

New Laws for Appliance Recycling AB 2277 (2004)



New Certification Requirements

DTSC is one of six Boards and Departments within the California Environmental Protection Agency. The Department's mission is to restore, protect and enhance the environment, to ensure public health, environmental quality and economic vitality, by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.

State of California



California
Environmental
Protection Agency



Introduction

A new law controlling the recycling of discarded major appliances became effective January 1, 2006.

This fact sheet explains the new law and its requirements. It covers who is affected, what they must do, and where they can find the forms that recyclers of major appliances are required to submit. The specific statutory requirements established by Assembly Bill 2277 (2004), can be found in the Public Resources Code (PRC), chapter 3.5, section 42160 et seq. and in the California Health and Safety Code (HSC), chapter 6.5, section 25211 et seq.

Am I Affected by the New Law?

Anyone who handles a major appliance after it is no longer used is affected.

This includes:

- Appliance recyclers/dismantlers.
- Discarded appliance transporters.
- Scrap recycling facilities.

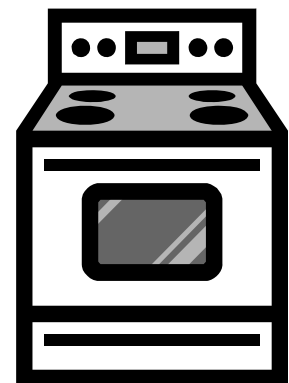
What Does the New Law Require?

You must be a Certified Appliance Recycler, to remove materials that require special handling from major appliances. These terms are explained below.

What are Major Appliances? (PRC §42166)

A major appliance is a machine you have in your home or business, such as:

- Washer or dryer.
- Refrigerator or freezer.
- Water and space heaters.
- Furnace or boiler.
- Air-conditioner or dehumidifier.
- Trash compactor.
- Oven, stove, or microwave.



What are “Materials that Require Special Handling”?

Materials that require special handling are materials that when removed from a discarded appliance **may not** be disposed of in the garbage or at a solid waste facility. (HSC §25212)

The following materials must be removed from an appliance prior to the appliance being crushed, baled, shredded, sawed or sheared apart, disposed of, or otherwise processed in a manner that could result in the release or prevent the removal of these materials, but are not limited to: (PRC §42167)

- Mercury, found in switches and temperature control devices.
- Used oil, from compressors and transmissions.
- Chlorofluorocarbons (CFCs), Hydrochlorofluorocarbons (HCFCs), and other non-CFC replacement refrigerants injected in air-conditioning/refrigerant units.
- All metal-encased capacitors
- Any parts that contain encapsulated polychlorinated biphenyls (PCBs) or Di-ethylhexylphthalate (DEHP).
- Any other material that is a regulated hazardous waste.

The person removing these materials is considered a hazardous waste generator and must comply with applicable laws for generators of hazardous waste.

Some materials removed from appliances are hazardous wastes; some of these hazardous wastes have reduced handling standards under the Universal Waste Rule. (CCR, Title 22, §66273.1 et seq.).



What is a Certified Appliance Recycler?

A Certified Appliance Recycler (CAR) is a person or business certified by DTSC to remove and properly manage materials that require special handling from discarded major appliances. (HSC §25211)

If you only collect or transport appliances, you do not need to become a CAR.

How can I Become a CAR?

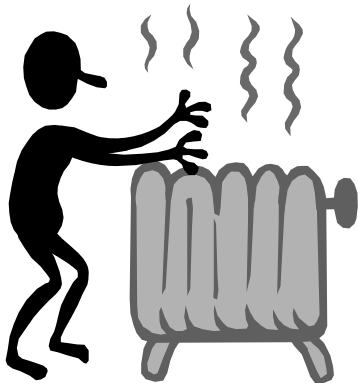
To operate as a CAR you need to submit an application (DTSC Form 1428) to DTSC and obtain certification. (HSC §25211.4)

Recyclers should submit applications to DTSC early to insure they will be reviewed and approved prior to the start of the new requirements on January 1, 2006.

CAR's will receive a certificate with a unique CAR number, valid for three years.

How do I get DTSC Forms?

- Print forms from the internet at: <http://www.dtsc.ca.gov> click on “Publications & Forms”.
- Request forms via E-mail from: jfong@dtsc.ca.gov
- Request forms by phone or mail from a DTSC Regulatory Assistance Officer. Refer to page 4.



What is a Scrap Recycling Facility?

A scrap recycling facility is where scrap metals are processed into scrap iron or nonferrous metallic scrap for sale for remelting purposes. A scrap recycling facility could be a feeder yard, metal shredding facility, metal crusher, or a metal baler. (HSC §25211)

What are the new requirements at the scrap recycling facility?

(HSC §25211.2)

- Scrap facilities that accept appliances that **have not been** crushed, baled, shredded, sawed or sheared apart, or otherwise processed in a way that could result in the release or prevent the removal of the materials that require special handling, must be a registered CAR.
- Scrap facilities that accept appliances that **have been** processed, must collect a DTSC Form 1430 from the transporter at the time of transaction.

DTSC Form 1430 is required to be completed by the CAR that removed the materials that require special handling, not by the transporter.

Information required from the CAR:

- ✓ CAR number.
- ✓ EPA identification number.
- ✓ Certification that the CAR removed all materials that require special handling in a manner that did not result in any release prior to processing the appliance.
- ✓ A list of the facilities that all materials requiring special handling were sent to, or are going to be sent.
- ✓ The number and type of appliances.



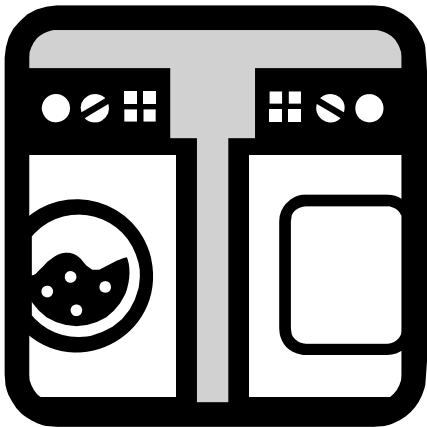
What Records do I Have to Keep?

If you transport, deliver, or sell discarded major appliances to a scrap recycling facility, or you are a scrap recycling facility or a CAR, you must retain records for at least three years. (HSC §25211.3)

Keep records that demonstrate compliance with the applicable requirements. Records must be kept onsite and must be made available for inspection upon request by DTSC or the local Certified Unified Program Agency (CUPA).

Regarding the materials that require special handling, record:

- Quantity of each material, by weight or volume.
- Method used to recycle, dispose of, or otherwise manage each material.
- Name and address of the facility to which each material was sent.



For more information contact the DTSC office nearest you, or call a regional Regulatory Assistance Officer at (800) 72-TOXIC (800-728-6942). From outside California, call (916) 255-3545.

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