

Unified Program Newsletter – February 2021

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DTSC

2019 Hazardous Waste Data Now Available Online

EPA posted the most recently reported biennial report data online. These data are submitted by certain generators and treatment, storage, and disposal facilities (TSDFs) nationwide about their hazardous waste generation and management activities. The most recent data cover activities performed in 2019 and can be accessed in [the Resource Conservation and Recovery Act \(RCRA\) Info Web database](https://rcrapublic.epa.gov/rcrainfoweb/action/modules/br/summary/view).
(<https://rcrapublic.epa.gov/rcrainfoweb/action/modules/br/summary/view>)

DTSC Hazardous Waste Tracking System Enhancements

DTSC's Office of Environmental Information Management has released the following enhancements to the Hazardous Waste Tracking System (HWTS) as of January 31, 2021.

- HWTS account holders are required to accept and acknowledge a new [Hazardous Waste Tracking System Terms of Use Agreement](https://hwts.dtsc.ca.gov/documents/20200106_HWTS_UserAgreement.pdf). Upon login, users will be prompted to review and acknowledge the Agreement. The Agreement must be accepted to maintain regulatory access.
(https://hwts.dtsc.ca.gov/documents/20200106_HWTS_UserAgreement.pdf)
- Regulatory users can now view the completion history for DTSC's annual Verification Questionnaire and Fees Assessment for hazardous waste identification (ID) numbers and manifests, also known as eVQ. The history can be reviewed for each ID number holder on the Handler Profile page.
- The **Generator Waste Summary by Region** report, formerly referred to as the CUPA Report, is now available for users with a HWTS regulatory account. The report includes all Hazardous Waste Handler ID numbers that shipped

hazardous waste within a specified region and timeframe. The report is helpful for identifying the number of generators within a jurisdiction, new businesses via ID number issuance date, and aid in determining a generator's status using the total amount of non-RCRA and RCRA wastes reported.

- The **TQR Detail Report by Manifest** is now available for users with an HWTS regulatory account. This report returns data from the Transporter Quarterly Report (TQR) submissions by hazardous waste transporters operating under the consolidated manifesting procedure. This report contains the Generator ID number and detailed waste information from each receipt used in conjunction with the consolidated manifest. Please note, per the HWTS Terms of Use Agreement, users shall not disclose the association between any specific transporter and generator. The information in this report may only be discussed among, shared with, or otherwise disclosed to, your manager and any other Authorized Users and/or appropriate personnel of law enforcement authorities working in coordination with, or acting on behalf of, your agency.

U.S. EPA Releases New Data Visualizations for Large Quantity Generators (LQGs) on Federal and Tribal Lands

Be sure to check out U.S. Environmental Protection Agency's (U.S. EPA) new data visualizations for [Hazardous Waste Generation on Federal and Tribal Lands](#). In these graphics U.S. EPA analyzed large quantity generators that are located on federal or tribal land, to determine whether more are owned by the federal government compared to elsewhere. U.S. EPA found that the ownership of a generator is not entirely dependent on the type of land it operates on.

(<https://rcrapublic.epa.gov/rcra-public-web/action/posts/4>)

Permit by Rule and Conditional Authorization Tiered Permitted Facilities Must Adjust Closure Cost Estimates for Inflation by March 1, 2021

Financial assurance is required for tiered permitted facilities that are under the permit by rule (PBR) and conditional authorization (CA) tiers. Closure cost estimates are required as part of the closure plans under PBR and CA. Adjusted closure costs are estimated by multiplying the current cost estimate and the estimated inflation factor.

The inflation factor in a closure plan's closure cost estimate and a facility's financial assurance mechanism should be calculated using the values provided by the U.S. Department of Commerce, [Bureau of Economic Analysis](#) (BEA): -> Tools -> Interactive Data -> National Data: GDP & Personal Income -> Begin using the data... -> Section 1 – Domestic Product and Income -> Table 1.1.9. Implicit Price Deflators for Gross Domestic Product (A) (Q) -> Line 27: Gross national product.

(<https://www.bea.gov/>)

PBR and CA facilities are required to adjust closure cost estimates for inflation by March 1st of every year (California Code of Regulations, Title 22, Section 67450.13). Because the inflation factor for the full 2020 year will not be available until the end of March 2021, DTSC recommends using a ratio of the third quarter index numbers for the past two years to estimate the 2021 inflation factor.

As provided by the U.S. Department of Commerce, BEA in Line 27 of “Table 1.1.9. Implicit Price Deflators for Gross Domestic Product (A)(Q)” of “Section 1- Domestic Product and Income,” the 3rd quarter index number for 2020 is 113.801 and the 3rd quarter index number for 2019 is 112.492. The estimated inflation factor for 2021 is 1.012, derived as follows:

Estimated Inflation Factor for 2021	=	3 rd Quarter Inflation Factor for 2020	÷	3 rd Quarter Inflation Factor for 2019
1.012		113.801		112.492

AB-332 Hazardous Waste: Treated Wood Waste: Management Standards

AB-332 was introduced on January 27, 2021 which is an act to add and repeal Section 25150.75 of the Health and Safety Code, relating to hazardous waste, and declaring the urgency thereof, to take effect immediately.

Authored by the Committee on Environmental Safety and Toxic Materials. Hazardous waste: treated wood waste: management standards.

Former law, as part of the hazardous waste control laws, required treated wood waste to be disposed of in either a class I hazardous waste landfill or in a composite-lined portion of a solid waste landfill unit that meets specified requirements. Former law required the Department of Toxic Substances Control, on or before January 1, 2007, in consultation with specified state agencies and after consideration of any known health hazards associated with treated wood waste, to adopt, and authorized the department to subsequently revise as necessary, regulations establishing management standards for treated wood waste as an alternative to the requirements specified in the hazardous waste control laws and implementing regulations. These provisions were repealed as of January 1, 2021.

This bill would require a regulation that was adopted before January 1, 2008, pursuant to the above-specified provisions exempting a hazardous waste management activity from one or more of the requirements of the hazardous waste control laws to remain valid unless repealed. The bill would repeal this provision as of an unspecified date.

See this [Link to AB-332](#). It appears that the bill may be heard in Committee February 27, 2021....stay tuned.

(https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=20210220AB332)

Cal FIRE OSFM

Aboveground Petroleum Storage Act (APSA) Tank Facility Statement

Each APSA tank facility is required by the California Health and Safety Code, Division 20, Section 25270.6(a) to file a tank facility statement on or before January 1st, annually, to CERS. However, due to Assembly Bill 1429 (Chen, Statutes of 2019, Chapter 66), an APSA tank facility that is also subject to the Hazardous Materials

Business Plan (HMBP) Program is required to submit their HMBP to CERS. If the local Unified Program Agency has not established an HMBP submittal due date, then the APSA tank facility must submit their HMBP to CERS on or before March 1st, annually. An HMBP submittal to CERS satisfies the APSA tank facility statement reporting requirement.

For APSA tank facilities not subject to the HMBP Program, the [tank facility statement](#) is available for download from the OSFM website at

(<https://osfm.fire.ca.gov/media/woikkblq/fillable-accessible-tank-facility-statement-form-25jan2021.pdf>).

References or links to information cited in this newsletter are subject to change. CalEPA is interested in your comments and suggestions regarding the Unified Program monthly newsletter. Please email your comments and suggestions to: cupa@calepa.ca.gov.

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