



## Department of Toxic Substances Control

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### MEMORANDUM

To: All Interested Parties

From: Karl Palmer, Chief   
Regulatory and Program Development Branch

Date: January 10, 2006

Subject: SUNSET OF TEMPORARY UNIVERSAL WASTE EXEMPTIONS

The Department of Toxic Substances Control (DTSC) is announcing today that it will not extend the temporary disposal exemptions that allow households and Conditionally Exempt Small Quantity Universal Waste Generators (CESQUWGs) to dispose of some hazardous wastes into the trash.

Until February 8, 2006, homeowners may dispose of universal waste batteries, electronic devices, fluorescent lights, and mercury thermostats in the trash. After that date households will have to take these wastes either to a household hazardous waste collection facility or to a recycling facility.

Until February 8, 2006, conditionally exempt generators may continue to dispose of their universal waste batteries, universal waste electronic devices, and universal waste fluorescent lamps, to the trash, provided they do not dispose of more than thirty (30) universal waste lamps or more than twenty (20) pounds of universal waste batteries per month. (Conditionally exempt generators are prohibited from disposing universal waste mercury thermostats in the trash).

The temporary disposal exemptions allowing these wastes to be disposed in the trash were originally adopted in 2001 to provide time for the infrastructure to collect and recycle these hazardous wastes to develop further. This decision means that after February 8, 2006, these four universal waste streams must be managed in a manner consistent with other universal wastes.

Recently, DTSC held state-wide, public workshops seeking input and comments from

impacted parties regarding the expiration of the temporary disposal exemptions. Generally, environmental groups and waste recycling companies favored allowing the exemptions to expire, while business groups and representatives of local government-sponsored household hazardous waste collection programs supported extending the exemptions.

DTSC based its decision not to extend the disposal exemptions upon the following findings:

- The disposal exemptions had provided adequate time for infrastructure development since 2001. Extending the exemptions would discourage additional infrastructure development in the future.
- The exemptions apply to only four types of universal waste generated by households and small businesses. All other universal wastes and hazardous wastes are already prohibited from disposal in municipal solid waste landfills.
- An infrastructure for collecting and recycling electronic wastes was established by recent legislation (Electronic Waste Recycling Act of 2003).
- Adequate capacity for recycling exists at recycling facilities.

DTSC will continue to work with the household hazardous waste programs, the California Integrated Waste Management Board (CIWMB), industry, Local Enforcement Agencies, Certified Unified Program Agencies (CUPAs), and other interested parties in conducting outreach, education and compliance assistance that will encourage the safe management and recycling of universal wastes.

DTSC will focus its enforcement resources on complaint response and on violations of the hazardous waste regulations that present immediate and significant risks to public health or the environment.

DTSC recognizes that there will be challenges in achieving our goal of maintaining environmental protection while encouraging recycling by providing for the efficient collection and recycling of these wastes. We look forward to working with all stakeholders towards that goal.

DTSC will encourage the public to consult with their local solid waste management officials to identify recycling options in their communities. Additional information on universal waste management may be found at DTSC's website ([www.dtsc.ca.gov](http://www.dtsc.ca.gov)) by clicking on the home page's Universal Waste link found under "Hot Topics." Inquiries may also be sent via email to [uwaste@dtsc.ca.gov](mailto:uwaste@dtsc.ca.gov) or by contacting the DTSC Public and Business Liaisons by calling (800) 728-6942, or (800) 72-TOXIC.