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April 30, 2013

Emily Wang  
Department of Resources Recycling and Recovery (CalRecycle)  
MMLA/STAR  
1001 I Street  
P.O. Box 4025, MS 13A  
Sacramento, CA 95812-4025

RE: Comments on Form 303 Rulemaking

Dear Ms. Wang:

On behalf of the Rural Counties' Environmental Services Joint Powers Authority (ESJPA), we appreciate the opportunity to provide comments on the Form 303 Annual Reporting form. We also appreciate efforts to create flexibility in development t of this form.

Specific comments are attached.

If you have any questions on these comments, please let me know.

Larry

Larry Sweetser  
ESJPA Consultant

cc: Howard Levenson, Deputy Director, CalRecycle  
Brenda Smyth, Integrated Waste Program Manager, CalRecycle  
Kyle Pogue, Supervising Integrated Waste Management Specialist II, CalRecycle  
Mary Pitto, Program Manager, Rural Counties' ESJPA  
ESJPA Members

## Form 303 Comments from Rural Counties' ESJPA

### Section 18751.2.1. Definitions.

Subsection (e) indicates that, "With the exception of electronic waste, waste types listed in §18751.2.3(a)(1)-(9) are defined in 49 Code of Federal Regulations Section 172.101". 49 CFR Section 172.101 does not really define these terms. It is primarily a list of Department of Transportation hazardous materials shipping names. A number of other categories in Section 18751.2.3 (a) are also not listed in 49 CFR 172.101 including: Neutral oxidizer, PCB-containing material, Reclaimable, Universal Waste, and Other. In addition, "electronic wastes" are not listed in Section 18751.2.3 (a). The current Form 303 Guide to Complete Forms CalRecycle 303a and 303b, Table 1 uses standard DOT descriptions and common terms not used by DOT to describe a number of waste types that are California-only hazardous wastes.

These distinctions are useful and should be retained given the way California HHW is managed. Either this subsection can be removed or the following change is recommended:

(e) ~~With the exception of electronic waste, w~~Waste types listed in §18751.2.3(a)(1)-(9) are defined in 49 Code of Federal Regulations Section 172.101 or common classifications for California Regulated hazardous wastes.

### Section 18751.2.3. Material Collection and Disposition

The reporting categories indicated in this section are confusing. Subsection (a) requires reporting of "HHW collection amounts" as defined in Health and Safety Code §25218.1(e) which "does not include waste generated in the course of operating a business concern at a residence." This definition also does not include hazardous wastes from Conditional Exempt Small Quantity Generators (CESQG) that are commonly mixed into the same drums as HHW and reported as HHW. In order to avoid excess record keeping by program operators the following change is recommended.

(a) ~~HHW c~~Collection amounts shall be reported for the following categories:

### Section 18751.2.2. Form 303 Submittals.

The term household is not defined in reporting the "Number of households that participated in the collection program" (Section (b)(2)(D)). Some jurisdictions report larger loads delivered by the same vehicle as more than one household even if that load is from the same house. In order to provide consistent reporting and not increase reporting efforts, using a standard census definition for "households" and allowing a reporting agency to simply add a comment that a non-standard definition is used.