

Summary of Federal and State Manifesting Requirements With Changes from Current Requirements

<p>General</p>	<ul style="list-style-type: none"> • Uniform Hazardous Waste Manifest required for most shipments of federally regulated RCRA waste. Change: Only one version can be used anywhere in the nation. States banned from creating own versions. Some new fields are added including: generator site address, import/export, discrepancy categories, rejected loads, and alternate facility. The new form is printed on white paper. Previous colors used on the California form are banned. • States were allowed to print their own instructions on manifests including state waste codes, mailing addresses for manifests, and other state information. Change: States cannot include instructions on the national manifest and must develop other ways to provide that information. • Shipments rejected by a receiving facility or containers with residues must be properly managed. Change: New manifest has space for load rejection information (cause, destination, receipt date, alternate facility, and reference to other manifest if used.) Time periods are set for retention time by TSDf (60 days) and generators (same as accumulation time.) • States may require submission of manifests. Change: States where the generator is located may also require submission of manifests by Treatment Storage or Disposal Facilities (TSDFs) in a different receiving state. • Some states collected handling codes on manifests. Change: U.S. EPA requires use of the Biennial Report Hazardous Waste Management Report Method Codes by all TSDFs on all manifests. • Manifests are printed by States and some private printers. Change: The new manifest must be used on and after September 5, 2006. It may only be printed by registered sources approved by U.S. EPA. <p><i>For U.S. EPA Information: www.epa.gov/epaoswer/hazwaste/gener/manifest/registry/index.htm and www.epa.gov/epaoswer/hazwaste/gener/manifest/index.htm</i></p>
<p>Generators</p>	<ul style="list-style-type: none"> • Generators are responsible for accurately completing the manifest and signing the waste minimization certification. Change: The certification is moved to the regulations. "Offerors" who prepare waste for shipment per U.S. DOT may sign manifests for the generator (such as transporters, contractors, or TSDFs rejecting waste.) • Waste could be rejected back to the Generator. Change: Generators receiving rejected waste or containers with residue are required to sign the manifest and note discrepancies. There is a time limit for holding the waste before shipping it off. U.S. EPA allows whatever accumulation time applies to the generator (90/180/270 days). • The California manifest form had a page for generators to submit to the State. Change: U.S. EPA dropped that page so generators in states that require submission of a manifest, must submit a legible photocopy.
<p>Transporters</p>	<ul style="list-style-type: none"> • Import/Export information was required on the manifest. Change: A section is added for this information and for the transporter to sign off on exports.
<p>TSDFs</p>	<ul style="list-style-type: none"> • TSDFs identified discrepancies on manifests. Change: The manifest form provides five types of check boxes for discrepancies in addition to a narrative field. • Rejected loads could be sent to the generator or an alternate facility. Change: Procedures require use of a new manifest in many cases, limit holding time of rejected waste, and require TSDFs to link old and new manifests by manifest numbers. • Some containers and bulk containers held a residue after removing waste. Change: TSDFs are obligated to determine if a container holds a residue that exceeds the definition of an empty container. TSDFs must manifest non-empty containers to the generator or an alternate facility and link the manifests by manifest numbers. • TSDFs submit manifests to their state, if so required. Change: Federal regulations now require TSDFs to submit manifests to their state and the generator's state as well, if so required by that state.

How Is California More Stringent Than U.S. EPA Regarding Manifesting?

General	<ul style="list-style-type: none"> • CA regulates more waste as hazardous and requires manifests for most RCRA and Non-RCRA HW, except for most UW and E Waste, and small silver shipments. • CA collects manifests for all CA generators, plus imports and exports passing through CA . • CA collects all manifests for shipments to CA TSDFs. • CA collects manifests for all waste generated in CA that is shipped to facilities in other states and exports.
Generators	<ul style="list-style-type: none"> • CA requires all generators to obtain ID numbers and does not exempt Conditionally Exempt Small Quantity Generators (CESQGs). • CA requires manifests for all RCRA and CA waste shipped in CA, includes shipments for reclamation or recycling that are exempt under U.S. EPA. • CA requires submission by the generator of a manifest copy as signed by the generator and first transporter. The new forms will not have a printed page for this purpose, so CA will require generators to submit a copy, which could be either a photocopy or manifest page 6 if signed TSDf copy, page 3 is returned within 30 days. <i>(Revised)</i> • Certain generators are allowed to ship RCRA exempt shipments on a consolidated manifest collected and managed by a consolidated transporter. • Retention time for rejected waste or container residues is limited to 90 days. U.S. EPA allows whatever accumulation time applies to the generator (90/180/270 days). • Instructions are provided for generators to describe on manifests Non-RCRA wastes that do not have a U.S. DOT shipping name.
Transporters	<ul style="list-style-type: none"> • All transporters operating in CA must register annually and provide proof of insurance. Transporters handling Hazardous Waste of Concern (HWC) are subject to fingerprinting and background checks. • Transporters consolidating waste for eligible generators are responsible for that waste if it is rejected by a TSDf. These transporters are limited to a 10 day holding period on their property after rejection. • Transporters currently determine if the vehicle/container is empty and submit manifest copies when taking non-RCRA waste to facilities out of state. <i>(Rev)</i>
TSDFs	<ul style="list-style-type: none"> • More facilities are permitted in CA including transfer facilities that transfer bulk waste or open or consolidate containerized waste. • Holding time for rejected waste and container residue is limited by permit conditions and holding time is limited to 10 days in receiving areas that are not authorized by the permit to store waste and limited to being held in a truck or vehicle. Residue determination is based on CA empty, not fed empty. • Additional discrepancy reporting by TSDFs is required if the waste is a HWC (call in report within 24 hours and written report in 5 days)

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