



# Hazardous Wastes Information

## Transporters

### Rules for Transporters of Hazardous Wastes

The Resource Conservation and Recovery Act of 1976 (RCRA) requires the U.S. Environmental Protection Agency (EPA) to institute a national program to control hazardous waste. Specific regulations for carrying out RCRA are set forth in the Code of Federal Regulations (40 CFR Parts 260 to 265 and 122 to 124). The program becomes effective 6 months following promulgation of the regulation identifying and listing hazardous wastes (Part 261). This regulation includes a list of waste sources, waste streams, and some specific wastes that are hazardous, as well as four characteristics of a hazardous waste: ignitability, corrosivity, reactivity, and toxicity as determined by a specified extraction procedure (referred to in the regulation as "extraction procedure toxicity").

The keystone of the program is control of hazardous waste from point of generation through treatment, storage, and ultimate disposal, via transportation manifests and reporting. The control system starts when those engaged in generating, transporting, treating, storing, or disposing of hazardous waste notify EPA as required by section 3010 of RCRA. After receiving notification, EPA assigns an identification number to the notifier. Anyone engaged in transporting, treating, storing, or disposing of hazardous waste who does not notify EPA during the 90-day period following promulgation of the regulation identifying hazardous wastes may not begin or continue operation after the effective date of the regulations without obtaining an EPA identification number.

The regulation for transporters of hazardous waste (40 CFR Part 263) issued under the authority of section 3003 of RCRA was developed jointly by EPA and the U.S. Department of Transportation (DOT). The EPA regulation on transporters incorporates by reference pertinent parts of DOT's rules on labeling, marking, packaging, placarding, and other requirements for reporting hazardous discharges or spills during transportation. DOT, in turn, is amending its regulations on transportation of hazardous materials to include EPA's requirements. EPA believes that these joint efforts will make it easier for transporters to comply with all requirements and will eliminate overlapping administrative and enforcement activities. This coordination will also minimize additional costs for recordkeeping by transporters.

The regulation (Part 263) requires a transporter of hazardous waste to:

- obtain an EPA identification number
- comply with the manifest system for tracking hazardous waste
- deliver the entire quantity of hazardous waste to the facility designated by the generator on the manifest.
- retain a copy of the manifest for 3 years
- comply with DOT regulations pertaining to reporting of discharges or spills
- clean up any hazardous waste discharged during transportation

Notification Requirement	Anyone who generates, transports, treats, stores, or disposes of hazardous waste is required to notify EPA within 90 days of promulgation of the identification regulation. Notification should be filed with the Regional Administrator of the EPA region in which the installation is located.
EPA Identification System	A transporter who notifies EPA during the 90-day period following promulgation of the identification regulation receives an identification number. New transporters (those not handling hazardous waste during this 90-day period) may submit requests for an identification number to their EPA regional office. A generator of hazardous waste is prohibited from using the services of a transporter who does not have an EPA identification number.
Operation of the Manifest System	<p>The generator signs the certification on the original manifest and all copies, one for each person handling the waste. The transporter then signs and dates the manifest and returns one copy to the generator, who retains it until a copy is received from the designated permitted facility following delivery of the waste.</p> <p>The transporter carries the manifest to the designated facility. When the shipment arrives, an agent for the facility signs and dates each copy and retains one. One copy is given to the transporter, who retains it for 3 years, and another copy is returned to the generator by the facility agent.</p> <p>If more than one transporter is involved, the initial transporter must obtain the subsequent transporter's dated signature on the manifest. The remaining copies accompany the waste until it reaches the designated facility.</p>
Rail Shipment and Bulk Shipment by Water	<p>For rail shipment or bulk shipment by water, the manifest need not accompany the waste. However, a shipping paper, which contains all the information on the manifest except EPA identification numbers, generator certification, and signatures, must accompany the waste. If transportation other than rail or water is used at any stage of the shipping process, then the manifest must accompany the waste at all times.</p> <p>The waste may be transferred between two rail or bulk shipment water carriers without obtaining the subsequent carrier's signature. But the final rail or water transporter must obtain the dated signature of the agent for the designated facility on the shipping paper or the manifest.</p> <p>All rail or water transporters are required to keep a copy of the shipping paper or the manifest for 3 years from the date of acceptance.</p>
Hazardous Waste Discharge	<p>A discharge is defined as the accidental or intentional spilling, leaking, pumping, emitting, emptying, or dumping of hazardous waste onto or into the land or water.</p> <p>All transporters are responsible for cleaning up any discharge of hazardous waste that occurs during transportation.</p> <p>When authorities on the scene declare an emergency, they can temporarily suspend the requirement that waste can be handled only by those holding EPA identification numbers and complying with the manifest system. This suspension ceases when the emergency no longer exists.</p> <p>In certain cases, DOT requires that the transporter telephone the National Response Center (800-424-8802) to supply information on a discharge. In the District of Columbia, the number is 202-426-2675.</p> <p>A written report of each discharge must be submitted to DOT, which will forward a copy to EPA.</p>