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# Uniform Hazardous Waste Manifests

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The Missouri Department of Natural Resources' Hazardous Waste Program prepared this fact sheet for generators, transporters and facilities that are involved in the shipment of hazardous waste and are required to use the uniform hazardous waste manifest. This fact sheet is a summary of the Code of Federal Regulations found at 40 CFR 262 Subpart B, 263 Subpart B and 264 Subpart E and the Missouri Code of State Regulations found in Title 10, Division 25. This fact sheet should not be used in place of state and federal laws.

## What is the Uniform Hazardous Waste Manifest?

September 5, 2006 marked the advent of the Federal Uniform Hazardous Waste Manifest. The U.S. Environmental Protection Agency's, or EPA's, goal in modifying the manifest was to reduce the paperwork burden on generators, transporters and treatment, storage and disposal facilities, or TSDFs, that use the manifest. By establishing a single manifest form, manifest users no longer have to comply with various state requirements. This is especially beneficial to those entities involved in the interstate transportation of hazardous waste.

## Why is this important to know?

This "cradle to grave" tracking system involves several types of businesses and individuals. For example, are you a generator? Do you package the waste or are you responsible for the manifest paperwork? Do you drive the truck that will eventually deposit the hazardous waste at an appropriate treatment, storage and disposal facility? If you are a generator, transporter or facility involved in the shipment of hazardous waste in Missouri you must use the uniform hazardous waste manifest to record shipments of hazardous waste unless your company meets the exception found under 40 CFR 262.20(e) and 40 CFR 263.20(h). Regulations from two federal agencies govern the transportation of hazardous waste: the U.S. Department of Transportation, or USDOT, 49 CFR 100-185 and the EPA 40 CFR 260-265. The USDOT's Pipeline and Hazardous Material Safety Administration provides the framework of regulations regarding transportation and EPA adds to this basic set of rules for hazardous materials that are also hazardous wastes.

## Where do I obtain Hazardous Waste Manifests?

Manifests are available from by any printer approved by EPA. A list of the approved printers is available at the following EPA Web site: [www.epa.gov/epawaste/hazard/transportation/manifest/registry/printers.htm](http://www.epa.gov/epawaste/hazard/transportation/manifest/registry/printers.htm)

## Are there any state specific requirements?

State specific waste codes for which there are no federal equivalents should be used on the manifest when applicable. They include:

- M001 through M012 for Polychlorinated Biphenyl, or PCB wastes.
- MH02 for dioxin waste.
- D096 for the disposal of used oil with less than 50 parts per million PCBs.
- D098 for the disposal of used oil.

All in-state and out-of-state treatment, storage and disposal facilities are required to send appropriate copies of the manifest to Missouri Department of Natural Resources' Hazardous Waste Program, P.O. Box 176, Jefferson City, MO 65101.

**What are the basic generator requirements for using the manifest?**

Generators of hazardous waste shall follow the step-by-step *Instructions for Generators* located on the back of the manifest. These instructions include providing an accurate USDOT description of the waste.

Generators of hazardous waste must designate a treatment, storage and disposal facility on the manifest to receive their waste. If this treatment, storage and disposal facility cannot accept the waste, the generator should designate an alternate facility.

The generator will provide appropriate copies of the manifest to all transporters and facilities involved in the shipping process.

The generator must sign and date the shipper's certification and waste minimization statement, located in item 15 of the manifest and give the remaining copies of the manifest to the first transporter.

If the generator has not received a copy of the completed manifest by the treatment, storage and disposal facility within 35 days of the original shipment date, the generator must file a *Generator Exception Report* with the Missouri Department of Natural Resources within 45 days of the original shipment date. A copy of the generator exception report is available at [www.dnr.mo.gov/forms/780-0651.pdf](http://www.dnr.mo.gov/forms/780-0651.pdf)

Generators of hazardous waste must retain copies of all hazardous waste manifests for a period of three years.

**What are the basic transporter requirements for using the manifest?**

Transporters shall follow the step by step *Instructions for Transporters* located on the back of the manifest.

A transporter may not accept hazardous waste from a generator without a hazardous waste manifest.

The transporter must sign and date the acknowledgement of receipt in item 17 of the manifest.

The transporter that delivers the waste to the facility must ensure the hazardous waste manifest is signed in item 20 before relinquishing the waste.

If the waste is transported by rail, the first rail transporter must sign and date the manifest and forward the manifest to the next non-rail transporter, the designated facility or the last rail transporter.

Transporters of hazardous waste must retain copies of all hazardous waste manifests for a period of three years.

**What are the basic designated facility requirements for using the manifest?**

Designated facilities should follow the step by step *Instructions for Owners/Operators of Treatment, Storage, and Disposal Facilities* located on the back of the manifest.

The designated facility must sign and date the certification of receipt of materials in item 20 of the manifest.

Within 30 days of the date of delivery, the designated facility should send a copy of the completed manifest to the generator.

The treatment, storage and disposal facility should note any **significant manifest discrepancies** as listed below on item 18a of the manifest:

1. Significant differences between **the quantity** designated on the manifest and the actual quantity measured at the facility include:
  - a. Greater than 10 percent in weight for bulk waste.
  - b. Variation in piece count for non-bulk waste (example: one less drum than is listed on the manifest).
2. Significant differences between the **type of waste** designated on the manifest and the type of waste determined after waste analysis. Please note that significant differences in quantity and type should be discussed between the designated facility and generator after the facility has determined this discrepancy. If the discrepancy is not resolved within 15 days of receiving the waste, the designated facility must submit a manifest discrepancy report to the department describing the discrepancy, attempts to reconcile with the generator and a copy of the completed manifest.
3. **Rejected wastes**, including full and partial rejections.
4. **Container residues** that exceed EPA's definition of "empty."

See the flow chart at the end of this fact sheet for the methods of manifesting rejected wastes and residues. The flowchart is courtesy of the California Department of Toxic Substances Control and was modified by the Missouri Department of Natural Resources.

If the designated facility receives hazardous waste without an accompanying manifest, the facility should prepare an **unmanifested waste report** with the following information.

1. The name, EPA identification number and address of the generator, transporters and designated facility involved in the shipping process.
2. The date the facility received the waste.
3. A description and quantity of the unmanifested waste.
4. The method of treatment, storage or disposal of the waste.
5. The certification signed by an authorized representative of the designated facility.
6. An explanation of why the waste was unmanifested.

All in-state and out-of-state designated facilities should send in copies of the completed manifest to the Missouri Department of Natural Resources' Hazardous Waste Program, P.O. Box 176, Jefferson City, MO 65101.

Designated facilities must retain copies of all hazardous waste manifests for three years.

### **What are the differences between waste codes and management method codes?**

Waste codes are designated by EPA and indicate the hazardous waste being shipped. They include listed hazardous wastes and characteristic hazardous wastes. The uniform hazardous waste manifests accommodates up to six waste codes for each waste stream. This does not mean there should always be multiple descriptions for each waste. The extra fields simply allow for a more detailed description of wastes that may be characterized by more than one or two waste codes. A list of hazardous waste codes is available at [www.epa.gov/osw/inforesources/data/br91/na\\_apb-p.pdf](http://www.epa.gov/osw/inforesources/data/br91/na_apb-p.pdf).

Management Method Codes are filled out by a representative of the designated facility. These codes are found in item 19 of the new manifest and describe the types of treatment, disposal or recycling the waste has undergone at the designated facility. Only one code that best describes the way each waste is managed should be designated. A list of Management Method Codes is available at [www.epa.gov/epawaste/hazard/transportation/manifest/pdf/codes.pdf](http://www.epa.gov/epawaste/hazard/transportation/manifest/pdf/codes.pdf).

### **What is the EPA definition of an empty container in regard to manifesting residue?**

EPA states a package is empty when all the wastes have been removed using common practices and meets one of the following specific residue criteria:

- Less than 1 inch of residue on the bottom or on inner liner.
- Less than 3 percent residue remains by weight of the total capacity of the container as long as the container is greater than or equal to 110 gallons.
- Less than 0.3 percent residue remains by weight of the total capacity of the container if the container is greater than 110 gallons.

Remember that even if the package is empty as described above, and you do not have to manifest the residue, you still may be subject to USDOT hazardous material regulations. See the flowchart at the end of this document on how to ship residue and rejected waste.

### **Who is an “offeror” of hazardous waste?**

An offeror, as defined in U.S. Department of Transportation’s hazardous material regulations, is any person who is responsible for performing any pre-transportation function. This includes, but is not limited to, assigning a hazardous material description for the waste, marking and labeling, packaging, preparing the shipping paper (manifest) and providing emergency response information. Examples of offerors include a generator of hazardous waste, any person who assists the generator in preparing the waste for shipment and any representative of the designated facility that manifests and prepares a rejected load or residue.

Although the offeror is responsible for the pre-transportation duties outlined in USDOT transportation regulations 49 CFR 171.8, it should be noted that the offeror is not subject to the extensive liabilities of a generator of hazardous waste. The offeror will sign the generator/offeror’s certification on item 15 of the hazardous waste manifest.

### **Should I use gross or net weight on the manifest?**

The manifest instructions specifically state the quantity of hazardous waste recorded on the manifest should be based on “actual measurements or reasonably accurate estimates of actual quantities shipped.” The container capacities should **not** be used. If possible, the weight of only the waste itself should be recorded in item 11 on the manifest.

### **Can I use the Hazardous Waste Manifest to ship material other than hazardous waste?**

Yes, because the hazardous waste manifest is a modified bill of lading and conforms to all USDOT shipping paper requirements, you are allowed to use this form to ship material other than hazardous waste. If you are shipping your hazardous waste with non-hazardous waste/material you should designate this by listing all hazardous materials/waste first, placing an “X” before the shipping description or highlighting all hazardous material/waste listed on the manifest.

### **What's this I hear about an e-manifest?**

EPA is implementing an electronic manifest tracking system that will affect hazardous waste manifest users at the national level. This new e-manifest tracking system will most likely be optional. The final rule has not been published at this time.

### **How to Obtain Copies of Hazardous Waste Laws and Regulations?**

- *Missouri Revised Statutes (RSMo)*, including the *Missouri Hazardous Waste Management Law*, are available from the Revisor of Statutes, 573-526-1288, or online through the Missouri General Assembly Web site at [www.moga.mo.gov/](http://www.moga.mo.gov/)
- *Missouri Code of State Regulations, or CSR*, is available from the Missouri Secretary of State's Office, 573-751-4015, or online at [www.sos.mo.gov/adrules/csr/csr.asp](http://www.sos.mo.gov/adrules/csr/csr.asp).
- Code of Federal Regulations, or CFR, is available at [www.gpoaccess.gov/cfr/index.html](http://www.gpoaccess.gov/cfr/index.html). Copies may be purchased from a U.S. Government Bookstore, the U.S. Government Printing Office or from a commercial information service such as the Bureau of National Affairs.

### **For More Information**

Missouri Department of Natural Resources  
Hazardous Waste Program  
Compliance/Enforcement Section  
P.O. Box 176  
Jefferson City, MO 65102-0176|  
800-361-4827 or 573-751-7560

## The Requirements for Rejected Shipments of Hazardous Wastes or Container Residues

