

PERMIT PROFILE: WASTE TRANSPORTER

TECHNICAL PROGRAM: Divisions of Solid and Hazardous Materials, Water, depending on the nature of disposal facility

STATUTORY AUTHORITY: Article 27, Title 3 of the Environmental Conservation Law

APPLICABLE REGULATIONS: 6NYCRR Part 364 (septage, sludge, industrial/commercial waste, medical waste, hazardous waste);

LEGISLATIVE INTENT:

To protect the environment from the mishandling of regulated wastes by regulating the transport of such wastes from the point of generation to the site of transfer, treatment, storage or disposal and to prevent the discharge of wastes into the environment except at acceptable facilities.

REGULATED ACTIVITIES:

! **Part 364** - Vehicular transportation of regulated wastes originating or terminating at a location within the state.

EXEMPT ACTIVITIES:

- ! Rail, water, and air carriers are exempt.
- ! Transportation of the following waste is exempt:
 - " Food processing waste.
 - " Construction and demolition debris except asbestos.
 - " Agricultural waste employed in agriculture.
 - " Samples being shipped for analysis or testing.
 - " Certain types of bottom and fly ash.
 - " LLRW transported by USNRC, NYSDOH, NYSDOL, and NYCDN.
 - " Other specific exemptions are contained in Part 364 and Part 381.

MINOR PROJECTS:

! All waste transporter permits not involving approval of disposal site are minor.

PROGRAM SPECIFIC COMPLETENESS REQUIREMENTS:

- ! Parts A, B, and C of the Part 364 permit application, also Parts D & E for the transportation of Hazardous Waste or Regulated Medical Waste.
- ! Submission of appropriate fees.
- ! Proof of appropriate liability insurance.

PUBLIC NOTICE REQUIREMENTS:

! None. All transporter permits are minor projects.

STANDARDS FOR ISSUANCE:

- ! Disposal facilities must be permitted or otherwise approved under ECL. In the case of out-of-state disposal facilities, the receiving state is given annual notification of facilities within its boundaries to which New York State waste is transported.
- ! Intrastate septage transporter permits are issued by the Regional Permit Administrator (except Region 1, Nassau, and Suffolk County).
- ! Out-of-state based septage transporter permits, industrial commercial transporter permits, and LLRW transporter permits are issued by the Division of Regulatory Affairs in Albany.

SPECIAL PROCEDURES AND EXCEPTIONS:

- ! Landspreading of septage is handled by the respective regional office.
- ! On an emergency basis, Part 364 permits can be issued by designated field staff in situations that require immediate action to prevent environmental damage.
- ! Permits involving industrial-commercial, regulated medical, hazardous, and low-level radioactive wastes are issued by the central office unit.

REGULATORY FEES:

! Environmental regulatory fees will be billed annually, by the Department, based on the number of vehicles permitted to transport regulated wastes. See 6NYCRR Part 484.