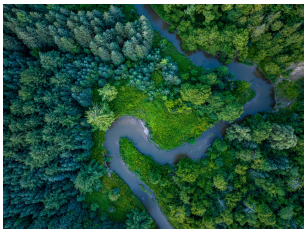

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What's Changing For Cos. In New Calif. Hazardous Waste Plan

California's Department of Toxic Substances Control has released its 2025 hazardous waste management plan for a vote by the Board of Environmental Safety on Nov. 17. If approved, the plan will be final.

It outlines four key focus areas — environmental justice, waste and disposal reduction, waste criteria, and capacity planning — within the triennial planning framework set by California's Health and Safety Code Section 25135.

Following 10 public workshops and four Board of Environmental Safety hearings, the board directed the DTSC to sharpen its goals and deepen community engagement. While the plan does not alter Title 22 regulations, it establishes priorities for permitting, rulemaking and investment over the coming cycle.

What This Plan Is — and Isn't

The plan functions as a high-level road map for managing hazardous waste statewide. It incorporates findings from the most recent hazardous waste management report, and sets three overarching goals:

- Reduce generation and divert material from land disposal and incineration;
- Ensure that identification and management standards are scientifically sound and protective of human health; and
- Use data and resources to support sustainable cradle-to-grave management.

The DTSC intends to track these goals through public performance measures.

The plan does not amend current regulations, but it lays the groundwork for upcoming rulemakings, guidance and data initiatives.

Planning Focus: Four Workstreams to Watch

FBT Gibbons

The 2025 planning cycle channels activity into four practical areas that, according to the plan, translate broad policy goals into measurable outcomes.

The first area is environmental justice. The plan calls for permit applications and corrective action decisions to include receptor-level evidence, making filings more concrete and comparable.

When applicants document routing decisions, technology selections and specific mitigation measures, the DTSC can impose enforceable conditions and verify results. This evidentiary discipline, the plan contends, enhances health protections in affected communities, and improves data for managing the program.

The second focus is waste and disposal reduction. The plan proposes modernizing source reduction programs, targeting waste streams destined for incineration and scaling up legitimate recycling to reduce the volume sent to landfills or burners.

It further emphasizes the importance of standardized reporting and verification of diversion outcomes to ensure that progress is measurable across sectors. These steps are intended to turn waste reduction claims into accountable performance metrics.

The third focus is waste criteria. The plan begins a methodical review of waste identification methods — ignitability, corrosivity, reactivity and toxicity, including the waste extraction test, total digestion and bioassays — to better align classification decisions with current science.

The DTSC explains that clearer, more transparent criteria will reduce misclassification disputes, improve treatment decisions, and limit unnecessary rehandling that increases cost and risk without environmental benefit. Cleaner data and more consistent compliance are anticipated results.

The fourth focus is capacity planning. The plan evaluates statewide needs across the waste management hierarchy, and promotes safer, more innovative treatment technologies.

The goal is to reduce haul distances, lessen dependence on out-of-state facilities, and support in-state options that aid diversion and recovery. According to the plan, well-sited infrastructure —

designed with enforceable conditions and measurable community protections — will link added capacity to public health outcomes.

Taken together, these four workstreams serve as operational levers intended to move the plan's policy goals into practice: stronger evidentiary records, less waste to manage, clearer rules for classification, and new capacity that reflects both program needs and community protection.

Key Findings That Drive Near-Term Priorities

The plan cites current generation and disposal patterns as the basis for its priorities. More than 80% of manifested hazardous waste is non-Resource Conservation and Recovery Act waste — i.e., state-only — and roughly half is managed out of state.

Land disposal remains the most common method, while in-state disposal capacity remains limited. These facts, the plan argues, underscore the urgency of reducing waste at the source, diverting more material where feasible, and ensuring capacity is sufficient and protective.

Environmental Justice: Where the Record Will Evolve First

The DTSC makes clear that environmental justice will reshape how applicants prepare filings. Applicants will need to demonstrate, with supporting evidence, how their routing, technology choices and mitigation efforts reduce localized impacts near generation sites and along haul routes.

The plan identifies CalEnviroScreen as the standard tool for screening. CalEnviroScreen assigns percentile rankings to census tracts based on environmental, health and socioeconomic indicators.

While CalEnviroScreen is not a facility-specific risk assessment, the DTSC explains that it provides a consistent framework for focusing the record and aligning permit conditions with community-level stressors.

Waste and Disposal Reduction: Practical Levers

The DTSC will establish a modernized waste reduction program that includes pilots and grants, with particular attention to incinerable waste streams. The agency also plans to revisit recycling exemptions, Tanner Act siting criteria and stewardship models.

For regulated businesses, this direction translates into a need for facility-level source reduction planning, documented recycling pathways and benchmarking of incinerable waste to identify diversion opportunities.

Permit and corrective action filings should reflect these efforts. Standardized reporting that reconciles manifest data with routing and receiving-facility information, including shipment distances, is expected.

Waste Criteria: Aligning Methods and Risk

The plan's review of waste identification criteria will influence day-to-day operations. California's standards are broader than those under the federal Resource Conservation and Recovery Act, incorporating the waste extraction test, bioassays and nonanalytical screening tools.

The DTSC plans to phase in its review, beginning with ignitability, corrosivity and reactivity, followed by toxicity assessments as resources permit. Businesses should prepare to revise decision trees, lab protocols and staff training as methods are clarified or updated.

The DTSC believes that consistent, transparent criteria will reduce disputes and create a common technical basis for classification, transportation and treatment.

Capacity Planning: Implications for Siting and Logistics

The DTSC will assess capacity at each level of the waste management hierarchy and forecast future needs. The current absence of in-state incineration and national constraints on

available capacity figure prominently.

Businesses evaluating in-state processing, treatment or recycling should align site selection and routing strategies with these trends. Applications should demonstrate protective design, enforceable operations and monitoring tied to community-specific stressors.

The DTSC signals that it will prioritize projects built on tract-level evidence and measurable public health benefits.

What Regulated Businesses Should Do Now

Compliance strategies should track the four focus areas identified in the plan. Businesses should begin by developing an environmental justice record — mapping facilities and primary haul routes to local receptors, and explaining how routing, technology and outreach reduce localized risks.

Waste reduction efforts should be launched and documented, including pilot programs, diversion outcomes and participation in stewardship initiatives — all of which may be cited in future filings. Waste identification protocols should be audited against the plan's road map, with budgets allocated for method updates and training.

Companies with the potential to add in-state recovery or treatment capacity should monitor and participate in planning forums and, where feasible, prepare application records that address the management hierarchy, regional constraints and local protections.

Contracts with brokers and carriers should be updated to require routing and performance documentation consistent with the DTSC's emphasis on verifiable data.

Implementation and Timing Considerations

Although the plan awaits final approval on Nov. 17, the DTSC notes that several near-term rulemakings are already planned. These include updates on generator-led cleanups, e-Manifest alignment and stream-specific rules such as those for pharmaceuticals.

Proposals involving alternative management of state-only wastes will undergo close scrutiny, particularly where receptor protections

and transport distances are in question. The DTSC has emphasized that in overburdened communities, these factors will carry significant weight.

Resource constraints remain a challenge. The Board of Environmental Safety has made clear its expectations for timely processing, transparency around backlogs, and the development of public dashboards. Applicants should plan internal timelines accordingly.

Bottom Line

The plan sets three statewide goals and identifies four operational tracks for implementation: environmental justice, waste and disposal reduction, waste criteria, and capacity planning.

Regulated businesses that begin aligning internal systems to these areas now will be better positioned to submit defensible applications, build public trust and move through permitting more efficiently — whether or not the plan is formally adopted on Nov. 17.

FBT Gibbons