



Department of
Toxic Substances
Control

*Preventing
environmental
damage from
hazardous waste,
and restoring
contaminated
sites for all
Californians.*



State of California



California
Environmental
Protection Agency

Fact Sheet, August 2007

Consolidated Transporters

Introduction

The Department of Toxic Substances Control (DTSC) has developed this fact sheet to provide hazardous waste transporters with information regarding consolidated manifesting. The provisions of SB 271 took effect as of January 1, 2002, and are covered in California Health and Safety Code (Health and Saf. C.) section 25160.2.

Consolidated manifesting, formerly known as modified manifesting or milkrunning, allows certain registered hazardous waste transporters to combine specified wastes from multiple eligible generators on a single manifest, rather than using a separate manifest from each generator. To use the procedures, the transporter must notify DTSC and limit consolidation to the hazardous wastes specified in Health and Safety Code, section 25160.2(c). The generators using the consolidated manifesting procedure are exempt from filling out a hazardous waste manifest. The consolidated transporter completes both the generator and the transporter section of the manifest. Consolidated manifesting does not authorize a hazardous waste transporter to commingle different types of hazardous wastes into the same tank or container.

Consolidated manifesting requires all generators participating in this procedure to obtain identification numbers regardless of their size, except for generators of less than 100 kilograms (kgs) per month of “silver-only” hazardous wastes. Transporters using consolidated manifesting are required to report detailed information from each receipt on a quarterly basis to DTSC.

Disclaimer

This fact sheet provides general information about the statutes and regulations governing consolidated manifesting. The actual statutes and regulations should be consulted before making any decisions that may impact statutory and regulatory compliance.

Definitions

“Consolidated manifest” means a hazardous waste manifest used by a milkrun or consolidated transporter to combine hazardous wastes shipments from multiple generators on one consolidated manifest pursuant to the procedures in Health and Safety Code, Section 25160.2 (Health and Saf. C. § 25110.9.3)

“Consolidated transporter” means a hazardous waste transporter, registered pursuant to Health and Safety Code, Section 25165 and the regulations adopted by the department, who has notified the department pursuant to Health and Safety Code, Section 25165, of its intent to use the consolidated manifesting procedures set forth in Health and Safety Code, Section 25160.2. (Health and Saf. C. § 25110.10.1)

“Generator” means any person, by site, whose act or process produces hazardous wastes or whose act first causes a hazardous waste to become subject to regulation. California Code of Regulations, title 22 (Cal. Code Regs., tit. 22) Section 66260.10

“Identification number” means the number applied for and assigned to all handlers of hazardous wastes. (Cal. Code Regs., tit. 22 Section 66260.10)



“Resource Conservation and Recovery Act (RCRA)” is the federal statute that regulates generators, transporters, and facilities that treat, store or dispose of hazardous waste. All RCRA hazardous wastes are identified in Part 261 of Title 40 of the Code of Federal Regulations (40 CFR) and its appendices, and California Code of Regulations, title 22, Section 66261.1. et. seq.

“Non-RCRA hazardous wastes” are hazardous wastes regulated in the State of California. A hazardous waste is presumed to be RCRA (federally regulated) hazardous waste, unless it is determined pursuant to California Code of Regulations, title 22, Section 66261.101 that it is a non-RCRA hazardous waste. (Cal. Code Regs., tit. 22 § 66260.10)

“Silver-only” hazardous wastes are wastes that are hazardous solely due to the presence of silver. (Health and Saf. C. § 25143.13)

Requirements

Requirements described in this fact sheet only apply to consolidated transporters. For complete hazardous waste transporter requirements, please refer to the fact sheet entitled [Hazardous Waste Transporter Requirements](#).

• Consolidated Transporter Eligibility

A transporter who has notified DTSC using the Consolidated Transporter Notification Form (DTSC Form 1299) of his or her intent to operate under the consolidated manifesting procedure must keep a copy of the DTSC-signed acknowledgement form as a supplement to the registration certificate and carry a copy of it in each vehicle.

• Eligible Waste streams

The consolidated manifesting procedure may be used only for the following waste streams listed in Health and Safety Code, Section 25160.2(c):

Note: Letters in parentheses reflect the codes for each waste stream identified in the Consolidated Transporter Notification Form (DTSC Form 1299).

- Used oil (A);
- Contents of an oil/water separator (B);
- Solids contaminated with used oil (C);
- Brake fluid (D);

- Antifreeze (E);
- Antifreeze sludge (F);
- Parts cleaning solvents, including aqueous cleaning solvents (G);
- Hydroxide sludge contaminated solely with metals from a wastewater treatment process (H);
- Paint-related wastes, including paints, thinners, filters and sludge (I);
- Spent photographic solutions (J);
- Dry cleaning solvents including perchloroethylene, naphtha, and silicone-based solvents (K);
- Filters, lint and sludge contaminated with dry cleaning solvent (L);
- Asbestos and asbestos-containing materials (M);
- Inks from the printing industry (N);
- Chemicals and laboratory packs collected from K-12 schools (O);
- Absorbents contaminated with wastes on this list (P); and
- Filters from dispensing pumps for diesel and gasoline fuels (Q).

• Consolidated Manifesting Procedures

Customer Eligibility. Consolidated transporters must not accept any of the wastes specified in Health and Safety Code, Section 25160.2(c) unless the generator has met all of the eligibility requirements to use consolidated manifesting. For complete eligibility rules, please refer to the fact sheet entitled [Consolidated Manifesting, Hazardous Waste Generator Requirements](#).

Manifest. Both the generator and the transporter section of the manifest must be completed by the consolidated transporter using the transporter’s name, identification number, and telephone number. The driver must sign and date the generator and transporter sections of the manifest. Both sections must be completed before commencing each day’s collections. [Health and Saf. C. § 25160.2(b) (2)]

When the Manifest is Completed. The total volume or quantity of each waste stream and units of measure must be entered on the manifest (without the use of decimals or fractions) at the change of each date, change of driver, or change of transport vehicle. [Health and Saf. C. § 25160.2(b)(5)]

Submitting Copies. The transporter must submit the manifest to the designated facility. The transporter must not leave the facility without receiving two copies signed by an authorized facility representative. [Health and Saf. C. § 25160.2(b) (8)]

Rejected Loads. When a consolidated shipment is rejected by an offsite hazardous waste facility, the consolidated transporter may hold that shipment for no more than 10 days from the date the shipment is rejected. [Health and Saf. C. § 25160.6(e)]

Receipts. Legible receipts for each quantity of hazardous wastes received from the generator must be attached to the front of the manifest. A copy of the receipt must be left with the generator of the hazardous wastes. Please refer to Health and Safety Code, section 25160.2 for information required on the receipt. [Health and Saf. C. § 25160.2(b) (3) & (4)]

Treatment Agreement. For certain waste streams, the transporter must agree in writing to confirm to the generator that the hazardous wastes were transported to an authorized facility for appropriate treatment. (That agreement may be included on the receipt or a separate document.) [Health and Saf. C. § 25160.2(c)(2)(C)(i)]

(The treatment requirement does not apply to asbestos, asbestos-containing materials, chemicals and laboratory packs collected from K-12 schools, or any other waste streams for which DTSC determines there is no reasonably available treatment methodology or facility.) [Health and Saf. C. § 25160.2(c)(2)(C)(ii)]

Reclamation Agreement. In order to transport RCRA hazardous wastes from a generator who generates more than 100 kgs but less than 1,000 kgs per calendar month of RCRA hazardous wastes without a separate manifest, there must be a reclamation agreement between the generator and the reclaimer of the waste, who must also be the transporter. The following conditions must be met:

1. The type of waste and frequency of shipments are specified in the agreement;
2. The vehicle used to transport the waste to the au-

thorized facility and to deliver regenerated material back to the generator is owned and operated by the reclaimer of the waste; and

3. The generator maintains a copy of the reclamation agreement in his or her files for a period of at least three years after termination or expiration of the agreement.

A reclaimer nullifies his or her reclamation agreement with a generator if the hazardous wastes are transferred to another vehicle not owned and operated by the reclaimer. The generator is not allowed to use consolidated manifesting if any of the conditions governing reclamation agreements are not met. [40 Code of Federal Regulations Section 262.20(e)]

• **Transporter Quarterly Reports – TQRs**

Deadline. Consolidated transporters are required to submit quarterly reports (TQRs). [Health and Saf. C. § 25160.2(d)]

Further guidance on submittal of TQRs can be found in the document titled “Consolidated Manifesting Procedure, Transporter Quarterly Report” found on the DTSC web site at:

http://www.dtsc.ca.gov/HazardousWaste/Transporters/upload/HWM_FAQ_TQR.pdf

Format. Transporters who use the consolidated manifesting procedure are required to report all TQRs in electronic form. Those transporters who manifest less than 1,000 tons (2 million pounds) per calendar year may apply to DTSC to submit reports in a paper format. [Health and Saf. C. § 25160.2(d)(1)]

• **Recordkeeping**

Out-of State Facilities. The consolidated transporter, acting as the generator, must submit a copy to DTSC of the manifest signed by the authorized facility. [Health and Saf. C. § 25160.2(b)(9)]

Blue Copies. As of September 5, 2006, because

there is a new, universally used federal manifest, there are no blue copies of the manifest. The consolidated transporter should submit the Generator's Initial or equivalent copy of the manifest to DTSC within 30 days of each shipment. [Health and Saf. C. § 25160.2(b)(6)]

Exemption. The Generator's Initial or equivalent copy of the manifest is not required to be submitted to DTSC if the generator, transporter, and authorized facility are all identified as the same company on the manifest and:

1. All three identification numbers (generator, transporter and authorized facility) used on the hazardous waste manifest are the same. [Health and Saf. C. § 25160(b)(5)(A)];
- Or
2. When a company uses multiple identification numbers, all of the company's identification numbers that will be used with the consolidated manifesting procedure are included on the Consolidated Transporter Notification Form. [Health and Saf. C. § 25160(b)(5)(A)]

Three-Year Retention. The consolidated transporter must retain a copy of all manifests and all receipts for each manifest for three years at a location within the State. The retention period is extended automatically during the course of any unresolved enforcement action or if requested by DTSC or a Certified Unified Program Agency. [Health and Saf. C. § 25160.2(b)(7)]

- **Fees**

Identification Number. DTSC assesses an annual verification fee on hazardous waste handlers, including transporters that require an identification number issued by DTSC or by the United States Environmental Protection Agency (U.S. EPA). As of 2006, if they have 50 or more employees, the fee starts at \$150. [Health and Saf. C. § 25205.16(a)]

Manifest Fees. DTSC assesses a fee of \$7.50 for each manifest used, except for manifests used

solely for recycled wastes [Health and Saf. C. § 25205.15(c) and 25205.15(c)(3)(A)]. DTSC may assess a reprocessing fee of \$20 for each improperly completed manifest that is returned to the person who completed the manifest, for correction. [Health and Saf. C. § 25160.5]

Questions

For consolidated manifesting or general transporter-related questions, please call the DTSC Transportation Unit at (916) 255-4368.

For questions regarding submittal of the TQRs, please send an email to: TQR@dtsc.ca.gov. If you have no access to email, then call (916) 323-2274.

All other questions should be directed to the regional Regulatory Assistance Officer near you by calling (800) 72-TOXIC, or by calling the numbers shown below:

Sacramento Office	Cypress Office
(916) 255-3617	(714) 484-5400

Berkeley Office	Glendale Office
(510) 540-3739	(818) 551-2830

In addition, information is posted on DTSC's website located at www.dtsc.ca.gov

To obtain a copy of Senate Bill 271 via the web, go to www.leginfo.ca.gov/bilinfo.html or call the Senate Bill Room at (916) 445-2323.