

Modification of the Hazardous Waste Manifest System

Final Rule
69 FR 21800-21804
March 4, 2005

What is this Federal Register About?

This is a final rule.

In collaboration with the U.S. Department of Transportation (DOT), U.S. EPA has adopted new rules pertaining to the uniform hazardous waste manifest rules and standardizing the manifest form. The proposed rule included provisions for electronic manifesting. The final rule does not contain procedures for using electronic manifests because of the level of significant substantive issues raised during the public comment period. U.S. EPA will perform further analysis and outreach regarding the use of an electronic manifest.

The use of the new manifest will be mandatory in all states. There will no longer be separate state versions of the manifest form. Furthermore, the information and data fields on the manifest have been standardized; there are no optional data fields which may or may not be required on a state-by-state basis. Under DOT rules, on September 5, 2006 all large and small hazardous waste generators, hazardous waste transporters and permitted hazardous waste storage, treatment and disposal facilities will have to use the new manifest form.

U.S. EPA and DOT delayed the compliance date of the new manifest to allow time for the regulated community to use up their supplies of old manifests, for states to adjust their programs, and for printers of the new manifest to become registered with U.S. EPA. A person may not print or have printed, the manifest form, unless he has received approval from U.S. EPA. U.S. EPA will maintain a listing of all persons approved to print or distribute the new manifest

How is the new manifest form different?

1. The following data fields have been removed:

- State specific generator's ID number
- 1st Transporter's phone number
- 1st Transporter's state specific ID number
- 2nd Transporter's phone number
- 2nd Transporter's state specific ID number
- State specific facility's ID number

2. The following data fields have been added:

Waste Codes

Generators must provide the RCRA waste codes for each waste stream. The manifest form has space for six codes per waste stream. The continuation sheet is to be used if more than six waste codes apply to the waste.

Special Handling Instructions and Additional Information

This item is to be used to capture information necessary for the proper management or tracking of the wastes (e.g., waste profile numbers, container codes, response guide numbers, chemical names, specific gravity, tracking of rejected loads). This item is not to be used as a “catch-all” information collection item for States and is not to be used to collect information to meet state regulatory requirements.

Generator’s Site Address

The generator (or offerer) must provide the address of the site where the waste was actually generated in this field when it is different from the mailing address.

Emergency Response Phone Number

The phone number provided must belong to the generator or other agency or organization that accepts responsibility for providing detailed information about each waste in the shipment. If different emergency contacts are necessary for different wastes in the shipment, then the emergency response phone number for each waste is to provided immediately following the shipping description.

Additionally, each number must correspond to a phone that is monitored 24 hours per day while the waste is in transportation. The person assigned to this phone must have either personal knowledge or immediate access to a person with knowledge of the material being shipped, as well as, comprehensive emergency response and spill cleanup information.

International Shipments

Information pertaining to the import and export of hazardous wastes is to be recorded in this data field. The primary exporter must check the export box and provide the name of the city and state from which the wastes exited the United States.

The importer of hazardous waste initiates the manifest. He must also check the import box and provide the name of the city and state where the waste entered the United States. In addition, the receiving facility of the imported waste, not the importer (unless they are the same person), must send U.S. EPA a copy of the manifest that accompanied the waste.

Hazardous Waste Report Management Method Codes

The TSDF is required to provide the method code on the manifest before signing and sending the manifest back to the generator. The management method code describes how the hazardous waste was handled at the receiving permitted hazardous waste facility.

The set of management codes to be used for the purposes of completing the manifest are the same process codes used to complete Ohio EPA’s hazardous waste annual report. These codes are listed in the preamble to the final rule or may be found in the instructions to U.S. EPA’s hazardous waste biennial report or Ohio’s annual hazardous waste report.

What does this mean to the regulated community?

The revisions to the manifest are aimed to reduce regulatory burden and costs to waste handlers by standardizing all the manifest data elements on a national basis. State specific manifest requirements will no longer be allowed.

When is this rule effective in Ohio?

Except for the use of the new manifest form, the other components of the rule, such as the management of rejected loads, is not effective in Ohio until Ohio EPA adopts the rule. We anticipate adopting the rule in late September 2006.

However, under DOT regulations all generators must begin using the new manifest form on September 5, 2006. Furthermore, the new manifests will be available from printers registered with U.S. EPA to print the new manifests. U.S. EPA will list the registered printers on the following webpage

<http://www.epa.gov/epaoswer/hazwaste/gener/manifest/registry/index.htm>

Federal Register Link:

<http://www.epa.gov/fedrgstr/EPA-WASTE/2005/March/Day-04/f1966.htm>

Federal Guidance Document:

<http://www.epa.gov/epaoswer/hazwaste/gener/manifest/mods.htm>