

Uniform Hazardous Waste Manifest Workshop Slides—Part A

California's Implementation of Federal Manifest Regulations

Department of Toxic Substances Control
Hazardous Waste Management Program

May 31, 2006

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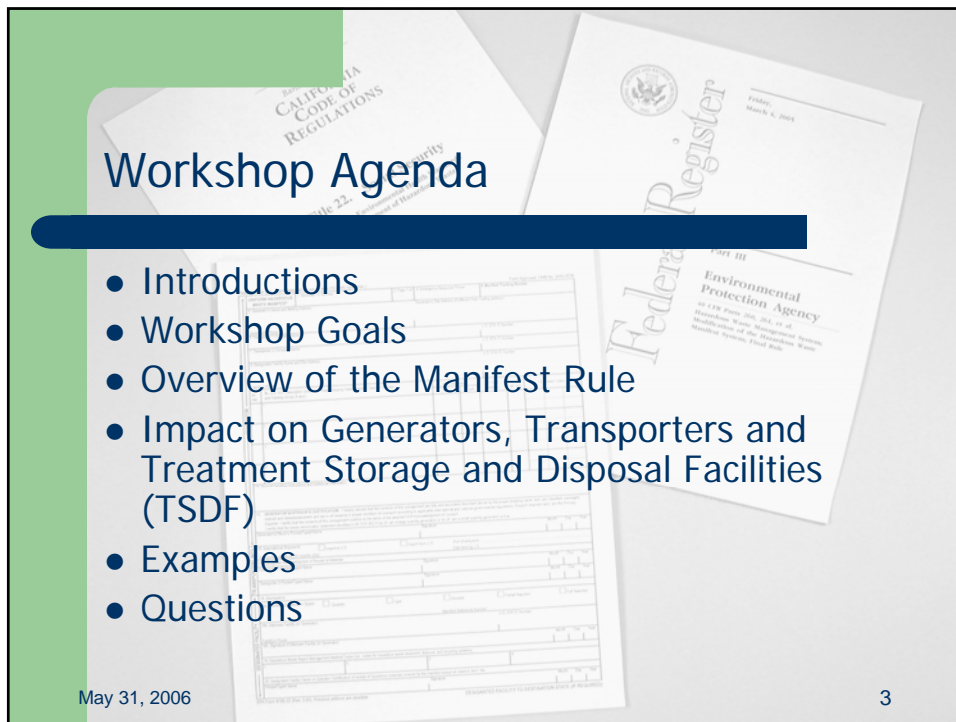
Workshop Goals

- Identify the changes to the manifest requirements.
- Identify specific changes by generator, transporter, and TSD requirements.
- Provide some examples of how completing the manifest will change.
- Answer questions.

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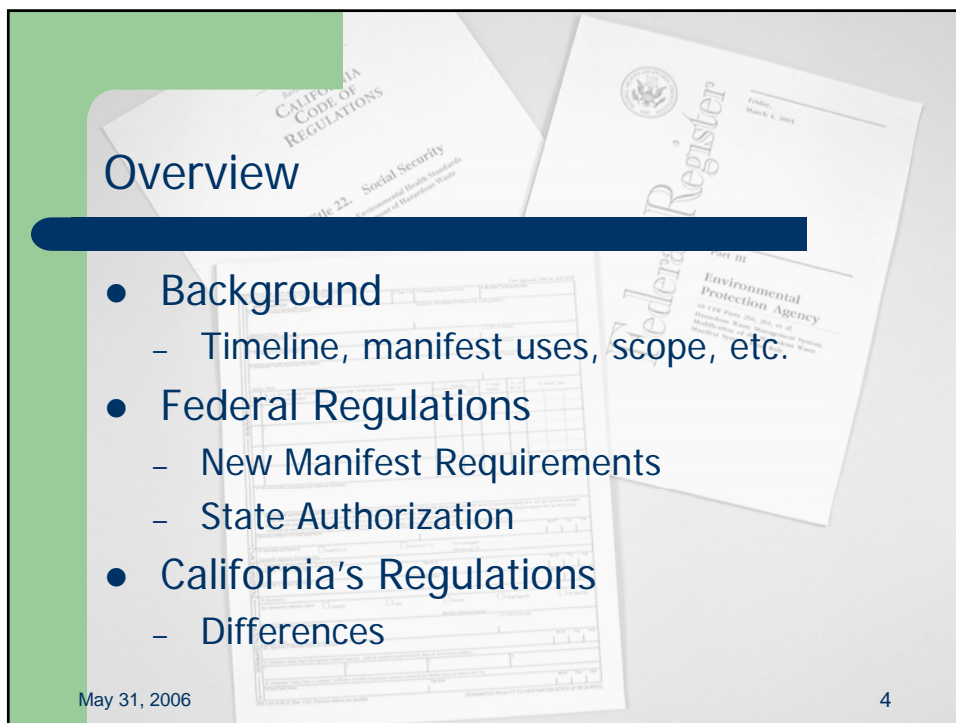


Workshop Agenda

- Introductions
- Workshop Goals
- Overview of the Manifest Rule
- Impact on Generators, Transporters and Treatment Storage and Disposal Facilities (TSDF)
- Examples
- Questions

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Overview

- Background
 - Timeline, manifest uses, scope, etc.
- Federal Regulations
 - New Manifest Requirements
 - State Authorization
- California's Regulations
 - Differences

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Timeline

The slide features a background collage of documents including the California Code of Regulations, a Social Security form, and the Federal Register. A dark blue horizontal bar is positioned above the timeline text.

| | |
|-------------------------------------|----------------------|
| US EPA adopts Federal Manifest Rule | March 4, 2005 |
| DTSC Informational Workshops | March 2006 |
| Regulations Adopted | July 2006 |
| DTSC Outreach | May – September 2006 |
| Manifest changes take effect | September 5, 2006 |

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Manifest Uses

The slide features a background collage of documents including the California Code of Regulations, a Social Security form, and the Federal Register. A dark blue horizontal bar is positioned above the list text.

- Cradle-to-Grave
- U.S. DOT Shipping Paper
- Emergency Response
- Statistics/Research
- Revenue
- Enforcement/Compliance

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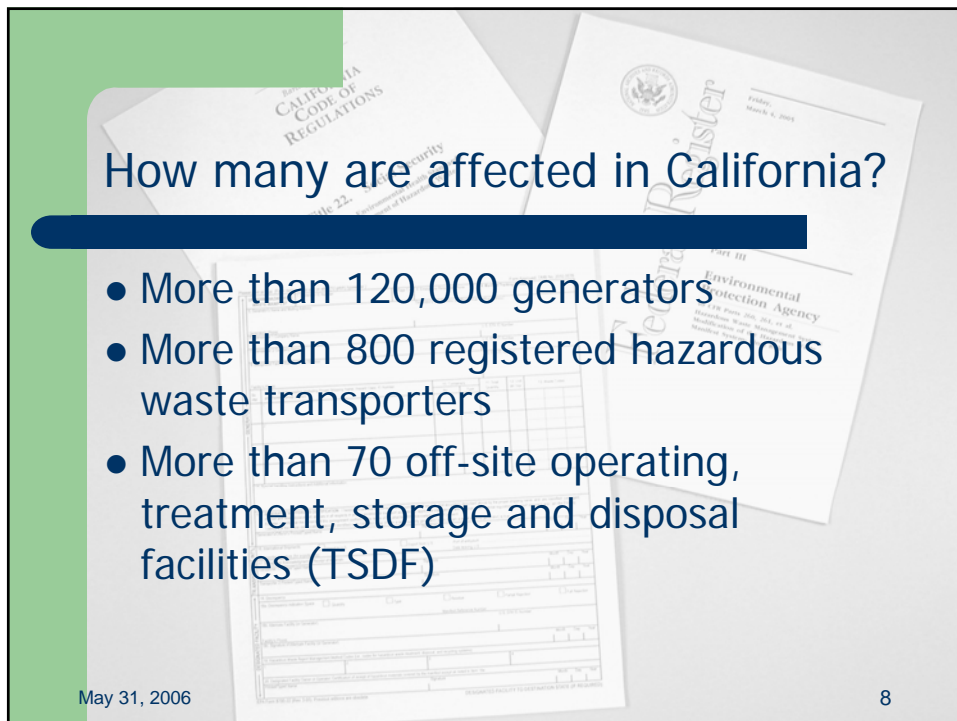
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Scope

- US EPA:
 - 139,000 RCRA businesses
 - 2 to 5 million manifests/year nationally.
- California:
 - more than 120,000 total businesses in California alone
 - about 500,000 manifests annually (includes more than 150,000 consolidated manifests).

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How many are affected in California?

- More than 120,000 generators
- More than 800 registered hazardous waste transporters
- More than 70 off-site operating, treatment, storage and disposal facilities (TSDF)

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Impact on Business

- Uniform manifest for all 50 states.
 - Long term cost reduction to interstate and multi-state generators
 - Short term cost increase to train employees to use the new manifest

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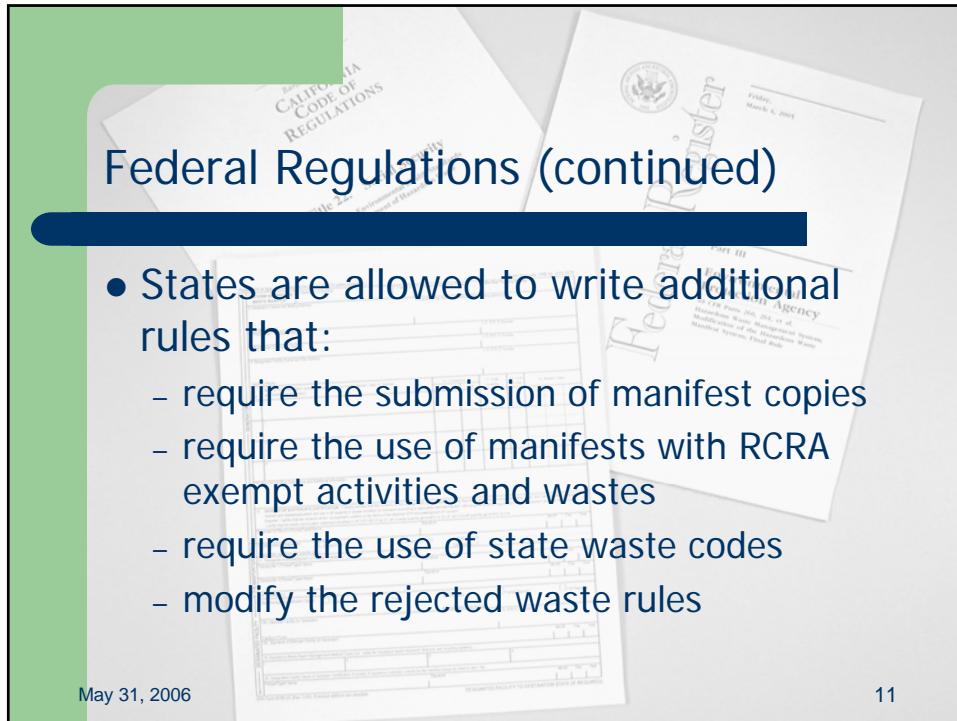
Federal Regulations

- Adopted March 4, 2005 (70 FR 10776).
- Requires use of a single standardized manifest nationally.
- The waste minimization certification is now in regulation (referenced on the manifest).
- Will take effect in every state.

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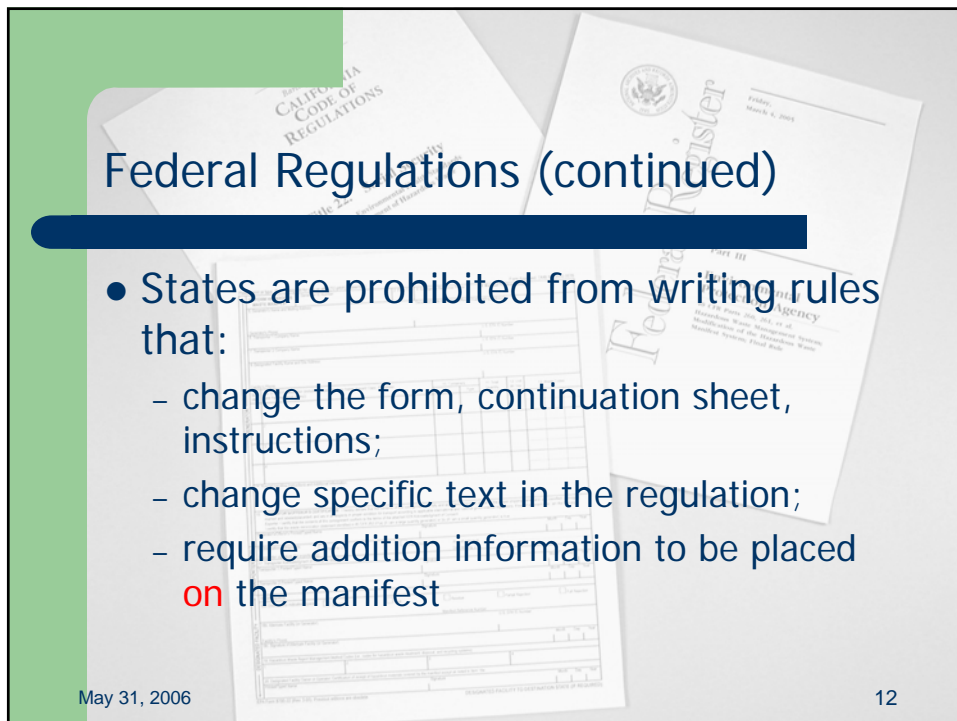
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Federal Regulations (continued)

- States are allowed to write additional rules that:
 - require the submission of manifest copies
 - require the use of manifests with RCRA exempt activities and wastes
 - require the use of state waste codes
 - modify the rejected waste rules

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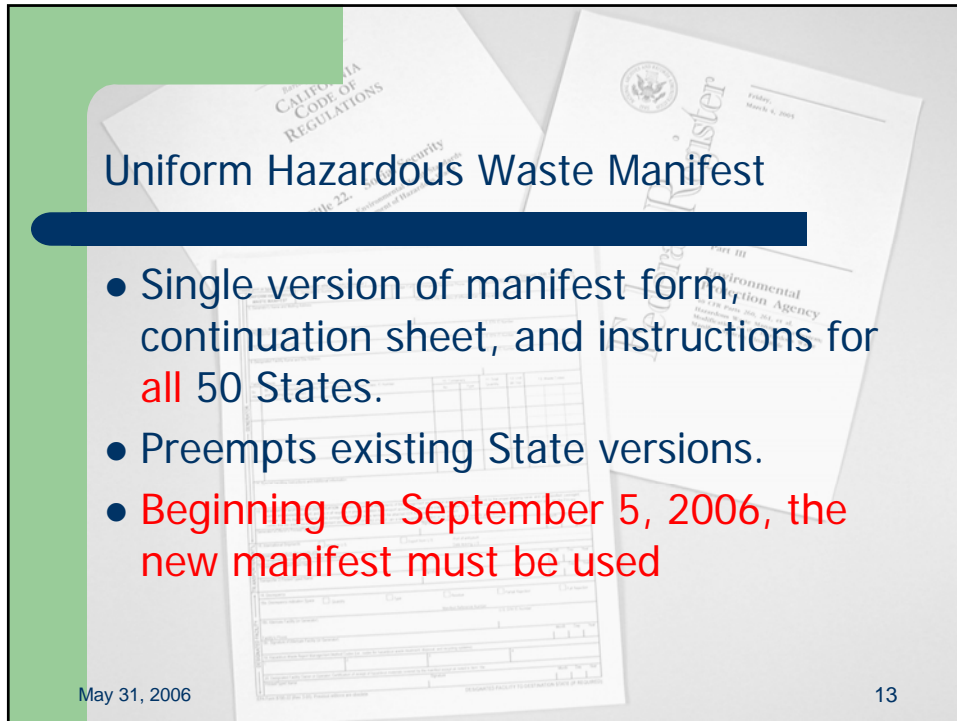


Federal Regulations (continued)

- States are prohibited from writing rules that:
 - change the form, continuation sheet, instructions;
 - change specific text in the regulation;
 - require addition information to be placed **on** the manifest

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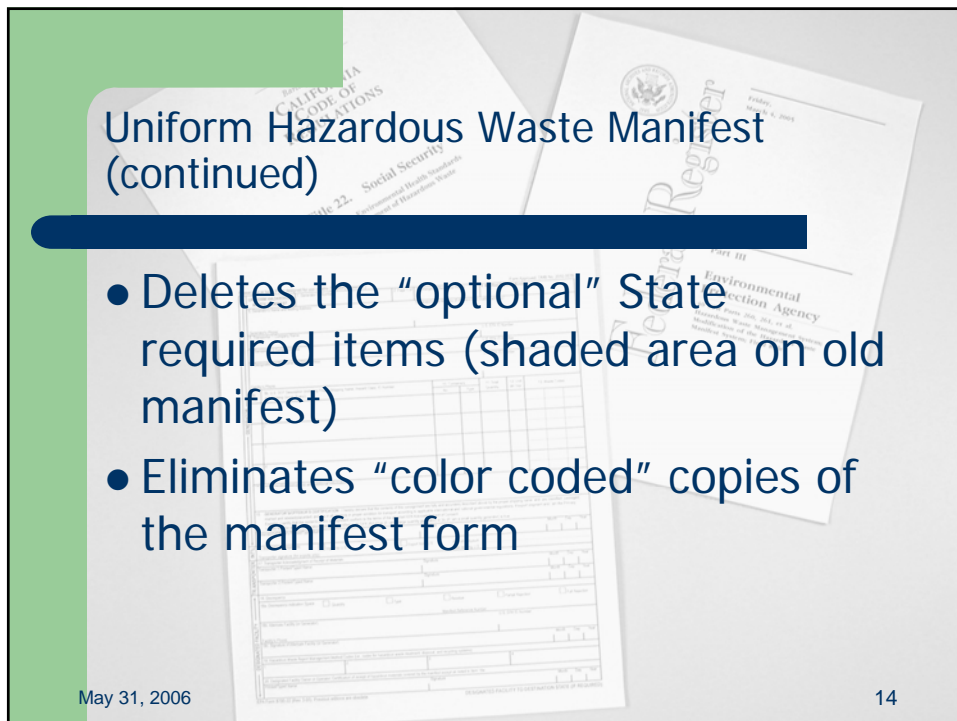
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Uniform Hazardous Waste Manifest

- Single version of manifest form, continuation sheet, and instructions for **all 50 States**.
- Preempts existing State versions.
- **Beginning on September 5, 2006, the new manifest must be used**

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Uniform Hazardous Waste Manifest (continued)

- Deletes the “optional” State required items (shaded area on old manifest)
- Eliminates “color coded” copies of the manifest form

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What's New on the Manifest?

- Emergency 24 Hour Phone Number
- Generator's Site Address
- "HM" Box
- Waste Codes have six boxes for three types of waste codes
 - RCRA waste codes
 - Destination state waste codes
 - Generator state waste codes

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What's New on the Manifest? (continued)

- International Shipments block for imports and exports
- Alternate Facility Block for rejected waste or container residues
- Discrepancy block
 - Five check boxes:
 - Quantity, Type, Residue, Partial or Full Rejection
 - Space for new and old manifest numbers

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What's New on the Manifest? (continued)

- Prohibits the use of decimals or fractions for waste quantity
- Adds a new container type, "HG" for a Hopper or Gondola Car
- Requires the use of Federal Handling Codes
- Adds Alternate Facility (or Generator) signature block

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Who's Responsible for Completing the Manifest?

All parties must:

- Sign and date the manifest
- Check for accuracy and consistency in volumes and/or quantities
- Verify names are legible, printed or typed, next to the signature

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State of California—Environmental Protection Agency
 Form Approved OMB No. 2000-0007 (Pages 1-20/19)
 Please print in type. Form designed for use in either English or Spanish. See Instructions on back of page 6. Department of Toxic Substances Control
 Sacramento, California

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No. _____ Manifest Document No. _____ 2. Page 1 of _____
 Information in the shaded areas is not required by Federal law.

3. Generator's Name and Mailing Address _____
 4. Generator's Phone _____
 5. Transporter 1 Company Name _____ 6. US EPA ID Number _____
 7. Transporter 2 Company Name _____ 8. US EPA ID Number _____
 9. Designated Facility Name and Site Address _____ 10. US EPA ID Number _____

11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number) _____
 12. Containers _____
 No. _____ Size _____
 13. Total Quantity _____
 14. Use _____
 Waste Number _____
 State _____
 EPA/Other _____
 State _____
 EPA/Other _____
 State _____
 EPA/Other _____
 State _____
 EPA/Other _____

15. Special Handling Instructions and Additional Information _____

16. **GENERATOR'S CERTIFICATION:** I hereby declare that the contents of this assignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations.
 If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically achievable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment. OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.

Printed/Typed Name _____ Signature _____ Month _____ Day _____ Year _____

17. Transporter 1 Acknowledgment of Receipt of Materials
 Printed/Typed Name _____ Signature _____ Month _____ Day _____ Year _____

18. Transporter 2 Acknowledgment of Receipt of Materials
 Printed/Typed Name _____ Signature _____ Month _____ Day _____ Year _____

19. Discrepancy Indication Space _____

20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in Item 15.
 Printed/Typed Name _____ Signature _____ Month _____ Day _____ Year _____

DO NOT WRITE BELOW THIS LINE.

STIC 8055A (1/95)
 EPA 8760-02

When Toxics Sends This Copy To DTSC Within 30 Days
 To: P.O. Box 2000, Sacramento, CA 95812

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Please print or type. (Form designed for use on white (12) weight typewriter)

Form Approved OMB No. 2050-0029

| | | | | | |
|---|--|--|-------------------|--------------------------|--------------------------|
| UNIFORM HAZARDOUS WASTE MANIFEST | | Generator ID Number | 2 Page 1 of 2 | Emergency Response Phone | Manifest Tracking Number |
| Generator Name and mailing address | | Generator's Site Address (if different from mailing address) | | | |
| Generator's Phone | | U.S. EPA ID Number | | | |
| Transporter 1 Company Name | | U.S. EPA ID Number | | | |
| Transporter 2 Company Name | | U.S. EPA ID Number | | | |
| Receiver 1 Name and Site Address | | U.S. EPA ID Number | | | |
| Receiver's Phone | | U.S. EPA ID Number | | | |
| No. U.S. DOT Descriptors (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any)) | | 99 Containers (No. Type) | 10 Total Quantity | 11 Net M. Wt. | 12 Gross Cont. |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| 14 Special Handling Instructions and Additional Information | | | | | |
| GENERATOR/SUPPORTER'S CERTIFICATION I hereby declare that the contents of this assignment are fully and accurately described above by the proper shipping name, and are identified, packaged, marked and classified in accordance with all applicable Federal, State, and local laws, regulations, and orders. I certify that the contents of this assignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste description statement described in 40 CFR 261.27(a) is for a large quantity generated or is for a small quantity generated in bulk. | | | | | |
| 15 International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. | | Port of export/Import (if U.S.) | | | |
| 16 Signature and Title of Generator/Supporter | | Signature | | | |
| 17 Signature and Title of Receiver | | Signature | | | |
| 18 Discrepancy | | Manifest Reference Number | | | |
| 19 Discrepancy Indication (Spec. Quantity, Type, Residue, Partial Reception, Full Reception) | | U.S. EPA ID Number | | | |
| 20 Alternate Facility (if Secondary) | | U.S. EPA ID Number | | | |
| 21 Receiver's Phone | | U.S. EPA ID Number | | | |
| 22 Hazardous Waste Report Management Method Code (i.e., codes for hazardous waste treatment, storage, and recycling systems) | | U.S. EPA ID Number | | | |
| 23 Designated Facility Name or Code (Certification of receipt of hazardous materials transferred to the certified receiver on this form from this manifest) | | Signature | | | |

EPA Form 8500-12 (Rev. 3-05) Previous editions are obsolete. DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

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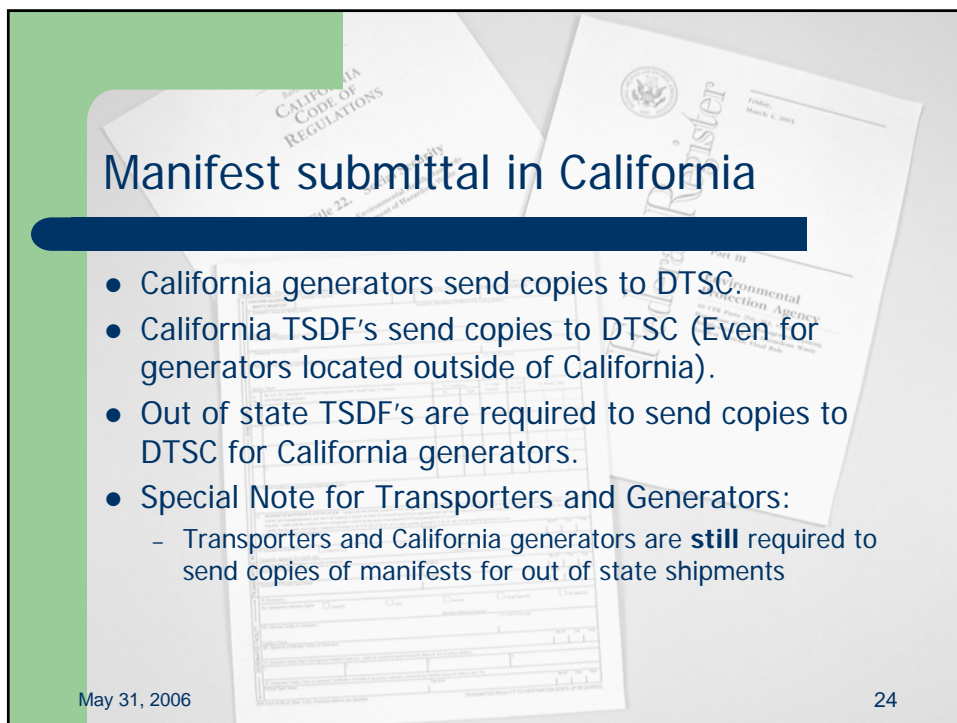


New Manifest Pages and Distribution

- Page 1: "Designated Facility to Destination State (if required)"
- Page 2: "Designated Facility to Generator State (if required)" *This is a new page!*
- Page 3: "Designated Facility to Generator Copy"
- Page 4: "Designated Facility Copy"
- Page 5: "Transporter Copy"
- Page 6: "Generator's Initial Copy" (bottom copy)

What's Missing from the "old" California manifest?

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Manifest submittal in California

- California generators send copies to DTSC.
- California TSDF's send copies to DTSC (Even for generators located outside of California).
- Out of state TSDF's are required to send copies to DTSC for California generators.
- Special Note for Transporters and Generators:
 - Transporters and California generators are **still** required to send copies of manifests for out of state shipments

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Source of Manifests

- Manifests must be obtained from printers that are registered and approved by the U.S. EPA. Registered Printers are posted at:
www.epa.gov/epaoswer/hazwaste/gener/manifest_registry/index.htm
- DTSC has not applied to be a registered printer.
- EPA Registered Printers starting 5/16. (two as of 5/19)

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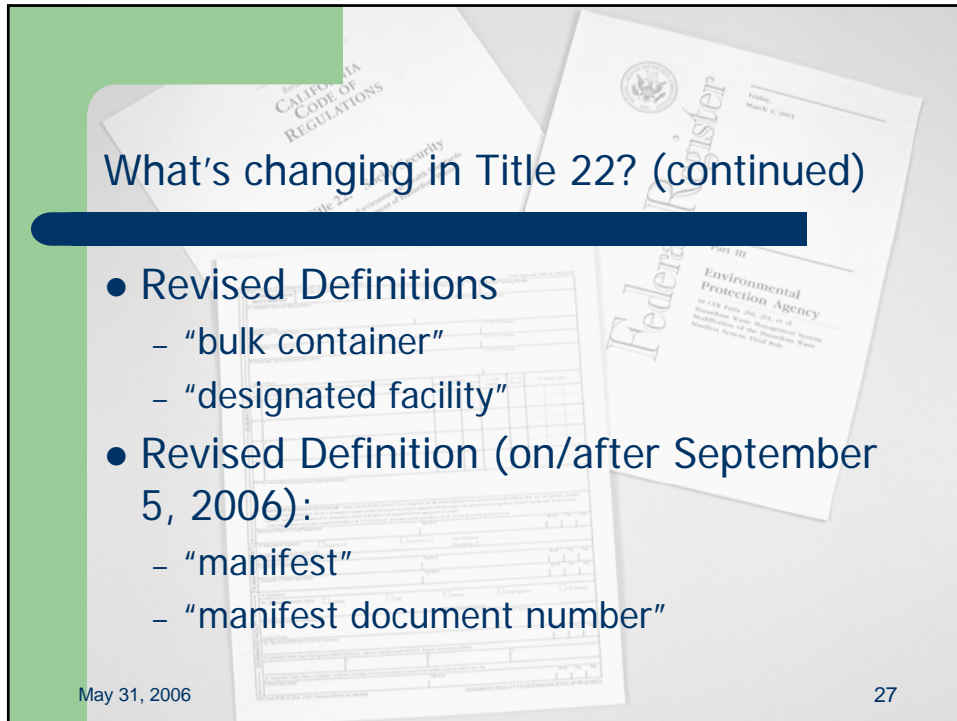
What's changing in Title 22?

- New Definitions
 - “consignment state”
 - “destination state”
 - “generator state”
 - “manifest tracking number”

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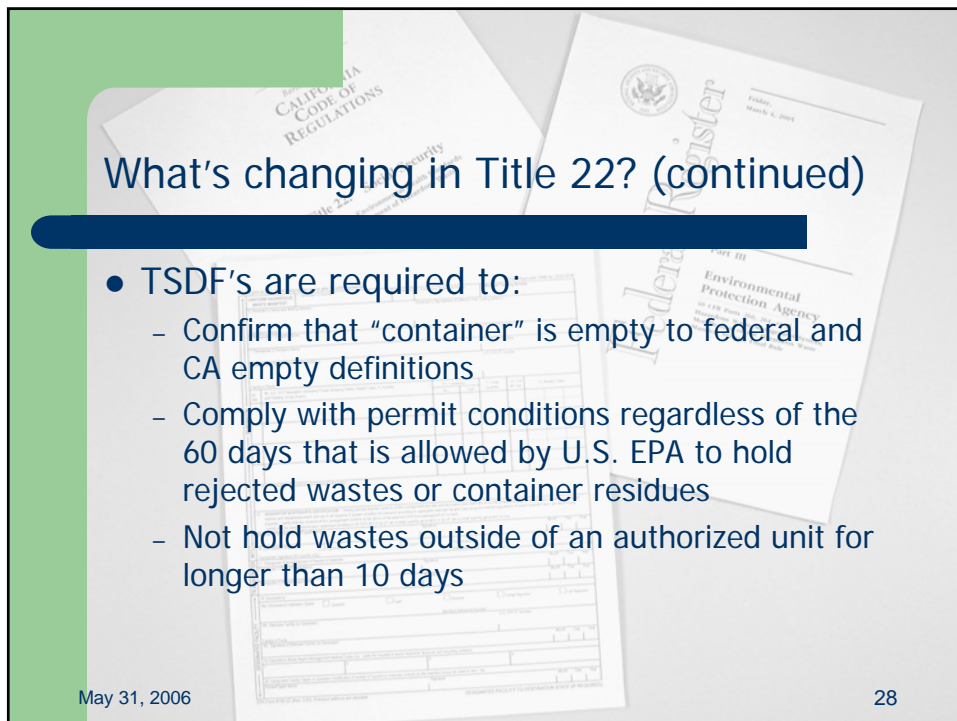
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What's changing in Title 22? (continued)

- Revised Definitions
 - “bulk container”
 - “designated facility”
- Revised Definition (on/after September 5, 2006):
 - “manifest”
 - “manifest document number”

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What's changing in Title 22? (continued)

- TSDF's are required to:
 - Confirm that “container” is empty to federal and CA empty definitions
 - Comply with permit conditions regardless of the 60 days that is allowed by U.S. EPA to hold rejected wastes or container residues
 - Not hold wastes outside of an authorized unit for longer than 10 days

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What's changing in Title 22? (continued)

- While California specific instructions cannot be printed on the manifest, the regulations will be summarized and printed as guidance.
- DTSC is mailing the new *Supplemental California Manifest Instructions* will be mailed to 120,000+ handlers in early June.

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What's changing in Title 22? (continued)

- Changes to make the manifest rule changes consistent with existing HSC and Title 22 requirements
 - Load Rejection (HSC 25160.4 and 25160.6)
 - Exempt Transfer Facilities (HSC 25123.3)
 - Holding Times Outside Authorized Units at TSDF (HSC 25200.19)
 - Consolidated Transporters (HSC 25160.2)
 - Definition of Empty Containers (22 CCR 66261.7)

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New Title 22 Requirements

- Changes to clarify existing notification and reporting requirements:
 - Creates a Report Repository for manifest related reports (GISS – Sacramento)
 - Directs import/export notices to specific DTSC Office (SCD – Glendale).

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Impact on Generators

New Form Requirements

- Add Generator site address to mailing address, if different
- Add "X" in item "9a" if waste listed in "9b" is regulated as Hazardous Material by U.S. DOT
- Use up to six fields for waste codes
- No fractions or decimals in waste quantity (e.g., 1.5 tons should be 3,000 lbs.)
- Use pounds, liters, or gallons if small quantity
- All notes, profiles, etc. must fit in Item 14

May need to copy manifest to submit to DTSC.

Must buy manifests from a new source.

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Rejected Loads - Generators

- If a waste shipment is rejected by the TSDf, a generator may:
 - Identify an alternate facility and have the waste shipped there on the same manifest (when the transporter is still at TSDf) or a new manifest (partial load or when transporter is not at TSDf),
or
 - Have the rejected waste returned to the generator on a new manifest.

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Rejected Loads - Generators

Waste returned to the generator

- Generator signs and dates manifest when received and provides a signed manifest copy to transporter.
- Notes any discrepancies on the manifest
- Submits Page 1 to DTSC and Page 3 to the TSDf within 30 days
- Retains designated facility manifest copy for 3 years
- Ships rejected waste to a TSDf within 90 days

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Generator - Mailing Addresses


For ALL shipments mail legible copy to:
DTSC Generator Manifests
P.O. Box 400
Sacramento, CA 95812-0400

For rejected shipments mail either top or second copy to:
DTSC Facility Manifests
P.O. Box 3000
Sacramento, CA 95812-3000

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Change to the Hazardous Waste Label

- The standard hazardous waste label used by most generator should be corrected to reflect the new requirements.
 - EPA ID Number
 - Manifest Tracking Number (change from Manifest Document #)



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Title 22, Chapter 12 - Generator Citations

- §66262.20. General Requirements.
- §66262.21. Acquisition of Manifests.
- §66262.22. Number of Copies. (Deleted)
- §66262.23. Use of the Manifest.
- §66262.27. Waste Minimization Certification. (New)
- §66262.32. Marking.
- §66262.33. Placarding.

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Title 22, Chapter 12 - Generator Citations (continued)

- §66262.34. Accumulation Time.
- §66262.42. Exception Reporting.
- §66262.53. Notification of Intent to Export.
- §66262.54. Special Manifest Requirements.
- §66262.55. Exception Reporting for Exporters.
- §66262.56. Annual Reports.
- §66262.60. Imports.
- **Chapter 12 – Appendix: Uniform Hazardous Waste Manifest**

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How important are Transporters?

- DTSC recognizes that Transporters are an **important** resource to help Generators comply with manifest requirements.

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Impact on Transporters

- **New Information Blocks:**
 - Form deletes block for phone number. If critical to generator, add in Item 14
 - For exports, **must sign** new International Shipments (Item 16) and indicate port of exit and date leaving U.S.

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Impact on Transporters

- Instructions explicitly state that each transporter signs a manifest, not each driver.
- Transporters are **still** responsible for determining if bulk container is “empty” (TSDf also makes that determination)
- Transporters are **still required** to submit copies of manifests to DTSC when delivered to TSDf's located outside of California.

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Rejected Loads (Transporter still at TSDf)

- Full load rejection:
 - Leave a copy of the original signed and dated manifest with the discrepancy indicated with the rejecting TSDf. Take the remaining original copies with the rejected load.
- Partial load rejection or container residues:
 - Retain a copy of the original signed and dated 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

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Consolidated Transporters

- Federal law does not provide for consolidated shipments from multiple generators for RCRA regulated wastes.
- State law allows transporters to consolidate specified non-RCRA regulated wastes on one manifest and this will continue under the new regulations.
- Health and Safety Code 25160.6 (e) makes the consolidated transporter responsible for a rejected load and provides for it to be held at their facility no more than 10 days. For clarity, this requirement is added to the regulations.

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Title 22, Chapter 13 - Transporter Citations

- §66263.18. Transfer Facility Exemption.
- §66263.20. Manifest Procedures for the Transporter.
- §66263.21. Transporter Compliance with the Manifest.
- §66263.24. Load Rejection and Consolidated Transporters. (New section)
- §66263.32. Transporter Reporting Requirements for Missing Hazardous Waste of Concern.

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Impact on TSDF

- Must sign, and date ALL manifests, even if rejected
- Must identify discrepancy type in more detail (item 18a)
- Must use new handling methods that reflect the handling method at THAT facility (item 19)
- Less room for profiles, addresses or notes
- Become “offeror” on rejected manifests
- Meet a 60-day limit on holding rejected waste, if allowed by permit conditions

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Rejected Loads – TSDF (Full Load)

- If transporter has not left, then continue to use original manifest and complete alternate facility information in item 18b, with either the generator’s information or, at the generator’s request, the name of the alternate facility
- If transporter has left, MUST prepare new manifest.

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Rejected Loads – TSDf (Partial Load)

- TSDf must prepare a NEW manifest and put original manifest number (in Item 14 of new manifest)
- At the generator's request, prepare the new manifest with alternate facility, identified by the generator, showing the generator as generator, **or**
- Return wastes to the generator showing the TSDf as "offeror"

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Container Residues (e.g. tank car heels) - TSDf

- Determine if container meets federal or state "empty" definition.
- If a container is not "empty," then it is a container residue and must be managed as a hazardous waste.
- The TSDf must prepare a NEW manifest
- A TSDf may manifest the container residue to the generator or to an alternate facility.
- The TSDf checks the "Container Residue" box in Item 18a and completes Item 18b on the original manifest. Adds original manifest number to new manifest in Item 14.

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TSDF - Mailing Addresses

For ALL shipments received, mail either top (in California) or second copy (out of state) to:

DTSC Facility Manifests
P.O. Box 3000
Sacramento, CA 95812-3000

For Rejected Shipments shipped back, mail legible copy to:

DTSC Generator Manifests
P.O. Box 400
Sacramento, CA 95812-0400

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Title 22, Chapters 14 & 15 - TSDF Citations

Chapter 14 Treatment, Storage, and Disposal Facilities

- §66264.12. Required Notices.
- §66264.70. Applicability.
- §66264.71. Use of Manifest System.
- §66264.72. Manifest Discrepancies.
- §66264.76. Unmanifested Waste Report.
- §66264.78. Reporting Hazardous Wastes of Concern Discovered To Be Missing While in Storage.

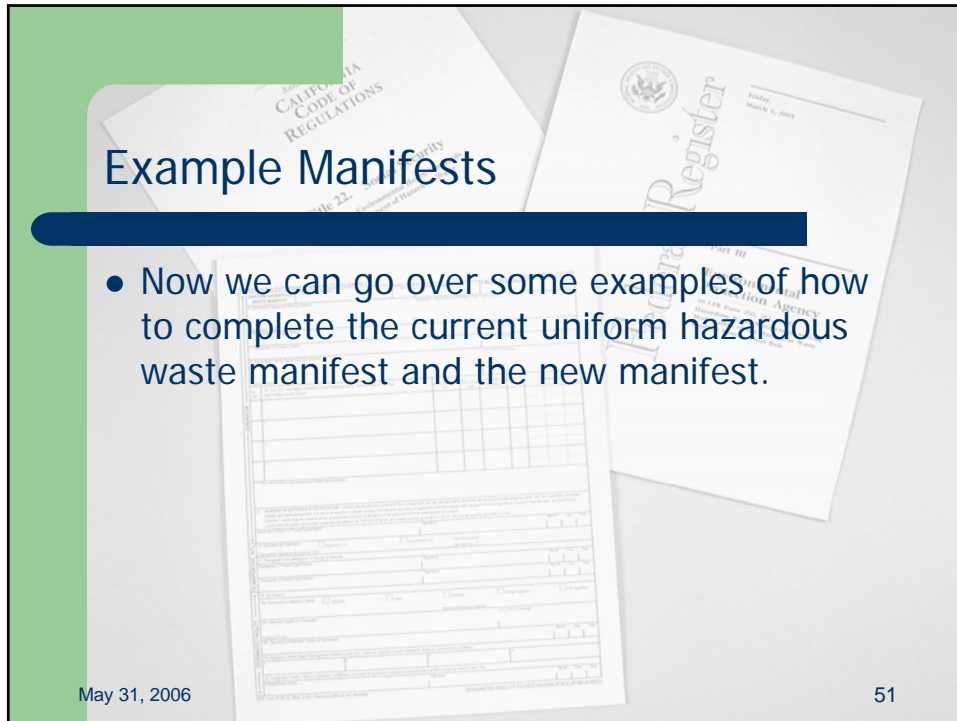
Chapter 15: Interim Status Standards

- Parallel citations follow 66265.XX format.

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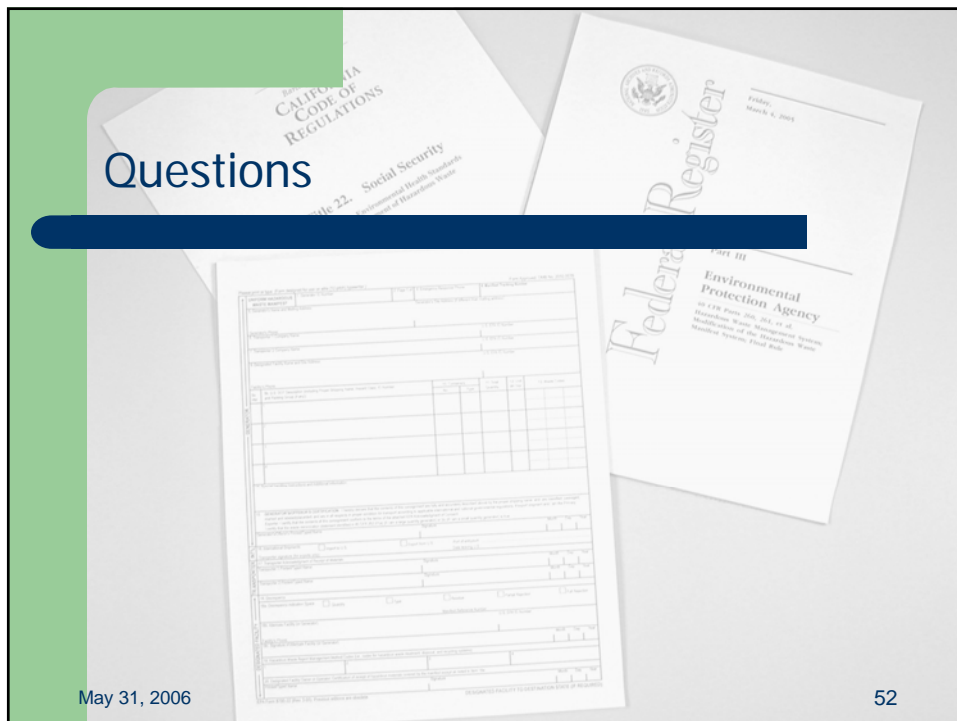


Example Manifests

- Now we can go over some examples of how to complete the current uniform hazardous waste manifest and the new manifest.

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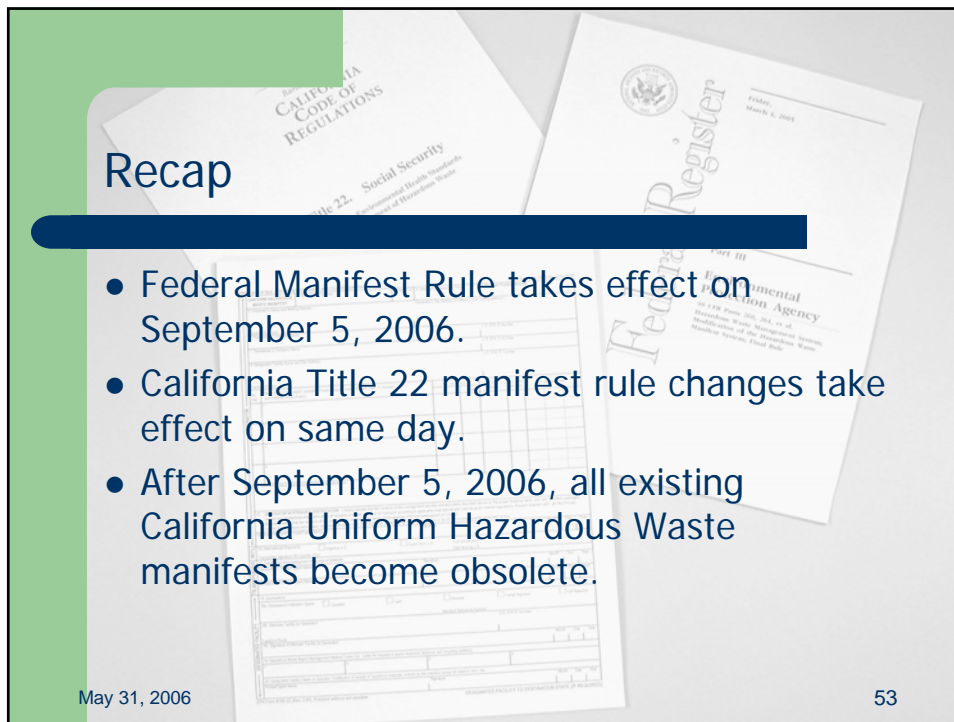


Questions

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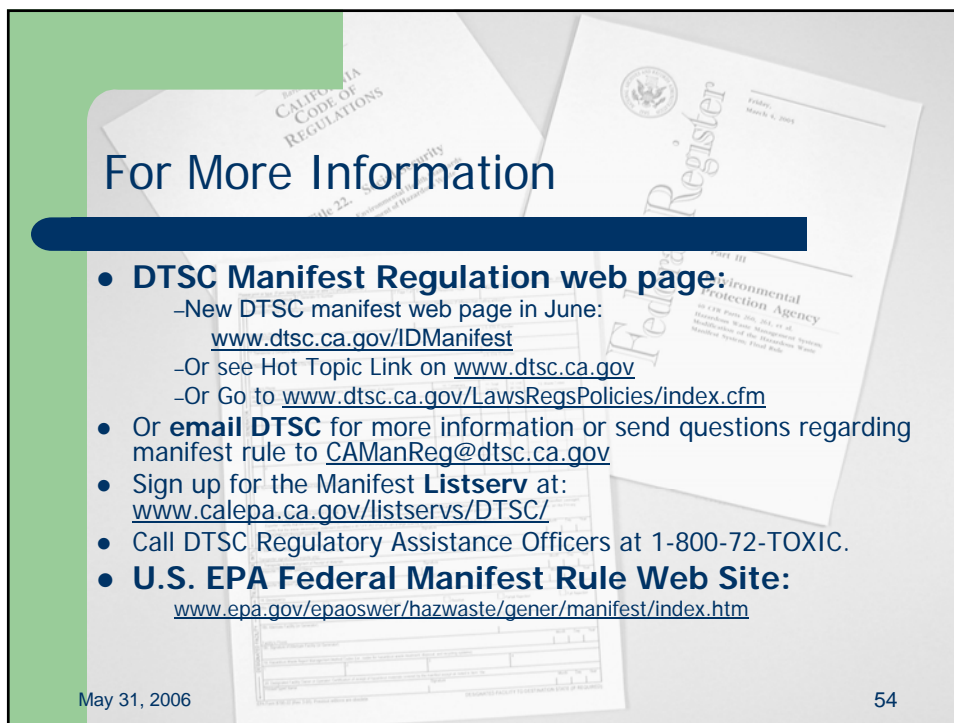
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Recap

- Federal Manifest Rule takes effect on September 5, 2006.
- California Title 22 manifest rule changes take effect on same day.
- After September 5, 2006, all existing California Uniform Hazardous Waste manifests become obsolete.

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For More Information

- **DTSC Manifest Regulation web page:**
 - New DTSC manifest web page in June:
www.dtsc.ca.gov/IDManifest
 - Or see Hot Topic Link on www.dtsc.ca.gov
 - Or Go to www.dtsc.ca.gov/LawsRegsPolicies/index.cfm
- Or **email DTSC** for more information or send questions regarding manifest rule to CAManReg@dtsc.ca.gov
- Sign up for the Manifest **Listserv** at:
www.calepa.ca.gov/listservs/DTSC/
- Call DTSC Regulatory Assistance Officers at 1-800-72-TOXIC.
- **U.S. EPA Federal Manifest Rule Web Site:**
www.epa.gov/epaoswer/hazwaste/gener/manifest/index.htm

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