

## 2011 Treated Wood Waste Training - Questions and Answers

### 9/21 Northern Central (Auburn)

Q: Could you clarify that wood preservative can be federal hazardous, non-hazardous, or California hazardous waste?

A: Restate the definition of TWW according to statute and regulation: the scope of the wood waste eligible for management under California law and regulation (Alternative Management Standards) is only limited to California hazardous waste (non-RCRA hazardous waste) due to that FIFRA approved wood preservative.

Q: How much percentage/limit in a commingled fashion for the loadcheck requirement?

A: No specified requirement for the loadcheck percentage. It is based on inspectors' experience and ease of identification & segregation. Because the characteristic of hazardous waste is determined by "representative sample" of waste stream in a homogeneous condition, different conditions including the type of chemicals and wood, the use site, the concentration level of chemicals, the history of usage, the age of wood etc. will affect how much percentage of treated wood waste be pulled out to make the load to become non-hazardous.

Q: The link to the eligible composite-lined landfill

A: State Water Resources Control Board maintains a full list for eligible composite-lined landfill including both approved and not approved TWW landfill but out-of-date (updated May 2007) on their website

([http://www.swrcb.ca.gov/water\\_issues/programs/land\\_disposal/docs/tww.pdf](http://www.swrcb.ca.gov/water_issues/programs/land_disposal/docs/tww.pdf)). We provide the current but only approved ones on our website (updated April, 2011) with contact information for each individual landfill. The link that was originally provided in your presentation handout slide 20 should be <http://www.dtsc.ca.gov/HazardousWaste/upload/lanfillapr11PDATED1.pdf>.

Q: How long are homeowners allowed to accumulate TWW?

A: For TWW generated incidental to maintenance of a household, they are exempted from the accumulation and labeling requirement if they are accumulated no longer than 30 days and TWW is not physically altered except that specified authorized treatment (resizing, sorting and segregating).

So if homeowners intend to store their TWW longer than 30 days, they have to follow all the accumulation requirements I mentioned in the presentation, for example, to cover TWW to prevent run-on and run-offs. Each accumulation option has certain time limit (90days, 180 days, and 1 year) associated with each option. Generally speaking, the maximum time limit is one year if storing TWW inside storage building or container.

### 9/29 South Central (Fresno)

Q: When to notify DTSC when a generator generates over 10,000 lbs within a calendar year?

A: Within 30 days over the threshold, 10,000 lbs. For example, one generates one batch of 5,000lb in May and another batch of 5,000lb at 6/30. Then he should notify DTSC by 7/30.

Q: What is requirement for shipping outside California, say, Nevada?

A: Need to comply with full hazardous waste management law, using uniform hw manifest and registered hw hauler.

#### 10/05 South/Southwestern (Riverside)

Q: Does Caltrans have any exemptions?

A: No, they have to manage their TWW either by Alternative Management Standards or full hazardous waste law.

Q: Whether an employee conducting loadcheck program for TWW from a solid waste landfill needs to receive Cal OSHA training?

A: Yes, if that person is dedicated to that loadcheck program for TWW, he or she should receive all the appropriate training including Cal OSHA training.

Q: How can I (an LEA) check whether a facility reports to DTSC's TWW online tracking system and how much TWW the facility received?

A: You can access to our TWW online tracking system as general public to check the facility and the generators' information and the amount of TWW shipments within your jurisdictions or any locations <http://www.dtsc.ca.gov/database/tww/reports/index.cfm>. You can also contact Xiaoying Zhou to request a user name and password to access this tracking system if you'd like to review the relationship between facilities and the generators within your jurisdiction.

Q: How extensively do you do inspection and what is the general procedure?

A: We have limited resource on inspections. We have two inspectors dedicated to inspections, one is located in South California, and another one located in Northern California. Up to May 2011, our inspection staff have performed eight unannounced field inspections on TWW handlers, including landfill, transfer station and generators. They mostly use data from TWW online tracking system to prioritize the target facilities and use the TWW inspection checklist to check compliance. Depending on different conditions, they either referred them to Cal OSHA, following up for corrections, or initiated enforcement actions for serious violations. Additionally, DTSC field staff use every opportunity to educate CUPA (mostly responsible for generators' inspections), TWW handlers and facility operators the proper TWW management practices.

#### 10/6 Northern (Weaverville)

Q: Is there any Minimum amount of TWW requirement?

A: No.

Q: As a rule of thumb, what percentage of TWW will make the whole load to become hazardous waste?

A: The determination of hazardous waste classification could not be based on the percentage of TWW in a wood waste load. The laboratory analysis to determine hazardous waste classification requires representative samples from the entire load to be used to analyze the concentrations of hazardous substances. Since concentrations of hazardous substances in a TWW vary in a wide range due to waste type, the service age, environmental exposure condition, type of wood and chemicals etc., it is difficult to

estimate the actual analytical results only based on the percentage of TWW for the waste classification of entire load.

Q: List the level and requirement for sampling and testing

A: California Code of Regulations, Title 22, Chapter 11, Identification and Listing of Hazardous Waste.

Also you can check the draft report for Sampling and Analysis Study of Treated Wood posted at

[http://www.dtsc.ca.gov/HazardousWaste/upload/TWSampling\\_Study\\_edition5v25.pdf](http://www.dtsc.ca.gov/HazardousWaste/upload/TWSampling_Study_edition5v25.pdf)

Or directly contact Dr. Li Tang at 916-322-2505 or [ltang@dtsc.ca.gov](mailto:ltang@dtsc.ca.gov).

Q: Whether the hazardous waste(hw) criteria (maximum tolerance) is based on weight or volume basis?

A: It is depends on which criteria used for hw determination. For TWW, "Characteristic of Toxicity" is the most concern for the determination of hazardous waste classification. When a laboratory analyzes TWW samples for comparison with toxicity characteristics, weight is the basis. Although some of the toxic criteria (tables in California Code of Regulations, Title 22, Chapter 11, Section 66261.24) show a unit of mg/l, the volume indicates a volume of extraction phase, which is generated from a given weight of sample with a given ratio, which reflects the soluble or extractable concentration of a substance from certain weight of a solid TWW sample.

Q: What is ball park number of cost for testing by lab?

A: Each laboratory provides its own cost estimate, which may change with time and locations. Analysis of metals usually is usually cheaper than that of organic materials. Not many laboratories can conduct fish assay test (particularly suggested for creosote treated wood), which is more expensive.

For more questions regarding sampling and analytic testing on treated wood waste, you can directly contact Dr. Li Tang at 916-322-2505 or [ltang@dtsc.ca.gov](mailto:ltang@dtsc.ca.gov).

Q: Please clarify trend analysis on Slide 39-41, do you mean total generation of TWW is 20k ton, but the report received by DTSC only about half of it?

A: Based on the reports of TWW facilities submitted to DTSC TWW online system, total disposal of TWW managed under the regs AMS is average 20k tons annually. For the year of 2007, it is about the half because July 1, 2007 is effective day of the regs. There are several studies to estimate the actual generation of TWW in California and their numbers vary in a wide range. So far we do not have a good way to verify these numbers to compare with the report we received.

### 10/13 Bay Area (Salinas)

Q: Picture of piles of wood – how do you determine just by looking at it?

A: That can be difficult, especially because condition of surface paint, service age and weathered condition can make determination very difficult. The common way is based on appearance, i.e., color and incision marks. Or if you know these wastes coming from some water contact or ground contact applications, for example deckings, but not made of redwood or cedar (these two kinds of wood are naturally tough to resist insects), they are probably TWW. If the entire load is TWW the generator should put a label on it before sending to the landfill. Also XRFs can be used in the field to help to identify TWW.

Q: Why is there a utility exemption?

A: Exemption passed long before TWW statute. Their lobbyist showed some studies to indicate no hazardous release from landfill if those utility poles were buried in composite-line solid waste landfill. So if they meet this final disposal condition, they are exempted from the definition of treated wood waste, so not hw, and don't have to meet labeling, accumulation, report, training and other generator requirements as required in AMS.

Q: How can you tell if utility has exemption? Need paperwork along with load?

A: Usually utility company will send entire loads of utility poles so they are easily to be identified. Utility companies or their contractors will also talk to landfill staff along with the load. No paperwork required by the regs, but some facilities will still keep the records of shipment received and report to DTSC online system.

Q: Facilities are allowed to cut treated wood waste... (quiz question) – don't see anything in the PowerPoint

A: slide 30 – two authorized treatments: resizing and sorting/ segregating. The definition of resizing means minimal cutting, sawing or breaking. Sawdust from these authorized treatment needs to be captured and managed as TWW.

Q: Facility that wants to recycle could cut off jagged end?

A: Yes, onsite reuse consistent with FIFRA approved use of that preservative is allowed by AMS.

Q: TWW AMS allows for onsite reuse, but not specifically giving away. Facility has schools requesting TWW for their gardens.

A: This regulation allows specifically for onsite use, but offsite reuse may be doable, but you need to find out which full hazardous waste recycling requirement applies to your scenario. Need to know what preservatives are, because it could put children in danger. School use is similar to residential applications - US EPA has restrictions on some preservatives for those applications.

Follow-up: Have school contact CUPA and talk about use?

A: Yes, case by case determination if it's proper reuse or not.