



Department of
Toxic Substances
Control

The Mission of
the Department of
Toxic Substances
Control is to
protect public
health, safety, and
the environment
from toxic harm.



State of California



California
Environmental
Protection Agency

Fact Sheet, August 2007

Hazardous Waste Transporter Requirements

In California, unless specifically exempted, it is unlawful for any person to transport hazardous wastes, unless the person holds a valid registration issued by the Department of Toxic Substances Control (DTSC). It is unlawful for any person to transfer custody of a hazardous waste to a transporter who does not hold a valid registration issued by DTSC. A hazardous waste registration issued by DTSC to a transporter is not transferable to any other person and is valid for one year only.

Any person who transports hazardous waste in a vehicle must have a valid registration issued by DTSC in his or her possession while transporting the hazardous waste. The registration certificate must be shown upon demand to any representative of DTSC, any representative of a Certified Unified Program Agency (CUPA), officer of the Department of the California Highway Patrol (CHP), any local health officer, or any public officer designated by DTSC. A current list of registered hazardous waste transporters is available on the Internet at <http://www.dtsc.ca.gov/database/Transporters/Trans000.cfm>.

Statutory requirements governing hazardous waste transportation in California are contained in Division 20, Chapter 6.5, Article 6.5, Article 6.6, and Article 13 of the California Health and Safety Code (Health & Saf.Code). Regulations adopted pursuant to these statutes are found in, Division 4.5, Chapter 13, and Chapter 29 of the California Code of Regulations, title 22. (Cal. Code Regs., tit. 22). The Health & Saf. Code, Cal. Code of Regs, tit. 22, and other information pertaining to the management and transportation of hazardous waste are available on the Internet at <http://www.dtsc.ca.gov>.

This fact sheet provides general information about the laws and regulations governing the transportation of hazardous waste. Persons who transport hazardous waste should refer to the actual laws and regulations prior to making any decision that may impact regulatory compliance.

TRANSPORTER REQUIREMENTS

Hazardous waste transporters must comply with the California Vehicle Code, CHP Regulations (Cal. Code Regs., tit. 13); the California State Fire Marshal Regulations (Cal. Code Regs., tit. 19); United States Department of Transportation (DOT)

Regulations, Title 49, Code of Federal Regulations (49 Code of Federal Regulations); and U.S. Environmental Protection Agency (U.S. EPA) Regulations, Title 40 Code of Federal Regulations. In addition, hazardous waste transporters must comply with the Health & Saf. Code and Cal. Code Regs., tit. 22 which are administered by DTSC. These requirements are summarized below:

EPA Identification (ID) Numbers

All hazardous waste transporters and permitted treatment, storage and disposal facilities must have ID numbers, which are used to identify the hazardous waste handler and to track the waste from its point of origin to its final disposal (“From Cradle to Grave”). This number, issued by either U.S. Environmental Protection Agency (U.S. EPA ID Number) or by DTSC (California ID Number) depends on the type of waste “Resource Conservations and Recovery Act (RCRA)” or “non-RCRA” (California only) wastes. To apply for a permanent California ID Number, submit DTSC Form 1358 to DTSC and to apply for a federal (RCRA) ID Number, submit EPA Form 8700-12 to the U.S. EPA.

Registration and Insurance

1. Unless specifically exempted, a person transporting hazardous waste must hold a valid registration issued by DTSC in his or her possession while transporting hazardous waste. [Health & Saf. Code, §25163].
2. A transporter shall not transport hazardous waste without first receiving an Identification Number and a registration certificate from DTSC. [Cal. Code Regs., tit. 22, §66263.17]
3. It is unlawful for any person to transfer custody of any hazardous waste to a transporter who does not hold a valid registration. [Health & Saf. Code §25163]
4. Registration as a hazardous waste transporter expires annually, on the last day of the month in which the registration was issued. [Cal. Code Regs., tit. 22, §66263.12]
5. To be registered as a hazardous waste transporter, an applicant must submit the following documents:
 - a) A completed and signed Hazardous Waste Transporter Registration Application, (DTSC Form 187); and
 - b) Proof of ability to provide adequate response in damages resulting from the operation of the person’s business. Adequate response means protection against liability for the payment of damages equivalent to protection required by of the California Vehicle Code, section 34630, et seq. Valid proof consists of a Certificate of Insurance (DTSC 8038 or MCS-90), a bond of a California licensed surety company (MCS-82), or evidence of qualification as a self insurer (public agencies). [Cal. Code Regs., tit. 22, §66263.11(a)]
6. A hazardous waste transporter must submit an application to renew to DTSC at least 45 days prior to the expiration date of the current registration. [Cal. Code Regs., tit. 22, §66263.11(b)]
7. Upon loss of liability insurance, a registered hazardous waste transporter must immediately cease transporting hazardous waste and immediately notify DTSC in writing of such loss. [Cal. Code Regs., tit. 22, §66263.15(b)]
8. A registered hazardous waste transporter shall notify DTSC within 30 days if the transporter changes majority ownership, name, or location. [Cal. Code Regs., tit. 22, §66263.15]

Manifesting Procedures

1. Unless specifically exempted, hazardous waste shall not be accepted for transport without a Uniform Hazardous Waste Manifest (EPA Form 8700-22) that has been properly completed and signed by the generator and transporter. [Cal. Code Regs., tit. 22, §66263.20(a)]
2. A person transporting hazardous waste in a vehicle shall have a manifest in his or her possession while transporting the hazardous waste. [Health & Saf. Code, §25160(d)]

3. A person transporting hazardous waste that requires a manifest shall comply with all manifest procedures as prescribed by California Code of Regulations, title 22, section 66263.20.
4. Hazardous wastes must be delivered to authorized facilities only. In the event that the waste cannot be delivered to the facility designated on the manifest, the transporter shall contact the generator for instructions and revise the manifest according to the generator's instructions. [Cal. Code Regs., tit. 22, §66263.21(b)]

If the load is fully rejected and the transporter has not left the "designated facility" (TSDF), then continue to use the original manifest and complete the alternate facility information in item 18b. Leave a copy of the original signed manifest with the rejecting TSDF and take the remaining copies with the rejected load. If there is a partial rejection or container residue, retain a copy of the original manifest with the discrepancy indicated and the number of the new manifest that will accompany the shipment in item 18a, leaving the remaining copies with the TSDF. If the original manifest is not used, the transporter must obtain a new manifest from the TSDF.

5. A transporter of hazardous waste shall sign and keep a copy of the manifest signed by the generator and the next designated transporter or facility for a period of at least three years from the date the waste was accepted by the initial transporter. [Cal. Code Regs., tit. 22, §66263.22(a)]

Manifests must be obtained from registered and approved printers by the U.S. EPA. DTSC is not a registered printer. Registered printers are posted at:

www.epa.gov/epaoswer/hazwaste/gener/manifest/registry/index.htm

Operations

1. Hazardous waste shall be delivered to authorized facilities only. [Cal. Code Regs., tit. 22 §66263.23(b)]
2. If a discharge or spill of hazardous waste occurs during transportation, the transporter shall take appropriate immediate action to protect human health and the environment (e.g., notify local authorities, dike the discharge area), and shall be responsible for the discharge/cleanup. [Cal. Code Regs., tit. 22, §66263.30 and §66263.31]
3. A transporter is exempt from the requirements regarding a permit for waste storage when, during the normal course of transportation, hazardous waste is held at one location for six days or less, or 10 days or less for transfer facilities in areas zoned industrial or agricultural by the local planning authority. [Cal. Code Regs., tit. 22, §66263.18; See also, Health & Saf. Code, §25123.3(b)(3)(a) for further limitations]
4. The transporter shall only transfer properly containerized hazardous waste meeting the packaging requirements of Cal. Code Regs., tit. 22 §66262.30, from one vehicle to another; and no additional handling of packages or containers used for transporting hazardous waste shall take place. [Cal. Code Regs., tit. 22, §66263.18]

Vehicles Used to Transport Hazardous Waste

1. Vehicles used to transport hazardous waste shall have the name or trademark of the firm with lettering in a color contrasting with the background legible from a distance of 50 feet during daylight, on each side of the vehicle or container. [Cal. Code Regs., tit. 22, §66263.23(d)]
2. Vehicles, containers, and any attached equipment used for transporting hazardous waste must be in sound condition and

containers must be designed or maintained to contain hazardous waste. [Cal. Code Regs., tit. 22, §66263.13(e)]

3. Hazardous wastes that are subject to volatilization or wind dispersal shall be transported in covered containers. [Cal. Code Regs., tit. 22, §66263.23(c)]

DTSC conducts targeted and random inspections of transporters for purposes of monitoring compliance with all applicable requirements.

CONSOLIDATED MANIFESTING

Senate Bill 271 (Chapter 319, Statutes of 2001), effective January 1, 2002, allows transporters and generators of hazardous waste to use a consolidated manifest. The specific requirements for the consolidated manifesting procedure can be found in Health & Saf. Code Section 25160.2.

For more detailed information regarding changes related to SB 271, please refer to the following fact sheets: Consolidated Manifesting Hazardous Waste Generator Requirements, and Consolidated Transporters available on the DTSC website, from the Regulatory Assistance Officers or the Transportation Unit.

TRANSPORTATION VARIANCES

DTSC may grant a transportation variance to a person if applicable requirements are met. A variance exempts the applicant from specific requirements as indicated in the variance.

The regulations in California Code of Regulations, title 22, Division 4.5, Chapter 13, Article 4, establish four categories of variances for generators and transporters for specific types of transportation activities. The four variance categories are defined as Emergency Response Incident Operations, PCB Waste Operations, Consolidation Operations, and Small Load Operations.

DTSC may also grant a Statutory Variance for additional hazardous waste transportation activities if the requirements of Health & Saf. Code section 25143 are met.

For more specific information regarding hazardous waste transportation variances please refer to DTSC's Hazardous Waste Transportation Variances fact sheet available on the DTSC website, from the Regulatory Assistance Officers or the Transportation Unit.

WHO TO CONTACT

Additional resources are available to assist with questions about the most common hazardous waste transportation requirements.

- **Commercial Driver's License**
All drivers employed by a Hazardous Waste Transporter must possess a valid Driver's License with a hazardous materials endorsement. The "California Commercial Driver Handbook," available from your local Department of Motor Vehicles (DMV) Office, can give you more information about these requirements, or you can call DMV at (916) 657-5771.
- **DMV Pull Notice Program**
If you are an employer, a prospective employer, or an owner/operator that employs drivers requiring California Class A & B licenses and those Class C licenses with certain endorsements or certifications on their licenses, you are required to enroll all your drivers in the DMV Pull Notice Program. Hazardous materials endorsements are covered by this requirement. For forms and information, write to DMV at P.O. Box 944231, Sacramento, CA 94244-2310, or call DMV at (916) 657-6346.
- **Routing Requirements**
Hazardous waste transportation is required to be carried out via the most direct route, using State or interstate highways whenever possible (California Vehicle Code, Section

31303). For more information regarding these routing requirements, contact your local CHP office.

- **Hazardous Materials/DOT Requirements**
Transporters of hazardous materials, which includes hazardous waste, should call CHP at (916) 327-3310 for licensing requirements. You should also contact the CHP at this number if you need information about federal DOT requirements for packaging, labeling, marking and placarding for transportation of hazardous materials within California. If operating interstate, you should contact U.S. DOT at either (916) 498-5050 (Northern California) or (909) 653-2299 (Southern California) regarding these DOT requirements.
- **Oversize/Overweight Vehicles or Loads**
The California Department of Transportation (Caltrans) regulates operation of oversize/overweight vehicles or loads over the State highway system. The oversize/overweight permits are only issued for non-reducible loads and can be applied for at any Caltrans District Permit Office. For further information call (916) 654-4961 for Northern California, or (909) 383-4637 for Southern California.
- **Medical Waste Transportation Requirements**
 - For information about transporting medical wastes, contact the Department of Health Services, Medical Waste Management Program (MWMP). The reporting requirements for medical waste are quite different from the hazardous waste reporting requirements. Call the Northern California office at (916) 327-6904, or the Southern California office at (213) 897-7170.
- **U.S. Environmental Protection Agency (U.S. EPA)**

For questions regarding the federal hazardous waste requirements (40 CFR), contact U.S.

EPA at (415) 495-8895, or the U.S. EPA hotline at 1-800-424-9346.

- **Identification Number/Manifests**
For information about Identification Numbers or manifests, call DTSC's Generator Information Services Section at 1-800-61-TOXIC (1-800-618-6942). If calling from outside California, call (916) 255-1136.
- **Complaint Hotline**
To report complaints of illegal hazardous waste activity, call the DTSC Complaint Hotline at 1-800-69-TOXIC (800-698-6942).

COMMUNICATING WITH THE DEPARTMENT OF TOXIC SUBSTANCES CONTROL

All communications with DTSC concerning hazardous waste transportation, transportation variances, or transporter registration issues should be directed to the attention of the Administration and Grants Management Section at:

**Department of Toxic Substances Control
Transporter Registration
P.O. Box 806
Sacramento, CA 95812-0806
(916) 255-4368**

Related Fact Sheets

- Hazardous Waste Transportation Variances
- Consolidated Manifesting Hazardous Waste Generator Requirements
- Consolidated Transporters

These fact sheets are available online at <http://www.dtsc.ca.gov/HazardousWaste/Transporters> or you may obtain a copy by contacting the DTSC Regulatory Assistance Officer in your area as specified below.

If you have general questions or need additional information about hazardous waste transporter,

generator, or treatment, storage and disposal facilities requirements, call 1-800-72-TOXIC (800-728-6942) to speak to a DTSC Regulatory Assistance Officer in your area. If calling from outside California, please call the DTSC Regulatory Assistance Officer at the telephone number listed below.

Sacramento Office

Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, CA 95826-3200
(916) 255-3618

Berkeley Office

Department of Toxic Substances Control
700 Heinz Avenue, 2nd Floor
Berkeley, CA 94710
(510) 540-3739

Glendale Office

Department of Toxic Substances Control
1011 North Grandview Avenue
Glendale, CA 91201
(818) 551-2830

Cypress Office

Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, CA 90630
(714) 484-5400