

SB 20 / Universal Waste (UW) Small Quantity Handler Inspection Report

Facility Name: _____

Identification Number: _____

Facility Address: _____

Date Inspected: _____

Inspected By: _____

Type of Inspection: Annual Re-inspection Complaint

Consent given by: _____ Time: _____

DISCLAIMER

This checklist is intended to provide guidance only. This checklist does not replace or supersede relevant statutes and regulations. The information contained in this checklist is based upon the statutes and regulations in effect as of the date the checklist was signed. Interested parties are advised to keep apprised of subsequent changes to relevant statutes and regulations.

Note: Citations that start with the number "66" are to the California Code of Regulations (CCR), title 22, division 4.5. Citations that start with the number "42" are to the Public Resources Code, division 30, part 3, chapter 8.5.

REGULATED FACILITIES AND WASTES

This checklist applies to small quantity handlers of a UW electronic device except as provided for households and for conditionally exempt small quantity universal waste generators in section 66273.8. "Small Quantity Handler of Universal Waste" defined as a UW handler who does not accumulate 5,000 kilograms or more total of universal waste (e.g., batteries, electronic devices, thermostats, lamps, etc. calculated collectively) at any time. [66273.9]

An electronic device that is listed in California Code of Regulations, Title 22, section 66260.201, subdivision (c) of Appendix X to Chapter 11 shall be managed as a "covered electronic device" under chapter 8.5 of part 3 of division 30 of the Public Resources Code (section 42460 et seq.) unless the manufacturer of the device has obtained the DTSC's concurrence that the device is non hazardous pursuant to subsection (c). [66260.201]

Examples of electronic devices that shall be managed as a "covered electronic device" include, but are not limited to the following:

Computers, computer peripherals, telephones, answering machines, radios, stereo equipment, tape players/recorders, phonographs, video cassette players/recorders, compact disc players/recorders, calculators, and some appliances. [66273.9]

Check box if violation: (if checked see attached SOV)

	PROHIBITIONS	
<input type="checkbox"/>	Disposed of UW [66273.11(a)]	
<input type="checkbox"/>	Diluted or treated universal waste, except by responding to releases as provided in section 66273.17; or by managing specific wastes as provided in section 66273.13. [66273.11(b)]	of the universal waste electronic devices, and prevent leakage or releases of hazardous components to the environment under reasonably foreseeable conditions. [66273.13(d)(1)(B)]
	WASTE MANAGEMENT	Notification and Reporting Requirements
	Containment	<input type="checkbox"/> Failed to notify DTSC within 30 days prior of accepting any UW electronic devices from an off-site source after August 6, 2004. [66273.13(d)(2)(A)]
<input type="checkbox"/>	Failed to handle any UW electronic devices in a manner that minimizes breakage. [66273.13(d)(1)(A)]	<input type="checkbox"/> Failed to notify DTSC prior to July 7, 2004, if SQH currently handling UW electronic devices from offsite sources. [66273.13(d)(2)(A)]
<input type="checkbox"/>	Failed to store (e.g., in containers) UW electronic devices or manage (e.g., stored in a room) whole UW electronic devices in a manner that could reasonably prevent leakage, spillage, damage, or breakage resulting in a release of hazardous components contained within the device. [66273.13(d)(1)(A)]	<input type="checkbox"/> Submitted an incomplete notification. [66273.13(d)(2)(A)]
<input type="checkbox"/>	Failed to immediately clean up and place in a container any UW electronic device that is broken and may reasonably be expected to cause a release of hazardous constituents to the environment. [66273.13(d)(1)(B)]	<input type="checkbox"/> Failed to submit an annual report to DTSC if SQH of UW accepts > 100 kilograms or 220 pounds of UW electronic devices from any off-site source. [66273.13(d)(2)(B)]
<input type="checkbox"/>	Failed to ensure that containers used to store broken UW electronic devices that may reasonably be expected to cause a release of hazardous constituents to the environment are structurally sound, compatible with the contents	<input type="checkbox"/> Failed to submit a complete report to DTSC by February 1 covering the previous calendar year, commencing February 1, 2005. [66273.13(d)(2)(B)]
		<input type="checkbox"/> Failed to submit electronic notifications and reports to www.dtsc.ca.gov.[66273.13(d)(2)(C)]
		<input type="checkbox"/> Failed to submit written notifications & reports to DTSC by certified mail, return receipt. [66273.13(d)(2)(A)] & [66273.13(d)(2)(D)]

SQH Standards (Note: the following are four separate categories or levels of reclamation that could occur at the SQH facility. "A" contains the least amount of reclamation and "D" the most reclamation. Each category or level will require the SQH to meet different standards. Standards for each category or level are provided below.)

A.	Removal of any discrete assemblies which are typically removed during the normal operation of the universal waste electronic device (e.g. batteries or ink cartridges) provided the disassembly is conducted in the manner prescribed in the operating manual for the universal waste electronic device or that would otherwise be performed during the normal use of the universal waste electronic device. [66273.13(d)(3)(A)]
B.	Reclamation of components (e.g., circuit boards, integrated circuits, metals, plastic, wiring, batteries, lamps, etc.) through manual disassembly, dismantling, or otherwise manually segregating components for the purposes of directly reusing those components onsite without further processing, or sending those components offsite for direct reuse or further reclamation at another location. [66273.13(d)(3)(B)]
C.	Recycling through the utilization of treatment processes other than manual disassembly for the purposes of directly reusing components onsite without further processing, sending components offsite for direct reuse, or sending components or treatment residuals offsite for further reclamation at another location, and whose recycling or treatment activities produces only hazardous residuals (including finely divided materials) that meet the definition of scrap metal in 66260.10, or which are otherwise exempt from full regulation as hazardous waste. [66273.13(d)(3)(C)]
D.	Recycling through the utilization of treatment processes other than manual disassembly for the purposes of directly reusing components onsite without further processing, sending components offsite for direct reuse, or sending components or treatment residuals offsite for further reclamation at another location, and whose recycling or treatment processes produce any residuals (including bag house and filter dusts) which exhibit any hazardous waste characteristic defined in chapter 11 and do not meet the definition of scrap metal in section 66260.10 (e.g., because they are fine powders or are contaminated with fine powders), or do not qualify for management as universal waste under this chapter. [66273.13(d)(3)(D)]

Treatment or Recycler Standards for SQHs,
[that reclaim per (B), (C), or (D) above]

<input type="checkbox"/>	Failed to notify DTSC no later than 30 days prior to treating or recycling any universal waste electronic devices after August 6, 2004. [66273.13(d)(3)(F)(1)(a)]
<input type="checkbox"/>	Failed to notify DTSC prior to July 7, 2004, if SQH currently treats or recycles UW electronic devices. [66273.13(d)(3)(F)(1)(a)]
<input type="checkbox"/>	Failed to submit a written notification by certified mail, return receipt. [66273.13(d)(3)(F)(1)(a)]
<input type="checkbox"/>	Submitted an incomplete notification. [66273.13(d)(3)(F)(1)(a)]
<input type="checkbox"/>	Failed to prepare and submit an annual report to DTSC. [66273.13(d)(3)(F)(1)(b)]
<input type="checkbox"/>	Failed to submit the annual report by certified mail, return receipt to DTSC by February 1 of each calendar year covering the previous calendar year. [66273.13(d)(3)(F)(1)(b)]
<input type="checkbox"/>	Failed to date and sign the annual report according to the requirements of section 66270.11. [66273.13(d)(3)(F)(1)(b)]
<input type="checkbox"/>	Failed to submit a complete annual report. [66273.13(d)(3)(F)(1)(b)]
Containment of Residuals [per (B), (C), or (D)above]	
<input type="checkbox"/>	Failed to manage all materials produced from the treatment of UW electronic devices in a manner that prevents a release. [66273.13(d)(3)(F)(2)]
<input type="checkbox"/>	Failed to conduct treatment activities over, or in a containment device of sufficient in size and construction. [66273.13(d)(3)(F)(2)(a)]
<input type="checkbox"/>	Failed to contain any residuals in a manner that minimizes breakage and prevents leakage, spillage or damage. [66273.13(d)(3)(F)(2)(b)]
<input type="checkbox"/>	Failed to immediately clean up and place in a container any UW electronic device that is broken and may reasonably be expected to cause a release. [66273.13(d)(3)(F)(2)(c)]
Worker Safety [per (B), (C), or (D) above]	
<input type="checkbox"/>	Failed to be familiar with the hazards associated with UW electronic device treatment activities. [66273.13(d)(3)(F)(3)(a)]
<input type="checkbox"/>	Failed to have access to the proper procedures and protective equipment necessary to safely conduct UW electronic device treatment activities and to comply with the requirements of this section. [66273.13(d)(3)(F)(3)(a)]
<input type="checkbox"/>	Failed to ensure that the facility is operated in compliance with all applicable worker health and safety laws and regulations (i.e., California Code of Regulations, title 8). [66273.13(d)(3)(F)(2)(b)]
Zoning [per (B), (C), or (D) above]	

<input type="checkbox"/>	Failed to ensure that the treatment activities conducted at the facility are consistent with local zoning and land use requirements for that location. [66273.13(d)(3)(F)(4)]
Management of Residuals [per (B), (C), or (D)above]	
<input type="checkbox"/>	Failed to ensure that all materials produced as a result of the treatment processes are properly classified and managed in accordance with any applicable requirements of this division. [66273.13(d)(3)(F)(5)]
Management Standards [per (C), or (D) above]	
<input type="checkbox"/>	Failed to use only treatment methods that employ one or more of the following technologies: [66273.13(d)(3)(F)(6)(a)] Physical processes that change only the physical properties of the waste such as cutting, sawing, breaking, shredding, crushing, grinding, screening, sieving, acceleration, or compacting; [66273.13(d)(3)(F)(6)(a)(1)] AND/OR Separation based on differences in physical properties such as size, color, density, or ferromagnetism. [66273.13(d)(3)(F)(6)(a)(2)]
<input type="checkbox"/>	Failed to ensure all mercury containing lamps and other components which contain fluids (i.e., liquids or gasses) that would be identified as hazardous waste were removed prior to processing. [66273.13(d)(3)(F)(6)(a)(3)]
<input type="checkbox"/>	Allowed processing of universal waste electronic devices containing PCB ballasts, medical or biohazardous wastes, radioactive materials, reactive materials, or ignitable materials. [66273.13(d)(3)(F)(6)(a)(4)]
<input type="checkbox"/>	Failed to ensure the treatment is conducted without the use or application of: [66273.13(d)(3)(F)(6)(b)] Chemicals, including water; [66273.13(d)(3)(F)(6)(b)(1)] External heat. [66273.13(d)(3)(F)(6)(b)(2)]
<input type="checkbox"/>	Failed to ensure that all hazardous wastes generated from treatment activities that are sent offsite for disposal are manifested. [66273.13(d)(3)(F)(6)(c)]
<input type="checkbox"/>	Failed to ensure that all treatment residuals meeting the definition of scrap metal in section 66260.10 are recycled. [66273.13(d)(3)(F)(6)(d)]
<input type="checkbox"/>	Accept for treatment, any universal waste electronic devices that are managed, or are required to be managed, as hazardous waste under chapters 10 through 22 of this division unless authorized to do so under hazardous waste management permit or other grant of authorization. [66273.13(d)(3)(F)(6)(e)]

<input type="checkbox"/>	Failed to comply with the requirements of sections 66265.18 and 66265.25 of chapter 15 as those requirements apply to facility location and design standards. [66273.13(d)(3)(F)(6)(f)]
<input type="checkbox"/>	Failed to ensure that all treatment is conducted in compliance with all applicable local and state air pollution control laws and regulations. [66273.13(d)(3)(F)(6)(g)]
<input type="checkbox"/>	Failed to conduct treatment only for the purposes of recycling one or more types of universal waste electronic devices. [66273.13(d)(3)(F)(6)(h)]
<input type="checkbox"/>	Failed to maintain on file copies of the most recent notifications and reports submitted to DTSC and a copy of any local air district permit and other permits required for the facility no later than 30 days prior to recycling or treating any UW waste electronic devices. [66273.13(d)(3)(F)(6)(i)]
<input type="checkbox"/>	Failed to make documents available to any representative of DTSC, the U. S. EPA, or a local governmental agency. [66273.13(d)(3)(F)(6)(i)]
<input type="checkbox"/>	Failed to deliver documents in person or by certified mail, return receipt requested, to DTSC when requested in writing. [66273.13(d)(3)(F)(6)(i)]
<input type="checkbox"/>	Failed to submit a written notification to DTSC no later than 30 days after ceasing treatment or recycling activities at the facility. [66273.13(d)(3)(F)(6)(j)]
<input type="checkbox"/>	Failed to submit a written notification to DTSC by certified mail, return receipt. [66273.13(d)(3)(F)(6)(j)]
<input type="checkbox"/>	Submitted an incomplete notification. [66273.13(d)(3)(F)(6)(j)]
Treatment Standards [per (D) above]	
<input type="checkbox"/>	Failed to prepare and submit to DTSC a written estimate of a cost for closure no later than 30 days prior to initially recycling or treating any universal waste electronic devices. [66273.13(d)(3)(F)(7)]
<input type="checkbox"/>	Failed to submit a written estimate of the facility closure cost by certified mail, return receipt. [66273.13(d)(3)(F)(7)(a)]
<input type="checkbox"/>	Submitted an incomplete closure cost estimate pursuant to the requirements specified in section 66265.142. [66273.13(d)(3)(F)(7)(a)]
<input type="checkbox"/>	Failed to evaluate, and adjust if necessary, the closure cost estimate annually to reflect changes in closing cost. [66273.13(d)(3)(F)(7)(a)]
<input type="checkbox"/>	Failed to submit to DTSC written documentation demonstrating financial assurance for closure no later than 30 days prior to initially recycling or treating any universal waste electronic devices [66273.13(d)(3)(F)(7)(b)]

<input type="checkbox"/>	Failed to submit written documentation demonstrating financial assurance for closure by certified mail, return receipt. [66273.13(d)(3)(F)(7)(b)]
<input type="checkbox"/>	Submitted incomplete documentation demonstrating financial assurance for closure pursuant to section 66265.143. [66273.13(d)(3)(F)(7)(b)]
<input type="checkbox"/>	Failed to submit to DTSC documentation demonstrating financial responsibility for liability no later than 30 days prior to initially recycling or treating any universal waste electronic devices [66273.13(d)(3)(F)(7)(c)]
<input type="checkbox"/>	Failed to submit documentation demonstrating financial responsibility for liability by certified mail, return receipt. [66273.13(d)(3)(F)(7)(c)]
<input type="checkbox"/>	Submitted incomplete documentation demonstrating financial responsibility for liability pursuant to section 66265.147. [66273.13(d)(3)(F)(7)(c)]
LABELING/MARKING	
<input type="checkbox"/>	Failed to properly label or clearly mark each container or pallet in or on which UW electronic devices are contained, including containers or pallets that also contain devices with one of the following phrases: "Universal Waste—Consumer Electronic Device(s)" or "UW—Consumer Electronic Device(s)." [66273.14(d)]
AND	
<input type="checkbox"/>	Failed to accumulate universal waste electronic devices within a designated area demarcated by boundaries that are clearly labeled. [66273.14(d)(1)]
ACCUMULATION TIME LIMITS	
<input type="checkbox"/>	Accumulated universal waste for longer than one year from the date the universal waste is generated, or received from another handler, unless the requirements of subsection (b) of this section are met. [66273.15]
<input type="checkbox"/>	Failed to mark or label the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. [66273.15(c)]
OR	
<input type="checkbox"/>	Failed to maintain an inventory system on-site that identifies the date each universal waste became a waste or was received. [66273.15(c)(1)&(2)]
OR	
<input type="checkbox"/>	Failed to maintain an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received. [66273.15(c)(3)&(4)]
OR	

<input type="checkbox"/>	Failed to place UW in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received. [66273.15(c)(5)]
EMPLOYEE TRAINING	
<input type="checkbox"/>	Failed to provide training to ensure that all employees who handle or have responsibility for managing universal waste are thoroughly familiar with proper waste handling and emergency procedures, relative to their responsibilities during normal facility operation and emergencies. [66273.16]
RESPONSE TO RELEASES	
<input type="checkbox"/>	Failed to immediately contain all releases of universal wastes and other residues from universal wastes. [66273.17(a)]
<input type="checkbox"/>	Failed to determine whether any material resulting from the release is hazardous waste, and if so, manage the hazardous waste in compliance with all applicable requirements of this division. [66273.17(b)]
<input type="checkbox"/>	Failed to properly repackage waste consisting only of residues of leaking, broken, or otherwise damaged universal waste. [66273.17(c)]
OFF-SITE SHIPMENTS	
<input type="checkbox"/>	Sent or delivered UW to a place other than another UW handler, a destination facility, or a foreign destination. [66273.18(a)]
<input type="checkbox"/>	Failed to comply with transporter requirements while self-transporting the universal waste. [66273.18(b)]
<input type="checkbox"/>	Failed to package, label, mark and placard the shipment, and prepare the proper shipping papers for UW offered for off-site transportation that meets the definition of hazardous materials under 49 CFR parts 171 through 180. [66273.18(c)]
<input type="checkbox"/>	Failure to ensure that the receiving handler agrees to receive the shipment from the originating handler prior to sending a shipment. [66273.18(d)]
<input type="checkbox"/>	Failure to either receive the UW back , or agree with the receiving handler on a destination facility to which the shipment will be sent, if the UW is rejected by the receiving handler or destination facility. [66273.18(e)(1)&(2)]
<input type="checkbox"/>	Failed to notify the originating handler to discuss reshipment, if the receiving handler rejects a shipment containing UW, or a portion of a shipment containing UW. [66273.18(f)(1)&(2)]
<input type="checkbox"/>	Failed to immediately notify DTSC of the illegal shipment, and provide the name, address, and phone number of the originating shipper if the facility receives a shipment containing hazardous waste that is not a universal waste. [66273.18(g)]

	TRACKING UW SHIPMENTS
<input type="checkbox"/>	Failed to keep a record of each shipment of universal waste <u>received</u> at the facility. [66273.19(a)]
	<i>Failed to record any of the following information:</i>
<input type="checkbox"/>	The name and address of the originating universal waste handler or foreign shipper from whom the universal waste was sent; [66273.19(a)(1)]
<input type="checkbox"/>	The quantity of each type of universal waste received (e.g., batteries, thermostats, lamps, mercury switches, etc.); [66273.19(a)(2)]
<input type="checkbox"/>	The date of receipt of the shipment of universal waste. [66273.19(a)(3)]
<input type="checkbox"/>	Failed to keep a record of each shipment of universal waste <u>sent</u> from the handler to off-site facilities. [66273.19(b)]
	<i>Failed to record any of the following information:</i>
<input type="checkbox"/>	The name and address of the universal waste handler, destination facility, or foreign destination to whom the universal waste was sent; [66273.19(b)(1)]
<input type="checkbox"/>	The quantity of each type of universal waste sent (e.g., batteries, thermostats, lamps, mercury switches, etc.); [66273.19(b)(2)]
<input type="checkbox"/>	The date the shipment of universal waste left the facility. [66273.19(b)(3)]
<input type="checkbox"/>	Failed to retain the records described in subsection (a) of this section for at least three years from the date of receipt of a shipment of universal waste; [66273.19(c)(1)]
<input type="checkbox"/>	Failed to retain the records described in subsection (b) of this section for at least three years from the date a shipment of universal waste left the facility. [66273.19(c)(2)]
	EXPORT
<input type="checkbox"/>	Failed to comply with the requirements applicable to a primary exporter in section 66262.53, 66262.56(a) (1) through (4), (6), and (b) and 66262.57; [66273.20(a)] [Note: Export to OECD countries specified in section 66262.58(a)(1) are subject to the requirements of article 8 of chapter 12]
	AND
<input type="checkbox"/>	Failed to obtain the consent of the receiving country and in conformance with the EPA Acknowledgement of Consent as defined in article 5 of chapter 12; [66273.20(b)]
	AND
<input type="checkbox"/>	Failed to provide a copy of the EPA Acknowledgment of Consent for the shipment to the transporter transporting the shipment for export. [66273.20(c)]

<input type="checkbox"/>	Failed to notify DTSC and concurrently send a copy of that notification to the CUPA of an intended export before such consumer electronic device is scheduled to leave the United States. A completed notification shall be submitted four weeks before the initial shipment is intended to be shipped offsite. This notification shall cover export activities extending over a twelve (12) month or lesser period. [66273.20(d)]
	<i>Failed to include all of the following information: [66273.20(e)]</i>
<input type="checkbox"/>	Name, mailing address, and telephone number of the universal waste handler; [66273.20(e)(1)]
<input type="checkbox"/>	The foreign destination, for each type of consumer electronic device: [66273.20(e)(2)]
<input type="checkbox"/>	The amount of consumer electronic devices (by count or by weight); [66273.20(e)(2)(A)]
<input type="checkbox"/>	The estimated frequency or rate at which the consumer electronic device is to be exported and the period of time over which the consumer electronic device is to be exported; [66273.20(e)(2)(B)]
<input type="checkbox"/>	All points of entry to and departure from each foreign country through which the consumer electronic device will pass; [66273.20(e)(2)(C)]
<input type="checkbox"/>	A description of the means by which each shipment of consumer electronic devices will be recycled at the foreign destination; and [66273.20(e)(2)(D)]
<input type="checkbox"/>	The name and site address of the consignee or any alternate consignee. [66273.20(e)(2)(E)]
<input type="checkbox"/>	Failed to send the notifications submitted under subsection (d) of this section to DTSC, Hazardous Waste Management Program, State Regulatory Programs Division, P.O. Box 806, Sacramento, CA 95812-0806, with "Attention: Notification to Export Consumer Electronic Devices" prominently displayed on the front of the envelope. [66273.20(f)]

COMMENTS:

NOTE: *The inspector shall also note in this section a description of all violations that were observed and corrected during the inspection.*
