



*DEPARTMENT OF ENVIRONMENTAL RESOURCES*

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**Treated Wood Waste (TWW) Update**

**What is Treated Wood Waste (TWW)?**

TWW comes from old wood that has been treated with chemical preservatives. These chemicals help protect the wood from insect attack and fungal decay while it's being used. Fence posts, sill plates, landscape timbers, pilings, guardrails, and decking, to name a few, are all examples of chemically treated wood.

**Note: The statute (HSC 25150.7) and regulations (22 CCR 67386.1 et seq.) that allow treated wood waste to be handled with alternative management standards are due to expire after December 31, 2020. After that date, all hazardous treated wood waste (not exempted by HSC 25143.1.5 as utility generated) managed in California will have to be stored and manifested as hazardous waste and transported to class I hazardous waste landfills for disposal.**

**What is the status of DTSC's efforts to issue TWW variances and what will the process look like?**

Beginning on March 1, 2021, DTSC will post an active list of the landfills that have received a variance and can accept TWW. Homeowners that do not transport TWW, or that transport no more than 50 lbs. to a Household Hazardous Waste Facility (HHWF), will not be required to obtain a variance. Contractors that transport TWW on behalf of homeowners will generally require a variance.

- Currently, the Stanislaus County HHWF located at 1710 Morgan Road, and the Fink Road Landfill do not accept TWW. The only disposal facility in CA presently authorized to receive hazardous TWW is the hazardous waste landfill at the [Clean Harbors Buttonwillow facility](#). Please contact the facility in advance of shipping your waste.

Effective February 16, 2021, DTSC will be inviting interested parties to apply for a variance from certain provisions of law relating to the management of TWW.

**Currently, DTSC is only accepting variance applications for disposal facilities (landfills) at this time. If you are not a landfill you must wait until February 19, 2021 to apply for a variance.**

DTSC has provided guidance on TWW Variances which can be accessed here, "[Treated Wood Waste Variances](#)".

- To access a list of Handlers, Transporters, and Transfer Stations with DTSC Variances for TWW, please see [Handlers, Transporters, and Transfer Stations with Variances](#).
- To access a list of Disposal Facilities with DTSC Variances for Accepting Treated Wood Waste, please see the "[Treated Wood Waste Disposal Sites with DTSC Variances](#)" information.
- To read more about the DTSC variance program, please see the "[Treated Wood Waste Variances](#)" information.

### **Is the statutory exemption for TWW generated by utilities still in effect?**

Yes, the statutory exemption in Health and Safety Code section 25143.1.5 for TWW generated by utilities remains in effect. In order to qualify for the exemption, the waste must have been removed from electric, gas, or telephone service and the following three conditions must be met: (1) the treated wood must not be a RCRA hazardous waste, (2) the treated wood must be disposed in a composite-lined portion of a municipal solid waste landfill, and, (3) the solid waste landfill must be authorized to accept treated wood by the their waste discharge requirements. Refer to the statute for the exact language of the exemption.

### **Who needs a variance?**

Until you apply for and receive a variance from DTSC, you must manage your TWW in accordance with full hazardous waste management standards.

Please see the [TWW Fact Sheet](#) for information on the hazardous waste management requirements that apply to the handling of TWW. Please see the [TWW FAQs](#) for additional information regarding variances.

### **How do I dispose of hazardous TWW?**

If you are a handler of TWW, until you apply for and receive a variance from DTSC, Hazardous TWW must be managed in accordance with full hazardous waste management standards which includes being transported to a class I hazardous waste landfill in California, to a landfill in another state that is authorized to receive and dispose TWW, or to a Disposal Facility who has received a DTSC Variance.

For residents, it is recommended to temporarily accumulate the TWW until it can be taken to a Disposal Facility which has been issued a DTSC Variance.