

**PROPOSED**

**6 NYCRR Part 364**

**Waste  
Transporters**

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**PART 364**

**WASTE TRANSPORTERS**

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**SUBPART 364-1**

**GENERAL**

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**Section 364-1.1 Purpose**

It is the purpose of this Part to protect the environment from mishandling and mismanagement of all regulated wastes transported from the site of generation to the site of ultimate treatment, storage or disposal and to prevent a discharge of wastes into the environment, whether accidental or intentional, except at a site approved for the treatment, storage or disposal of the wastes.

**Section 364-1.2 Applicability**

This Part governs the transport of regulated waste originating or terminating at a location in New York State. Definitions applicable to this Part are found in Part 360 of this Title. For the purposes of this Part, regulated waste means any one of the following types of waste:

- (a) Raw sewage, which includes portable toilet waste.
- (b) Septage.
- (c) Leach field components that have come in contact with raw sewage or septage.
- (d) Sludge from a wastewater or water supply treatment plant.
- (e) Industrial-commercial waste that originates at, is generated by, or occurs as a result of any industrial or commercial activity. Industrial-commercial waste includes:
  - (1) liquids such as acids, alkalis, caustics, leachate, and petroleum (and its derivatives);
  - (2) sludges that are semi-solid substances resulting from process or treatment operations, or residues from storage or use of liquids;
  - (3) solidified chemicals, paints, or pigments;
  - (4) the end-products or by-products of incineration or other forms of combustion, including ash;

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- (5) foundry sand;
  - (6) drilling and production waste;
  - (7) navigational dredged material;
  - (8) contained gaseous materials;
  - (9) waste from commercial operations such as restaurants, office buildings, etc.;
  - (10) construction and demolition debris generated or removed by an industrial or commercial business; and
  - (11) contaminated soils generated by commercial or industrial activities.
- (f) Friable asbestos-containing waste.
  - (g) Waste tires.
  - (h) Waste oil.
  - (i) Biohazard waste (both treated and untreated) including regulated medical waste.
  - (j) Source-separated household hazardous waste transported from a collection event or site or by a commercial business.
  - (k) Hazardous waste as defined in Part 371 of this Title.

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**EXEMPTIONS**

In addition to the exemptions provided in section 360.14 of this Title, the following are exempt from this Part:

- (a) The transport of waste by rail, water and air carriers.
- (b) Transport of the following wastes, provided no other regulated waste is intermixed, contained in, or otherwise included with the waste, and provided the waste does not leak from the waste containers and/or vehicle.
  - (1) Residential waste except raw sewage or septage.
  - (2) Source-separated household hazardous waste self-transported from a household to a household hazardous waste collection event or permitted household hazardous waste collection facility.
  - (3) Waste generated from agricultural operations provided any waste pesticides are transported by the farmer to a department-approved household hazardous waste or pesticide collection event site.
  - (4) Waste transported by farm vehicles for use on a farm.
  - (5) Regulated waste in quantities less than or equal to 2,000 pounds in any single shipment, (other than wastes identified in paragraphs 7-9 of this subdivision), except hazardous waste or source-separated household hazardous waste, biohazard waste (including regulated medical waste (RMW)), construction and demolition (C&D) debris and drilling and production waste.
  - (6) C&D debris and historic fill in quantities less than or equal to 10 cubic yards in any single shipment.
  - (7) Universal Waste as defined in Part 370 of this Title in quantities less than 500 pounds in any single shipment, unless otherwise specified in this Part.
  - (8) Waste generated and transported by a conditionally exempt small-quantity generator pursuant to subdivision 371.1(f) of this Title, provided that no more than a total of 500 pounds (226 kilograms) of hazardous waste and no more than 2.2 pounds (one kilogram) of acute hazardous waste is transported during any calendar month.

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(9) Elemental mercury and dental amalgam waste regulated pursuant to Subpart 374-4 of this Title, generated at dental facilities and destined for mercury recovery.

(10) Electronic waste directed for scrap metal recycling under clause 371.1(g)(1)(iii)(b) or subparagraph 371.1(e)(1)(xiii) of this Title.

(11) Lead acid and rechargeable batteries destined for recycling as it is defined in Part 370 of this Title.

(12) Consumer products in transit that have been determined by an appropriate state or federal official or agency to be unsuitable for their intended use and for which the official or agency has instructed the transporter to transport immediately for management of the products at an authorized facility.

(13) Material that has an approved beneficial use determination (BUD) in accordance with section 360.12 of this Title, at the point that the BUD approval indicates that the material is no longer a solid waste.

(14) Navigational dredged material that is non-hazardous pursuant to Part 371 of this Title and which is destined for use as fill.

(15) Oil, gas, solution mining, stratigraphic, brine disposal and geothermal well cuttings that are rock chips, fragments and/or fines generated during drilling which are uncontaminated by drilling and completion fluids including any additives.

(16) Biohazard waste, including RMW, transported by emergency rescue vehicles, a blood service collection vehicle or a vehicle operated by a public health nurse in the conduct of routine business, where the transportation of the waste is incidental to the primary function of the vehicle. The biohazard waste must be transported to a central collection facility regulated by the department, the Department of Health or a facility approved by the department.

(17) Biohazard waste including RMW, in quantities no greater than 50 pounds in a single vehicle by private parcel express delivery systems (e.g., FedEx, UPS, etc.) or postal systems supervised by the federal government (i.e., US Postal Service), provided the transporting entities comply with the packaging, labeling, tracking document and other transport requirements of the United States Department of Transportation (“USDOT”) regarding hazardous material found at 49 CFR 173.197, as incorporated by reference in section 360.3 of this Title.

(18) RMW in quantities less than 50 pounds, contaminated with a radioisotope and transported by an employee or courier of a radiopharmacy registered or permitted in accordance with Part 365 of this Title, provided that the waste is returned to the authorized radiopharmacy.

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(19) Household sharps in quantities less than 50 pounds in a single vehicle, provided the vehicle is owned and operated by a facility registered in accordance with Part 365 of this Title as a participant in the New York State Department of Health Safe Sharps Collection Program.

(20) Regulated waste transported by a law enforcement agency to an authorized facility for that particular waste stream.

(21) Regulated wastes transported during an explosives or munitions emergency response as defined in subdivision 370.2(b) conducted in accordance with subclause 373-1.1(d)(1)(xiii)(a)(4) of this Title.

(22) Regulated waste transported by a public utility or railroad service vehicle owned or operated by that utility or service.

(23) Regulated waste transported by a public transportation agency or by entities contracted to conduct the work in accordance with the agency's contract documents and specifications on public highways under the jurisdiction of that agency where the transportation of the waste is incidental to the primary function of the transport vehicle.

(24) Waste transported wholly on-site by the person responsible for the origination, generation, or occurrence of the waste. For biohazard waste, transportation wholly on-site does not include transport on or across public highways.

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**SUBPART 364-3**

**REGISTRATION**

**364-3.1 Applicability**

**364-3.2 General Requirements**

**364-3.3 Operating Requirements**

**364-3.4 Recordkeeping and reporting requirements**

**Section 364-3.1 Applicability**

The following transporters, which are not otherwise exempt from this Part, are subject to the registration provisions of section 360.15 of this Title, provided the criteria identified in this section are followed:

- (a) A generator of biohazard waste, including RMW, that generates less than 50 pounds of biohazard waste per month, provided:
  - (1) the generator self-transportes the waste;
  - (2) the waste is packaged and marked in accordance with Part 365 of this Title; and
  - (3) the waste is transported to a facility authorized to accept the waste.
- (b) A transporter that collects source-separated household hazardous waste in single loads of 50 pounds or less.
- (c) A transporter of commercial solid waste, other than construction and demolition debris or historic fill, in quantities greater than 2,000 pounds in a single shipment.
- (d) A transporter of commercially generated construction and demolition debris or historic fill in quantities greater than 10 cubic yards in a single shipment. For the purposes of this paragraph, commercially generated means waste that is commercially transported but which may have been generated at a residential or non-commercial location.
- (e) A transporter for sharps from a household medical waste sharps collection facility, provided the criteria in paragraph 364-3.1(a)(1) through (3) of this Part are followed. The collection facility must be registered in accordance with Subpart 365-3 of this Title.

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### **Section 364-3.2 General Requirements**

- (a) A transporter subject to registration under this section who also transports waste subject to permitting under Subpart 364-4 of this Part must obtain a permit for the transport of those types of waste.
- (b) Registered transporters are not required to mark or placard transport vehicles for waste that is transported subject to registration.
- (c) Registered transporters are not required to pay any environmental regulatory fees, as defined by Environmental Conservation Law Article 72, for waste that is transported subject to registration.

### **Section 364-3.3 Operating Requirements**

- (a) The transporter must carry either the most recent registration issued pursuant to this Part or a legible photocopy of the most recent registration in the transport vehicle. The operator must present the registration relating to the waste being transported, to authorized representatives of the department or to any law enforcement officer, when requested to do so.
- (b) All wastes must be properly contained during transport to prevent leaking, blowing, or any other type of discharge to the environment.
- (c) The waste must be delivered to a receiving facility authorized to accept the waste.
- (d) A waste tracking document, prescribed by the department, is required for the transport of RMW and other biohazard waste, construction and demolition debris, and historic fill. A waste tracking document must accompany each load and be presented to authorized representatives of the department or to any law enforcement officer upon request.
- (e) A certificate of treatment form must accompany RMW or other biohazard waste treated on-site by registered or permitted on-site treatment facilities that self-transport the waste.

### **Section 364-3.4 Recordkeeping and reporting requirements**

- (a) The transporter must keep records of all transport of regulated waste for a period of three years at a location identified to the department. These records must be provided to the department within five business days of the department's request. For each load of waste transported the records must include, at a minimum:

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- (1) the location where waste was picked up;
- (2) the name and physical location of the receiving facility;
- (3) a copy of the required waste tracking documents, if any; and
- (4) the quantity (by volume or weight) and specific type of waste shipped.

(b) For purposes of this section, the transporter must submit an annual report, as required by section 360.15 to the department by March 1 of each year, covering the previous calendar year, on a form prescribed by the department. The annual report must include, at a minimum, a complete listing of the amount of each category of regulated waste transported to each receiving facility.

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**SUBPART 364-4**

**PERMITS**

**364-4.1 General**

**364-4.2 Application procedures for new permits**

**364-4.3 Application procedures for permit renewals**

**364-4.4 Application procedures for permit modifications**

**364-4.5 Emergency waste transporter permits**

**364-4.6 Permitting standards**

**364-4.7 Insurance requirements**

**364-4.8 Operating requirements for permits**

**364-4.9 Additional operating requirements for transporters of RMW or other biohazard waste**

**364-4.10 Tracking document requirements**

**364-4.11 Recordkeeping and reporting requirements**

**Section 364-4.1 General**

(a) In lieu of the permit provisions provided in section 360.16 of this Title, all persons who transport regulated waste originating or terminating at a location in New York State, except those otherwise exempt or subject to the registration provisions of this Part, must obtain a permit before transporting regulated waste under the provisions of this Subpart.

(b) A transporter required to obtain a permit under this Part who also conducts transport activities subject to registration under Subpart 364-3 of this Part must obtain a registration for those transport activities eligible for registration.

**Section 364-4.2 Application procedures for new permits**

(a) Permit applications must be submitted on forms prescribed by the department and must include, at a minimum, the following:

(1) a description of the types of waste to be transported;

(2) the license plate number and state or province of registration for each transport vehicle that will be used to transport regulated waste;

(3) the address of the primary physical location where the applicant will store the transport

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vehicles when not in use;

(4) the name and address of all receiving facilities that will be used;

(5) documentation necessary to demonstrate that the proposed receiving facilities are authorized as identified in subdivision 364-4.6(e) of this Part;

(6) for hazardous waste or waste oil, documentation of the transporter's EPA identification number;

(7) proof of insurance from an authorized insurance company including automobile and general liability insurance, additional environmental liability insurance, if required and proof of workers compensation insurance or exemption;

(8) other documentation (e.g., training) as required by the department; and

(9) addresses and descriptions of transfer facilities or on-vehicle storage facilities owned or operated by the transporter.

(b) The department may require or conduct inspections of transport vehicles as a condition of application approval or during the life of the permit.

(c) An environmental regulatory fee is required for new applications, pursuant to Environmental Conservation Law Article 72, Title 5.

### **Section 364-4.3 Application procedures for permit renewals**

(a) Applications for permit renewals must be received by the department on a form prescribed by the department at least 30 days in advance of the expiration date of the existing permit.

(b) If the complete permit renewal application is not received at least 30 days prior to permit expiration, the department may consider the application to be a new permit application.

(c) Annual reports must be submitted with the renewal application or at permit expiration in accordance with subdivision 364-4.11(b) of this Part.

(d) An environmental regulatory fee is required for permit renewals, pursuant to Environmental Conservation Law Article 72, Title 5.

### **Section 364-4.4 Application procedures for permit modifications**

(a) Written applications for permit modifications must be received by the department on a form

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prescribed by the department.

(b) Applications for permit modifications must identify all proposed changes including changes in vehicle license plate numbers, additions or deletions of transport vehicles, changes in waste types, and identification of new or deleted receiving facilities.

**Section 364-4.5 Emergency waste transporter permits**

(a) The department may, at the request of law enforcement, or upon determining that a situation poses an immediate threat to public health or the environment, issue an emergency waste transporter permit, or an emergency waste transporter permit modification for the transport of regulated wastes to a specific and authorized receiving facility. All terms of the permit will be specific to the emergency situation and thereby limited in scope and duration.

(b) Only transporters that are able to comply with this Subpart may be issued emergency waste transporter permits or emergency waste transporter permit modifications.

(c) Any transporter requesting an emergency waste transporter permit must submit to the department the following:

- (1) a description of the location and nature of the emergency;
- (2) the transporter's name;
- (3) where applicable, a transporter's EPA identification number and evidence of appropriate training;
- (4) the transport vehicle license number, state of vehicle registration, and proof of insurance;
- (5) the waste type and estimated quantity;
- (6) the anticipated dates transportation will occur; and
- (7) all anticipated receiving facilities names and contact information.

(d) Emergency waste transporter permits may include additional requirements with respect to waste handling, training, transport, storage, and final disposal of the waste. These requirements will be determined by the department on a case-by-case basis prior to issuance of the permit.

(e) Applicable tracking documents and/or other necessary records must be filed with the department within 30 days of the completion of waste transport.

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**Section 364-4.6 Permitting requirements and standards**

- (a) Permits issued pursuant to this Subpart are effective for a one-year period.
- (b) Permits are not transferable. Change of ownership of the permittee invalidates a permit.
- (c) All applicable environmental regulatory fees must be paid annually or whenever a modification to the number of transport vehicles listed on the permit changes. Failure to pay the required environmental regulatory fees annually, submit copies of current insurance certificates, permit modifications, annual reports, or a timely permit renewal, is sufficient cause for the department to suspend or revoke the permit.
- (d) Failure to request a permit modification to add additional vehicles, change vehicle storage locations, or change receiving facilities is sufficient cause for the department to suspend or revoke the permit.
- (e) Each receiving facility must be a facility authorized to accept the waste pursuant to the requirements of the ECL and applicable regulations or a facility outside the jurisdiction of New York State authorized to operate within the state or jurisdiction where the facility is located or otherwise exempt within that state or jurisdiction.
- (f) A permit action may be denied, revoked, suspended or modified if the receiving facility has been determined to have violated any law, rule or regulation or permit condition related to the operation of its treatment, storage or disposal facility or if the receiving facility is not authorized to receive the types of waste listed on the application.
- (g) A permit action may be denied, revoked, suspended or modified based upon the unsuitability of the applicant under the provisions of ECL sections 27-0305 and 27-0913.
- (h) A permit action may be denied, revoked, suspended or modified, or the processing of a permit action may be suspended, if the transporter has been determined to have violated any terms of the permit, the Environmental Conservation Law, or any regulation or standard promulgated pursuant thereto.

**Section 364-4.7 Insurance requirements**

- (a) Evidence of insurance coverage must be provided to the department for the following:
  - (1) financial responsibility as set forth in 49 CFR Part 387, as incorporated by reference in section 360.3 of this Title; and
  - (2) workers compensation.

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- (b) Automobile insurance must be maintained.
- (c) All insurance must be endorsed by an insurer authorized to do business in New York State.
- (d) Policies of insurance and endorsements required under this section must remain in effect continuously throughout the term of the permittee's waste transporter permit.
- (e) Policies of insurance required under this section may be replaced by insurance from another provider during the term of the permit, provided proof of insurance is provided to the department.

### **Section 364-4.8 Operating requirements for permits**

The following operating requirements apply to transporters subject to the permitting requirements of this Part:

- (a) Transport vehicles for regulated waste must include a cargo-carrying portion that is closed and secured except when loading or unloading regulated waste.
- (b) Except for self-transport described in paragraph 364-2(b)(2) of this Part, source-separated household hazardous waste must be transported by a transporter permitted to transport hazardous waste.
- (c) Regulated waste may only be delivered to a receiving facility authorized to accept the waste and such receiving facility must be designated on the transporter permit.
- (d) The operator of any transport vehicle used for activities covered by this part must carry either the original or a legible photocopy of the most recent permit issued in the transport vehicle. The operator must present the permit, together with shipping or transporting documents relating to the waste being transported, to authorized representatives of the department or to any law enforcement officer when requested to do so.
- (e) A permittee must display the name of the transporter on both sides of each transport vehicle and the transporter's permit number in figures at least three inches high and of a color which contrasts with the background, in a prominent position on each side and the rear of each transport vehicle used for activities covered by this Part.
- (f) A permittee must conspicuously mark or placard every transport vehicle, in a manner consistent with Section 14-f of the New York State Transportation Law and any rules and regulations promulgated thereunder and any related federal requirements, related to the transportation of the regulated waste and its principal hazard.

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- (g) All wastes must be properly covered or contained during transport so as to prevent leaking, blowing, or any other type of discharge into the environment.
- (h) All waste must be properly secured (e.g., blocked or braced) within the transport vehicle during transport to prevent movement or leakage within the transport vehicle during transport.
- (i) All waste containers must be oriented in an appropriate manner, as marked on any container, to ensure proper transportation and to avoid spillage or leakage during transport.
- (j) The operator of any transport vehicle used for activities covered by this part must remain with the transport vehicle while it is being loaded or unloaded unless otherwise approved by the department.
- (k) Permitted transport vehicles, other than the driver's compartment, are restricted to the transportation of materials not intended for human or animal consumption or for other use by the general public except when properly cleaned or disinfected in accordance with all applicable federal and state regulations governing decontamination.
- (l) Any transporter of hazardous waste must also comply with all applicable requirements of part 372 of this Title. Prior to transport of hazardous waste from a hazardous waste generator, the transporter must provide in writing, to the generator, a statement or proof that the transporter is authorized to deliver the hazardous waste to the designated treatment, storage, or disposal facility. Any transporters who provide a pre-printed manifest to a generator, shipper, or offeror of regulated waste shall ensure that all information is correct and clearly legible on all copies of the manifest.
- (m) All transport vehicles, including bulk packages and containers used in transporting regulated waste must be kept in a sanitary condition.
- (n) Each transporter must also comply with applicable USDOT hazardous materials requirements found at 49 CFR 173.196 and 173.197 requirements, as incorporated by reference in section 360.3 of this Title, including but not limited to, packaging, labeling, marking and use of appropriate tracking documents pertaining to the regulated waste authorized for transport.

**Section 364-4.9 Additional operating requirements for transporters of biohazard waste including RMW**

In addition to the operating requirements of section 364-4.8 of this Subpart, the following requirements apply to all transporters of biohazard waste:

- (a) Any employee who transports biohazard waste must be trained a minimum of every three years in the proper handling of hazardous materials in accordance with the requirements set forth

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in 49 CFR 172.704 and 172.602, and 29 CFR 1910.120 and 1910.1200, as incorporated by reference in section 360.3 of this Title, before they handle the waste. Transporters are also required to maintain documentation on employee training, packaging instructions, emergency response procedures and copies of incident reports.

(b) Transporters must not accept for transport any biohazard waste unless the outer surface of the container is labeled and marked in accordance with the requirements of Subpart 365-2 of this Title, and there is no visible sign of leakage or loss of package integrity. Packages that leak during transport must be reported to the department.

(c) Transporters of biohazard waste must use appropriate transport vehicles to transport the waste. The transport vehicle must:

(1) have a fully enclosed, lockable, cargo-carrying body that is locked at all times except during loading and unloading operations;

(2) not subject the biohazard waste to mechanical stress or compaction during loading, unloading, or transit;

(3) have cargo-carrying bodies in good sanitary condition, and

(4) if liquids are being transported, have a secondary containment system sufficient in volume to contain the volume of the largest container.

(d) If a transport vehicle is used for on-vehicle storage by a permitted transporter storing biohazard waste in accordance with Part 365 of this Title, this storage must occur on the original vehicle transporting the waste from the point of initial pickup to the point of final delivery. The vehicle-to-vehicle transfer of waste is subject to the requirements of Part 365 of this Title.

(e) All transport vehicles transporting biohazard waste must carry a spill containment and clean up kit in the transport vehicle. The kit must, at a minimum, consist of the following items:

(1) material designed to absorb spilled liquids having a capacity to absorb a minimum of 10 gallons or the liquid contents of the largest container, whichever is greater;

(2) one gallon disinfectant registered by the department in a sprayer capable of dispersing its charge in both a mist and in a stream;

(3) plastic bags in a sufficient number to double enclose at least 15 percent of the maximum load accumulated or transported (up to a maximum of 50 bags) that meet a standard acceptable to the department and are accompanied by seals and labels. These bags must be large enough to over pack any box or other container normally used for biohazard waste management; and

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- (4) appropriate and sufficient personal protective equipment for the type of waste transported.
- (f) Trash chutes or slides must not be used to transfer biohazard waste from the transport vehicle to containers, treatment devices or other locations.
- (g) Biohazard waste must not be dumped from a vehicle to the ground.
- (h) Transport vehicles for biohazard waste that are removed from service must be decontaminated or disinfected and records of the decontamination or disinfection must be maintained for a period of three years.
- (i) Each transporter using a bulk package for biohazard waste must have a system for tracking and inspecting each bulk container for its integrity, examination of door seals, disinfection and cleaning, ensuring tight closures and seals on all access doors, and a training program manual that will be provided to all generating facilities prior to placing bulk packages at the facility.
- (j) Transporters of treated biohazard waste or treated and destroyed medical sharps must ensure that the waste has been treated prior to collection. Treated waste must be accompanied by a completed certificate of treatment form in accordance with Part 365 of this Title. Treated biohazard waste or treated and destroyed sharps may only be delivered to a permitted transfer facility, landfill or combustor approved in writing by the department to accept the waste if located in New York State. Sharps that have been treated but have not been destroyed must be accompanied by a medical waste tracking document.

### **Section 364-4.10 Tracking document requirements**

- (a) Transporters must not accept a shipment of biohazard waste, drilling and production waste, C&D debris, or historic fill from a generator unless accompanied by a properly completed (i.e., has all generator-supplied information completed and all required certifications signed and dated) waste tracking document. A waste tracking document is not required for material that is exempt from this Part. In addition:
  - (1) the transporter must not accept a waste shipment that differs in terms of quantity from that listed on the waste tracking document;
  - (2) the transporter must not deliver a shipment of waste to any receiving facility other than those listed on the tracking document and authorized under the transporter permit;
  - (3) the waste tracking document must be kept in the transport vehicle in an easily accessible place while the shipment is in transit;

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(4) the transporter must deliver the waste to either:

(i) the receiving facility listed on the waste tracking document; or

(ii) an alternate receiving facility authorized by the generator and listed on the transporter permit.

(5) Where delivery cannot be made to the receiving facility indicated on the tracking document, the transporter must contact the generator for authorization to deliver the shipment to an alternate receiving facility. If the generator authorizes shipment to an alternate receiving facility, the alternate receiving facility must be listed on the transporter's permit and the transporter must promptly deliver the shipment and must carry the original waste tracking document with the shipment and present the document to the owner or operator of the alternate receiving facility with the generator's revised authorization. If arrangements cannot be made for an alternate receiving facility, the transporter must return the shipment to the generator.

(6) Waste requiring a tracking document must be kept separate from waste not requiring a tracking document.

(7) The transporter must keep a copy of the waste tracking document for a period of three years from the date the waste was accepted by the transporter. These forms must be available to the department upon request.

(8) The transporter of biohazard waste must have the tracking document signed by the receiving facility upon delivery of the waste, and provide a copy of the tracking document to the receiving facility.

(b) Transporters of biohazard waste that consolidate or remanifest shipments of waste from multiple generators in a new single tracking document must retain a copy of each generator's original tracking document and maintain a consolidation log indicating all shipments consolidated or remanifested on the new document. A copy of the generator's original tracking document and the log that includes the following information must accompany the new tracking document:

(1) name and address of each generator;

(2) quantity of biohazard waste shipped by each generator and the date shipped by the generator; and

(3) if applicable, the names and permit numbers of all previous transporters.

(c) Transporters of biohazard waste must return a copy of each tracking document (including any consolidated or remanifested documents) to the generator within 15 days of receipt of the

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document from the receiving facility.

(d) Tracking document discrepancies. Discrepancies that include variations in the waste load, number of containers or volume, compromised packaging, or waste unaccompanied by a tracking document must be resolved as follows:

(1) within 15 days of receiving the waste, a report must be filed with the department describing the discrepancy and the attempts the transporter has undertaken to reconcile it; and

(2) the report must include a legible copy of the tracking document(s) in question.

**Section 364-4.11 Recordkeeping and reporting requirements**

(a) For the purposes of this section, the permittee must keep records of all transport of regulated waste for a period of three years. The records must include, at a minimum:

(1) the name and address of the generator;

(2) the location where waste was picked up;

(3) the name and physical location of the receiving facility;

(4) a copy of the waste tracking documents (if required);

(5) the quantity (by volume or weight) and specific type of waste shipped; and

(6) the date of shipment.

(b) The permittee must submit an annual report as required by Part 360 of this Title, to the department with the permit renewal application or upon the expiration of the permit if renewal is not desired, on forms prescribed by the department. The annual report must include, at a minimum, a complete listing of the amount of each category of regulated waste transported to each receiving facility identified on the permit.