



Member Associations of

PRINTING INDUSTRIES OF CALIFORNIA

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Association of

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### Headline Summary

- Proposition 65 Update
- Injury/Illness Prevention Program
- Is Your Company a Nuisance?
- Workers' Comp Changes
- Small Quantity Drop-off
- 2012 Recycling Rates
- Reporting Use Tax
- Universal Waste

## Is Your Company a Nuisance?

SB 691 ( Hancock D-Berkeley) gives air districts power to serve as judge and jury on nuisance complaints. The bill beefs up the penalty for such charges.

The fine for Title V permits would increase from \$10,000 to \$100,000 and for non-Title V permit holders from \$1,000 to \$10,000. The bill could also apply to residents with wood burning fireplaces.

There is no definition of what constitutes a nuisance. Someone accused of creating a nuisance does not need to have knowledge of the event, have intended to create the nuisance, or have done any harm. Nearly all air districts already have nuisance regulations on the books.

# WatchDog

Guarding the Business of Print

April 2013

## Proposition 65 Update

AB 227 (Gatto, D-Silver Lake) aims to protect businesses from shake-down lawsuits related to Proposition 65. Prop 65 requires, among other things, that private businesses post warnings when they knowingly expose workers or the public to listed chemicals. These warnings can take the form of placards or as part of the labeling of a consumer product that contains a listed chemical. There are currently 774 chemicals on the list.

AB 227 provides a 14-day window to cure inadequate signage required by Prop 65 to avoid a lawsuit. These lawsuits can easily cost thousands of dollars to litigate, causing many businesses to settle out of court.

## Injury/Illness Prevention Program

Every California employer must implement a written Injury and Illness Prevention (IIP) Program (also known as a SB 198 program), a copy of which must be maintained at the workplace.

PIC has just updated its IIP program that members can use to meet the IPP requirements. Besides identifying different hazards and safety plans to avert illness and injury, the program has material to meet the Hazardous Communication standard as well as a dozen 1-2 page safety sheets that can be used for employee training.

If you have any questions or want to discuss the program, please contact Gerry Bonetto at (323) 728-9500, Ext. 248.

## Workers' Comp Changes

PIC opposes SB 626 (Beall, D-Campbell) which would roll back some of the biggest cost saving proposals in the reforms passed last year in SB 863 (Kevin de León, D-Los Angeles). This bill would leave employers paying for nearly \$1 billion in benefit increases with no expectation of system savings.

Last year, labor unions and employers agreed to reform California's workers' compensation system. The goal was to provide injured workers with needed benefit increases, but offset these increased costs by closing certain loopholes and making California's workers' compensation system operate more efficiently with fewer disputes and litigation. The reforms achieved this balance—injured workers are guaranteed nearly \$1 billion in benefit increases, while employer costs are projected to be reduced after regulatory implementation of system reforms.

SB 626 eliminates the entire balance of the deal and would erase hundreds of millions of dollars in projected savings.

## Small Quantity Drop-Off

We are often asked by small printers about the disposal of hazardous waste. Some counties allow small businesses to use their household hazardous waste collection program, and other counties have established small quantity generator programs to collect hazardous and universal wastes from small businesses. Some facilities require business registration; many facilities require businesses to make an appointment to drop off waste.

To qualify, a company must generate less than 220 pounds or 27 gallons of hazardous waste (e.g., paints, solvents, aerosol cans, photographic chemicals or asbestos) per month. (These guidelines are set out in the Code of Federal Regulations 40 CFR 261.5 and the California Code of Regulations Title 22, Section 66260.10.)

### Imperial

760.336.8530

Not available in the county

### Kern

661.862.8900

[www.kerncountywaste.com/business-hazardous-waste](http://www.kerncountywaste.com/business-hazardous-waste)

### Los Angeles

888.CLEAN.LA

[lacitysan.org/solid\\_resources/special/business\\_hazardous\\_waste/](http://lacitysan.org/solid_resources/special/business_hazardous_waste/)

### Orange

Provides list of waste companies only: does not accept waste at HHW events/sites

### Riverside

888.722.4234 or 951.358.5055

Not available in county

### San Bernardino

909.382.5401 /1.800.OILY CAT (645.9228)

[www.sbcfire.org/hazmat/cesqg.aspx](http://www.sbcfire.org/hazmat/cesqg.aspx)

### San Diego

619.338.2231

[www.co.san-diego.ca.us/deh/hazmat/chd\\_hhw\\_smallbus.html](http://www.co.san-diego.ca.us/deh/hazmat/chd_hhw_smallbus.html)

### Santa Barbara

805.882.3602

[www.lessismore.org/materials/106-business-hazardous](http://www.lessismore.org/materials/106-business-hazardous)

### Ventura

805.987.0717

Some locations do not take small business hazardous waste

[http://portal.countyofventura.org/portal/page/portal/PUBLIC\\_WORKS/wasteManagement/hazardous\\_waste/small\\_business](http://portal.countyofventura.org/portal/page/portal/PUBLIC_WORKS/wasteManagement/hazardous_waste/small_business)

For a list of programs throughout the state, go to:

[www.cdacompass.com/Directory/Household-Hazardous.aspx](http://www.cdacompass.com/Directory/Household-Hazardous.aspx)

## 2012 Recycling Rates

The American Forest & Paper Association announced that 65.1 percent of paper consumed in the U.S. was recovered in 2012. That number is down from 2011 when 66.8 percent of paper was recycled. Below are the numbers for the last three years.

Year	Supply (000 tons)	Recovered (000 tons)	Recovery Rate
2010	81,784	51,545	63.0%
2011	78,959	52,767	66.8%
2012	78,498	51,092	65.1%

The annual paper recovery rate has nearly doubled since 1990 and remains above the trend line for the industry to achieve its goal of recovering more than 70 percent per year by 2020.

## Reporting Use Tax

According to the BOE's 2010-11 Annual Report, almost 40 percent of audit deficiencies (approximately \$160 million) discovered by the BOE are due to failure to report use tax correctly.

Use tax can be incurred in the following ways:

- Purchasing equipment, materials, or supply items from an unregistered retailer located in another state or foreign country. (The BOE receives information from many sources, including U.S. Customs, regarding items shipped into California from other states or countries).
- Withdrawal of taxable items from resale inventory for business or personal use.

To learn more about use tax, visit [www.boe.ca.gov/taxprograms/usetax/index.html](http://www.boe.ca.gov/taxprograms/usetax/index.html).

## Universal Waste

California's Universal Waste Rule allows individuals and businesses to transport, handle and recycle certain common hazardous wastes, termed universal wastes, in a manner that differs from the requirements for most hazardous wastes.

The more relaxed requirements for managing universal wastes were adopted to ensure that they are managed safely and are not disposed of in the trash.

The hazardous waste regulations identify seven categories of hazardous wastes that can be managed as universal wastes. Any unwanted item that falls within one of these waste streams can be handled, transported and recycled.

- Cell Phones—Antimony, Cadmium, Copper, Lead, Nickel, Zinc
- Computers and Computer Monitors—Arsenic, Cadmium, Lead, PCBs
- Electronic Devices—Lead
- Fluorescent Lamps—Mercury
- Mercury wastes—like thermometers and toys—Mercury
- Non-empty Aerosol Cans—Propane, Butane, Pesticides
- Televisions—Arsenic, Cadmium, Lead, PCBs

Universal Wastes may not be disposed of in the trash! Generally your city or county conducts periodic universal waste roundups.

