temperature  
16 hazardous waste incinerator where the physical destruction is the sole intent of the treatment  
17 process.

18 (2) "Fuel Incineration" means treatment by thermal destruction where the waste, either by  
19 itself or blended with another material, is burned to recover its potential thermal energy.

20 (3) "Landfill" means disposal of a waste in the ground (and in this case) at a landfill authorized  
21 to accept the waste.

22 (4) "Neutralization" means treatment by chemically adjusting the pH of the waste so that the  
23 waste can be discharged into a publicly owned treatment works (does not apply if after  
24 neutralization, the waste is still hazardous and is sent for disposal or treatment by one of the  
25 other methods).

26 (5) "Recycled" means waste is sent for resource recovery where the raw materials used for  
27 making the material before it became a waste are recovered to make new materials of the  
28 same or different nature (does not include fuel incineration).

29 (6) "Reused" means waste is used without further treatment or handling for the original  
30 intended purpose of the material before it became a waste.

31 (7) "Stabilization" means treatment where waste is chemically stabilized into a solid or semi-  
32 solid state such that it no longer exhibits hazardous characteristics and can be managed as  
33 non-hazardous waste (does not apply if after stabilization, waste is still hazardous and is sent  
34 for disposal or treatment by one of the other methods described here).

35 (8) "Stewardship Program" means waste is sent for management by a program run by  
36 manufacturers or a designated stewardship organization to manage specified products.

37 **Authority cited:** Section 40502 of the Public Resources Code; and Section 25218.10, Health and  
38 **Safety Code.**

39 **Reference:** Sections 41500, 41510, 41750 and 47103 of the Public Resources Code; Section 25123.8  
40 **of the Health and Safety Code; 49 Code of Federal Regulations Section 172.101; and 22 California**  
41 **Code of Regulations Section 66266.2.**

42

1 **Section 18751.2.2. Form 303 Submittals.**

2 (a) Each public agency that is responsible for HHW management must complete and submit a "Form  
3 303 Household Hazardous Waste Collection Report" (Form 303) electronically to the Department of  
4 Resources Recycling and Recovery each year. The Form 303 may be submitted as a hard copy instead  
5 only upon request to the Department of Resources Recycling and Recovery.

6 (b) All public agencies responsible for HHW management must submit as part of the Form 303 the  
7 following information to the Department of Resources Recycling and Recovery:

8 (1) Contact information of the person responsible for submitting the Form 303 HHW collection  
9 data, including but not limited to:

10 (A) Name of HHW program manager

11 (B) Name of public agency

12 (C) Mailing address

13 (D) Phone Number

14 (E) E-mail address

15 (F) Contractor's name, if applicable

16 (2) Program information

17 (A) If a public agency collects HHW and reports HHW material collection data on behalf  
18 of another agency(ies), that agency shall provide the names of their participating  
19 agency(ies).

20 (B) Information pertaining to each permanent HHW collection facility within the  
21 program service area, if applicable, including but not limited to:

22 (i) Name of Facility

23 (ii) EPA ID number, if applicable

24 (iii) Facility address

25 (iv) Site contact name and title

26 (v) E-mail address of site contact

27 (C) A list of Program Types used, including an EPA ID number for each program type.

28 (D) Number of households that participated in the collection program, and the method  
29 used to calculate this.

30 (E) Number of households in service area. A public agency shall indicate on their  
31 report if this figure is different from the household figure in the most current  
32 Department of Finance E-5 Report on Population and Housing Estimates for Cities,  
33 Counties, and the State.

34 (3) Material Collection and Disposition. Each public agency that is responsible for HHW  
35 management shall ensure that the amount of HHW material collected through their program  
36 during the preceding reporting period is reported annually, by weight in pounds. HHW  
37 Material collection and disposition shall be described by using the categories, program types,  
38 and dispositions described in Section 18751.2.3.

1 (A) A reporting agency may include HHW amounts of materials collected on behalf of a  
2 participating agency(ies) in their Form 303 Report, but is not required to report  
3 specific amounts for each participating agency.

4 (B) If a public agency manages and reports HHW materials on behalf of a participating  
5 agency, the participating agency shall only report amounts of HHW materials that  
6 were not already reported on their behalf.

7 (c) The reporting timeframe shall be July 1 of the previous fiscal year through June 30 of that fiscal  
8 year, with the information required to be submitted to the state by the October 1 of the following  
9 fiscal year.

10 (d) If a public agency responsible for HHW management is collecting HHW materials on behalf of or  
11 through a stewardship program, the public agency shall include those materials in their Form 303.

12 (e) A public agency is not required to submit a Form 303 only if all of that agency's HHW material  
13 collection amounts have been reported on another agency's Form 303.

14 **Authority cited:** Section 40502 of the Public Resources Code; and Section 25218.10, Health and  
15 Safety Code.

16 **Reference:** Sections 41500, 41510, 41750 and 47103 of the Public Resources Code

17 **Section 18751.2.3. Material Collection and Disposition**

18 (a) HHW Material collection amounts shall be reported for the following categories:

19 (1) Flammable and Poison

20 (2) Inorganic and organic acid

21 (3) Inorganic and organic base

22 (4) Neutral oxidizers, organic peroxides, oxidizing acid/base

23 (5) PCB-containing materials

24 (6) Reclaimable

25 (7) Asbestos

26 (8) Universal Waste

27 (9) Other

28 (b) If a material category not listed in (a)(1)-(9) is determined to be a hazardous waste under Health  
29 and Safety Code §25175(a)(1)-(2) or other statute or regulations, the reporting agency shall report  
30 the collection of HHW materials in that category via the Form 303.

31 (c) Each public agency shall report the program types used to collect the HHW materials reported in  
32 section (a) and, if applicable, section (b). Program types include the following:

33 (1) Permanent HHW collection facility

34 (2) Temporary (periodic) facility

35 (3) Mobile Facility

36 (4) Recycle-only facility

37 (5) Door to Door (residential) program

1           (6) Curbside Program

2           (7) Load Check

3           (8) Other program type not specifically listed in (c)(1)-(7). The reporting agency shall  
4           describe the program type used.

5           (d) Each public agency shall report the disposition of the **HHW materials** collected by their program, by  
6           weight in pounds, during the preceding reporting period by the following categories:

7           (1) Destructive Incineration

8           (2) Fuel Incineration

9           (3) Landfill

10          (4) Neutralization/Treatment

11          (5) Recycled

12          (6) Reused

13          (7) Stabilization

14          (8) Stewardship Program. The reporting agency shall name the stewardship program(s) used.

15          **Authority cited:** Section 40502 of the Public Resources Code; and Section 25218.10, Health and  
16          Safety Code.

17          **Reference:** Sections 41500, 41510, 41750 and 47103 of the Public Resources Code