



## DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

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July 30, 2010

To: Owners/Operators of Solid Waste Landfills with Composite-Lined Units

Subject: Statewide Demand for Safe Disposal of Treated Wood Waste

A number of inquiries regarding implementation of the Alternative Management Standards for Treated Wood Waste (TWW) regulations that went into effect July 1, 2007 have recently been received by CalRecycle. This letter clarifies requirements for landfill acceptance of TWW in order to encourage more landfill owners/operators to pursue approval for the disposal of TWW (California Code of Regulations, Title 22, Division 4.5, Chapter 34, sections 67386.1 -67386.12 adopted by the Department of Toxic Substances Control (DTSC)).

The statewide demand for safe disposal of TWW may not be met by those landfills that have approval to receive and dispose of TWW. According to a May 2007 listing by the State Water Resources Control Board (SWRCB), 44 landfills have approved WDRs that allow discharge of designated waste or treated wood waste. However, these 44 approved landfills may not be enough to meet the statewide demand for safe disposal of TWW. Records indicate that there are approximately 26 additional landfills statewide with composite-lined units that may be able to seek approval to receive and dispose of TWW.

### **Alternative Management Standards (AMS) for TWW:**

The intent of the TWW AMS was to provide protection of human health and the environment through cost-effective requirements for accumulation, storage, transportation, and disposal of treated wood waste. The AMS specifically allows for TWW to be disposed of in either:

- 1) A Class I hazardous waste landfill, or
- 2) A composite-lined portion of a solid waste landfill unit that meets all requirements applicable to disposal of municipal solid waste in California after October 9, 1993 (i.e., is Subtitle D compliant), and that is regulated by waste discharge requirements (WDRs) issued for discharges of designated waste, as defined in section 13173 of the Water Code, or TWW.

In addition, a solid waste landfill that accepts TWW is required to:

- 1) Ensure that any management of the TWW at the solid waste landfill prior to disposal complies with the applicable requirements of the AMS;
- 2) Monitor the composite-lined portion of a landfill unit at which TWW has been disposed. When a release is verified the landfill must cease discharge of TWW at the unit until corrective action results in cessation of the release. The landfill shall notify DTSC that TWW is no longer being discharged to that landfill unit and when corrective action results in cessation of the release;
- 3) Handle TWW in a manner consistent with all applicable requirements of the California Occupational Safety and Health Act of 1973 (Chapter 1, Part 1, Division 5 (commencing with section 6300) of the Labor Code), including all rules, regulations, and orders relating to hazardous waste; and



- 4) Submit, to DTSC, semi-annual reports for the periods ending June 30 and December 31 of each year via DTSC online TWW tracking system (<http://www.dtsc.ca.gov/database/tww/index.cfm>).

The AMS regulations do not affect the existing law (Health and Safety Code, section 25143.1.5) for disposal of utility poles which allows landfills to accept wood waste generated from electric, gas or telephone service if so authorized in WDRs. The training materials and videos for requirements in AMS and more detailed information are available at DTSC Treated Wood Waste website [http://www.dtsc.ca.gov/HazardousWaste/Treated Wood Waste.cfm](http://www.dtsc.ca.gov/HazardousWaste/Treated_Wood_Waste.cfm).

**Approval Process to Receive and Dispose of TWW:**

The following is intended to refresh you on the review and approval process conducted by CalRecycle and SWRCB. A joint technical document (JTD) addendum should be submitted to the appropriate Regional Water Quality Control Board and Local Enforcement Agency.

**Regional Water Quality Control Board (RWQMD):**

After a JTD amendment is submitted to the RWQMD, they have 30 days to review for completeness. Once the JTD amendment is accepted as complete, the RWQMD staff prepares tentative WDRs for public review and comment (30 day review period). RWQMD staff review comments and draft WDRs for public review. The RWQMD considers for adoption the draft WDRs at a regularly scheduled Board meeting. Most of the RWQMDs meet eight times per year, or about every six to seven weeks.

**Local Enforcement Agency (LEA):**

After a JTD amendment is submitted to the LEA, the LEA will review the application, and if they find it complete and correct, and that the requested amendments do not require additional environmental review or changes to the permit, the LEA will approve the amendment within 30 days. If the amendment is not supported by existing CEQA documentation, is not consistent with design and operating standards, or is not consistent with the permit, the LEA will deny the amendment and require an application for changes to the permit. It is expected that most request to dispose of TWW can be handled through an amendment to the JTD and would not require additional environmental review and/or changes to the permit.

Should you decide not to pursue seeking approval to receive and dispose of TWW, CalRecycle would be very interested in learning of your reasons or concerns. A quick reference "Treated Wood Waste (TWW) Frequently Asked Questions" is attached. If you have any comments or questions, please contact me at (916) 341- 6331 or [mark.debie@calrecycle.ca.gov](mailto:mark.debie@calrecycle.ca.gov).

Sincerely,



Mark de Bie, Chief  
Permitting and Local Enforcement Agency Support Division  
CalRecycle