



US Army Corps  
of Engineers

## HTRW Center of Expertise Information - Fact Sheets

US Army Corps of Engineers

### HTRW Center of Expertise Fact Sheet FY 05-02

<b>Title: Hazardous Waste Management System: Modification of the Hazardous Waste Manifest System</b>	<b>Date:</b> March 4, 2005
--	----------------------------

<b>SARS RIN#:</b> 2050-AE21	<b>Action Type:</b> Final Rule	<b>Cite:</b> 70 FR 10775
-----------------------------	--------------------------------	--------------------------

**Executive Summary:** On March 4, 2005, in 70 Federal Register 10775, EPA published a new hazardous waste manifesting rule that imposes new requirements for shipping and tracking hazardous wastes. It specifically:

- implements a new manifest form and continuation sheet for tracking hazardous waste;
- prohibits use of fractions and decimals when specifying quantities on the form;
- establishes procedures for using the manifest to track rejected/forwarded wastes and regulated container residues;
- modifies the manifest acquisition process, establishes a registration procedure for printers of the manifest, and specifies manifest printing standards; and
- makes minor conforming changes to RCRA regulations to become consistent with Department of Transportation (DOT) hazardous material regulations regarding "bulk" packaging.

Continue using old manifest forms until September 2006. On September 5, 2006, all waste generators must begin using the new manifest form, regardless of individual state RCRA authorization status. This is because the change is being implemented using DOT's hazardous material authority, which preempts any state manifest requirement not substantively the same as the Federal requirement.

EPA is not promulgating proposed provisions for electronic manifesting at this time. EPA has decided to undertake a separate final action on electronic manifesting provisions at a later date.

**Impact:** Changes instituted by this rule impact DoD hazardous waste generators; transporters; and treatment, storage, and disposal facilities (TDSFs). Because of the delayed compliance date, affected parties have time to become familiar with the new requirements and a smooth transition is anticipated. Impacts include educating and training personnel on use of the new manifest form and new requirements for managing rejected/forwarded wastes (tracking, recordkeeping, and accumulation requirements). In addition, generators will need to identify sources for obtaining forms. It is assumed that most manifest users will obtain forms from sources registered and approved by EPA as opposed to seeking independent registration and approval.

**POCs:**

- Beverly VanCleaf, USACE HTRW CX, 402 697 2559, or by email at [Beverly.D.VanCleaf@USACE.Army.mil](mailto:Beverly.D.VanCleaf@USACE.Army.mil)
- Sandi Zebrowski, USACE HTRW CX, 402 697-2562, or by email at [Sandi.M.Zebrowski@NWD02.usace.army.mil](mailto:Sandi.M.Zebrowski@NWD02.usace.army.mil)

Full Text Document Location:

<http://a257.g.akamaitech.net/7/257/2422/01jan20051800/edocket.access.gpo.gov/2005/pdf/05-1966.pdf>

**Previous Comments:** Generally, the rule took into consideration concerns raised via DoD comments on the proposed rule, 66 FR 28240

## **KEY ELEMENTS OF THE PROPOSED RULE**

### **The Revised Hazardous Waste Manifest Form**

Under this rule, several format changes have been made to the hazardous waste manifest form. The new manifest, unlike the old manifest, does not contain any "state optional" data elements. Thus, the new manifest will be uniformly applied in all states. For comparison purposes, copies of both the old and new forms are attached at the end of this summary.

"State Optional" data elements have either been removed, consolidated into other areas, or made mandatory as follows:

- Block A -The State Manifest Document Number. This data element was removed because the new manifest printing procedures require unique, pre-printed numbers on all manifest forms.
- Block B -The State Generator Identification (ID). This data element was removed. Instead, a "Generator ID Number" block serves as a common field for entering either the EPA or State ID number. The State ID number will be used in lieu of an EPA ID number in cases where only State-regulated hazardous waste is generated such that the generator has a State ID number but does not have an EPA ID number.
- Block C - The State Transporter ID. This data element was removed because use of the EPA ID number is sufficient.
- Block D – Transporter’s Phone. This data element was removed. Generators typically need this number to check the status of their waste shipment, so will need to establish another means for obtaining it.
- Blocks E and F – State Transporter’s ID and State Transporter’s Phone (for second transporter). Similar to Blocks C and D, these were also removed as data elements.
- Block G – State Facility’s ID. This data element was removed because use of the EPA ID number is sufficient.
- Block H – Facility’s Phone. This information was incorporated into the “Designated Facility Name and Site Address” block.
- Block I – Waste Numbers. Waste numbers, renamed waste codes, are mandatory on the new form. Space is provided for up to six waste codes. Any combination of State and Federal waste codes can be entered, but instructions specify that, “State waste codes that are not redundant with Federal codes must be entered”. Space is limited to six entries, so Federal codes most representative of the properties of the waste should be entered.
- Block J – Additional Descriptions for Materials. This block and the “Special Handling Instructions and Additional Information” block are combined into a single block renamed “Special Handling Instructions and Additional Information”. This block is used for site specific and shipment specific information (such as waste profiles) as well as a limited amount of Federally required information for

which there is no specific space provided on the form (such as PCB out of service dates). However, manifest instructions specifically state generators "cannot be required to enter information in this space to meet state regulatory requirements".

- Block K – Handling Codes for Wastes. This data element is mandatory and has been renamed “Hazardous Waste Report Management Method Codes”. It is the responsibility of the facility receiving the shipment to enter this information. The codes relate to biennial waste reporting codes and reflect the manner in which the TSDF handles the waste.

Other changes and clarifications made regarding the new form are as follows:

- Block 3 – Emergency Response Phone. This block was added to enter the 24-hour DOT emergency response phone number. The block is to be used only if the phone number applies to the entire shipment. If different emergency response phone numbers apply to various wastes listed on the manifest, the respective emergency numbers are to be entered in association with the shipping description, and the emergency response phone number field (block 3) is to remain blank.
- Block 4 – Manifest Tracking Number. This will be a pre-assigned, unique number pre-printed on the form.
- Block 5 – Generator’s Name and Mailing Address. This has been expanded to include the physical site address as well as the mailing address. This will facilitate return of rejected wastes. The site address should only be entered when it is different than the mailing address.
- Block 11 – Total Quantity. Instructions clarify that waste quantities entered should be based on actual measurement or reasonably accurate estimates, not on container capacities. It also clearly states not to use fractions or decimals.
- Block 12 – Units of Measure. Instructions clarify the importance of precision when selecting units of measure. Relatively imprecise units such as tons, metric tons, cubic meters, and cubic yards, are to be used only for very large bulk shipments such as rail cars, tank trucks, or barges.
- Block 15 – Generator’s/Offendor’s Certification. The Generator’s Certification block has been renamed the “Generator’s/Offendor’s Certification” in order to clarify that either the generator of the waste or the offeror of the shipment may sign the certification. This allows a rejecting facility to sign the shipper's certification as the shipment offeror when reintroducing waste into transportation without taking on generator responsibilities. When a rejecting facility signs as an offeror, only the shipper's certification portion of the statement applies. When the generator signs the certification statement, both the waste minimization certification and the shipper’s certification statements apply. Manifest instructions allow generators or offerors to add the words "on behalf of" in the signature block to indicate when the individual is signing as the employee or agent of "the named principal".
- Block 16 – International Shipments. This new block is used to indicate imports and exports of hazardous wastes. Information to be provided in this block includes port of entry/exit, the date exports leave the U.S., and the transporter signature (for exports only). TSDFs receiving imported wastes are required to submit a copy of the manifest to EPA.
- Block 18 – Discrepancy. This has been significantly changed to allow tracking of

rejected and forwarded wastes and regulated container residues. Regulated container residues are residues that exceed the quantity limits for "empty" containers and as such remain subject to regulation and tracking requirements. Block 18a is used to indicate the type of discrepancy. Block 18b is used to specify alternate facility information when waste is rejected back to the generator or forwarded to another facility. Block 18c is used by the alternate facility to sign for receipt of rejected or forwarded waste. More detailed discussion is provided below.

### **Rejected/Forwarded Loads and Container Residues**

A TSDF can ship rejected/forwarded waste to a subsequent destination using the original manifest only if the full load is rejected/forwarded and the transporter has not left the premises. This is because the shipment has remained in transportation. On the other hand, the waste is no longer in transportation once the transporter leaves, and a new manifest must be generated for the subsequent shipment. In either event, the interim TSDF is required to coordinate with the generator prior to rejecting/forwarding the shipment. However, the TSDF does not have to obtain the generator's permission in order to reject the waste.

Various scenarios for documenting manifest discrepancies for rejected/forwarded loads and container residues are specified within 40 CFR 264/265.72 including:

- (1) Forwarding of full or partial loads (or residues) to an alternate facility.
- (2) Forwarding of full loads to an alternate facility while the transporter is still present.
- (3) Rejecting wastes and residues back to the generator.

#### *Forwarding of Full or Partial Loads (or Residues) to an Alternate Facility*

If a partial load is forwarded (including residues) or if a full load is forwarded after the transporter has left, the TSDF prepares a new manifest as follows:

- Write the generator's EPA ID number in Block 1 and the generator's name, mailing address, and site address (if different than mailing address) in Block 5.
- Write the alternate designated facility and the facility's EPA ID number in the designated facility Block 8.
- Record the manifest tracking number of the old manifest in the "Special Handling and Additional Information Block" of the new manifest and indicate that the shipment is a residue or rejected waste from a previous shipment.
- Copy the manifest tracking number from the new manifest onto the original manifest in the Block 18a discrepancy field and send a copy to the generator.
- Write the DOT description for the rejected load or residue in Block 9 on the new manifest.
- Complete remaining blocks of new manifest, as appropriate (emergency response phone number, transporter information, etc.).
- Sign the certification on the new manifest as the offeror of the shipment.

#### *Forwarding of Full Load to an Alternate Facility While Transporter is Still Present*

Provided the transporter is still on the premises, the TSDF has the option to forward the shipment to an alternate facility using the original manifest as follows:

- The TSDF signs Block 20 to receive the waste except as noted in Block 18a.

(Block 20 is signed for both waste receipt and waste rejection.)

- The TSDf notes the rejected/forwarded waste in discrepancy Block 18a.
- The TSDf specifies the next destination facility in the Alternate Facility space, 18b.
- The TSDf retains a copy of the manifest for its records and gives remaining copies to transporter.
- The subsequent facility signs for receipt of the waste using block 18c.

#### Rejecting Wastes and Residues Back to the Generator

Except where the entire shipment is being rejected to the generator and the transporter has remained on site, the rejecting TSDf must prepare a new manifest as follows:

- Write the TSDf's EPA ID number in Block 1 (not the generator's ID number ) and the generator's name, mailing address, and site address (if different than mailing address) in Block 5.
- Write the name of the initial generator and the generator's EPA ID number in the designated facility Block 8.
- Record the manifest tracking number of the old manifest in the "Special Handling and Additional Information Block" of the new manifest and indicate that the shipment is a residue or rejected waste from a previous shipment.
- Copy the manifest tracking number from the new manifest onto the original manifest in the Block 18a discrepancy field.
- Write the DOT description for the rejected load or residue in Block 9 on the new manifest.
- Complete remaining blocks of new manifest, as appropriate (emergency response phone number, transporter information, etc.).
- Sign the certification as the offeror of the shipment.

However, if a full shipment is being returned to the generator and the transporter has remained on site, then the TSDf may use the original manifest for the subsequent shipment as follows:

- The TSDf signs Block 20 to receive the waste except as noted in Block 18a. (This is signed for both waste receipt and waste rejection.)
- The TSDf completes Block 18a indicating the full load rejection.
- The TSDf specifies the generator information in the Alternate Facility space, 18b.
- The TSDf retains a copy of the manifest for its records and gives remaining copies to transporter.
- The generator signs for receipt of the waste using block 18c.

#### **Acquisition of Manifests and Manifest Printing Requirements**

A new system is established for acquiring manifests. Since "state optional" data elements have been removed from the manifest form, there is no need for an "acquisition hierarchy" to determine which state version of the manifest to use. Instead, generator's can obtain manifest forms from any source registered and approved by EPA to print such forms. (States are not involved with the registration and approval process.)

This rule requires registration and approval from EPA prior to printing manifest forms for use or distribution. Key to the new manifest printing process is assignment of unique, pre-printed tracking numbers. Each registrant will have a three letter suffix to be used as part of the tracking number. Manifests will be printed to meet standards specified or approved by EPA. Each registrant will be responsible for ensuring manifest tracking numbers remain unique.

**DOT Conforming Changes**

Many years ago the DOT definition of bulk packaging was based on 110 gallons and RCRA regulations used the same number. DOT subsequently changed from 110 to 119 to be consistent with international standards. The manifest rule includes minor adjustments to RCRA regulations to conform to the DOT standard. Thus reference to 110 gallons are modified to 119 gallons within the "RCRA empty" regulations in 40 CFR 261.7 and within container marking standards in 40 CFR 262.32. Because it is extremely rare to use containers in the 110 to 119 gallon range, this is not expected to have any operational impact.

# Existing Manifest Form Provided for Comparison Purposes

Please print or type

Form Approved. OMB No. 2050-0039 Expires 9 - 30 - 91

<b>UNIFORM HAZARDOUS WASTE MANIFEST</b>		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					A. State Manifest Document Number					
4. Generator's Phone ( )					B. State Generator's ID					
5. Transporter 1 Company Name			6. US EPA ID Number		C. State Transporter's ID					
7. Transporter 2 Company Name					D. Transporter's Phone					
8. US EPA ID Number					E. State Transporter's ID					
9. Designated Facility Name and Site Address					F. Transporter's Phone					
10. US EPA ID Number					G. State Facility's ID					
11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID Number)					H. Facility's Phone					
G E N E R A T O R	a.				12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.	
	b.									
	c.									
	d.									
	J. Additional Descriptions for Materials Listed Above					K. Handling Codes for Wastes Listed Above				
15. Special Handling Instructions and Additional Information										
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment 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 practicable 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 Acknowledgement of Receipt of Materials				Printed/Typed Name				Month	Day	Year
18. Transporter 2 Acknowledgement of Receipt of Materials				Printed/Typed Name				Month	Day	Year
19. Discrepancy Indication 8space										
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in item 19.										
Printed/Typed Name				Signature				Month	Day	Year

EPA Form 8700 - 22 (Rev. 9 - 88) Previous editions are obsolete.

# New Manifest Form (Obtained From EPA Website)

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

<b>UNIFORM HAZARDOUS WASTE MANIFEST</b>		1. Generator ID Number	2. Page 1 of	3. Emergency Response Phone	4. Manifest Tracking Number			
5. Generator's Name and Mailing Address			Generator's Site Address (if different than mailing address)					
Generator's Phone:								
6. Transporter 1 Company Name			U.S. EPA ID Number					
7. Transporter 2 Company Name			U.S. EPA ID Number					
8. Designated Facility Name and Site Address			U.S. EPA ID Number					
Facility's Phone:								
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes	
			No.	Type				
	1.							
	2.							
	3.							
4.								
14. Special Handling Instructions and Additional Information								
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.								
Generator's/Offeror's Printed/Typed Name				Signature		Month	Day	Year
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: _____ Date leaving U.S.: _____								
17. Transporter Acknowledgment of Receipt of Materials								
Transporter 1 Printed/Typed Name				Signature		Month	Day	Year
Transporter 2 Printed/Typed Name				Signature		Month	Day	Year
18. Discrepancy								
18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection								
Manifest Reference Number: _____								
18b. Alternate Facility (or Generator)						U.S. EPA ID Number		
Facility's Phone:								
18c. Signature of Alternate Facility (or Generator)						Month	Day	Year
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)								
1.	2.	3.	4.					
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in item 18a								
Printed/Typed Name				Signature		Month	Day	Year

EPA Form 8700-22 (Rev. 1-04) Previous editions are obsolete.

**DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)**



# New Manifest Continuation Sheet (Obtained from EPA Website)

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST (Continuation Sheet)		21. Generator ID Number	22. Page	23. Manifest Tracking Number			
24. Generator's Name							
25. Transporter _____ Company Name						U.S. EPA ID Number	
25. Transporter _____ Company Name						U.S. EPA ID Number	
GENERATOR	27a. HM	27b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))		26. Containers		29. Total Quantity	
				No.	Type	30. Unit WL/Vol.	
						31. Waste Codes	
32. Special Handling Instructions and Additional Information							
TRANSPORTER	33. Transporter _____ Acknowledgment of Receipt of Materials						
	Printed/Typed Name			Signature		Month	Day
DESIGNATED FACILITY	34. Transporter _____ Acknowledgment of Receipt of Materials						
	Printed/Typed Name			Signature		Month	Day
35. Discrepancy							
36. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)							

EPA Form 8700-22A (Rev. 1-04) Previous editions are obsolete.

DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)