CUPA REGULATIONS & THE CANNABIS INDUSTRY

ENVIRONMENTAL MANAGEMENT DEPARTMENT
ENVIRONMENTAL COMPLIANCE DIVISION
Certified Unified Program Agency

Regulates the following programs:

- Hazardous Waste Generators
- Underground Storage Tanks
- Risk Management Program/California Accidental Release Prevention (CalARP)
- Aboveground Petroleum Storage
- Incident Response
Regulations

- Health & Safety Code Chapter 6.5 (Hazardous Waste)
- Health & Safety Code Chapter 6.95 (Business Plan)
- California Code of Regulations Title 19 (Business Plan)
- California Code of Regulations Title 22 (Hazardous Waste)
- Sacramento County Code Section 6.96.030 (Business Plan)
- Sacramento County Code Section 6.98.030 (Hazardous Waste)
CANNABIS FACILITIES

- Distributions
  - Packaging, dispensaries/collectives, brick & mortar deliveries
- Cultivations
  - Indoor grows only in Sac City
- Manufacturing
  - Carbon dioxide extraction, ethanol extraction, ethanol winterization
- Testing laboratories
  - Analytical 3rd party, on site QA/QC analyticals
CULTIVATORS

- Fertilizers
  - Mostly derived from coco-mild irritant, low risk hazard, reportable quantities (RQ), compostable
  - Soil cubes-Rockwool mostly, RQ, compostable
- Nutrient Additives-RQ
- Carbon Dioxide-RQ
- Pesticides-RQ
- Wastewater-pH(3-11) is non-hazardous, reusing, recycling, discharge permits
- Universal Waste-bulb wastes
Manufacturers - Extraction

- Ethanol-RQ, reclamation of waste product, hazardous waste generation
- Carbon Dioxide-RQ
- Machinery-coolant oils waste generation
- Cannabis plant waste post:
  - Carbon Dioxide extraction-compostable
  - Ethanol extraction-Waste determination needed
MANUFACTURERS - POST PROCESSING

- Ethanol-RQ, reclamation of waste product, hazardous waste generation
- Ethanol Filters-hazardous waste generation
- Machinery-coolant oils waste generation
  - Ethanol extraction
- Lipid residue
- Paraffin wax by product
- Sesquiterpenes or any unusable terpenes
Compressed Gases:
- Helium-RQ
- Hydrogen-RQ
- Nitrogen-RQ

Hazardous Waste Generation
- Acetonitrile (RQ not common)

Methanol (RQ not common)
- Nitric Acid Waste (Metals)
IDENTIFYING WASTES

- “WASTE” - HSC 25124 ‘any solid, liquid, semisolid, or contained gaseous discarded material’. 22 CCR 66261.2 ‘any discarded material of any form’. (See codes above for exclusions)

- “HAZARDOUS WASTE” - HSC 25117, 22 CCR 66260.10, ‘Pose a substantial present or potential hazard to human health or the environment’. 
“WASTE DETERMINATION” – 22 CCR 66260.10. Four basic methods used to identify hazardous wastes:

- Hazardous Waste Lists (Federal/RCRA or CA Listed)
- SDS
- Hazardous Waste Characteristics (corrosive, reactive, ignitable, toxic)
- Laboratory Analysis
WASTE DETERMINATIONS

- Cannabis plant waste post:
  - Carbon Dioxide extraction-compostable
  - Ethanol extraction
- Lipid residue waste stream-post ethanol reclamation (filtration)
- Paraffin wax waste stream-post ethanol reclamation (distillation)
- Sesquiterpenes waste stream
WASTE DETERMINATIONS

- DTSC Fish Bioassay:
  - 96 Hour Test - Minnows/Trout
  - Failing within 24 Hours Due To BOD

- Generator Knowledge:
  - SDS Ecological Data
  - Peer Reviewed Articles on Ethanol* Toxicity
  - Organics Residual Test for solvents
WASTE HAULERS AND THE GENERATOR

- EPA ID Number: [https://dtsc.ca.gov/apply-for-hazardous-waste-epa-id-number/](https://dtsc.ca.gov/apply-for-hazardous-waste-epa-id-number/)
- VSQG: HSC 25218.5 and 25163(c) Self hauling regulations. Certain conditions must be followed.
  - HHW Information: [http://www.emd.saccounty.net/EMDFAQs/Pages/Disposeofhouseholdhazardouswaste.aspx](http://www.emd.saccounty.net/EMDFAQs/Pages/Disposeofhouseholdhazardouswaste.aspx)
- SQG’s & LQG’s must use a licensed transporter to haul their hazardous waste.
  - 22 CCR 13 66263.41;HSC 6.5 25163(a)
  - DTSC Licensed Transporter Database: [https://hwts.dtsc.ca.gov/transporters/](https://hwts.dtsc.ca.gov/transporters/)
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