

SUBSTANTIVE POLICY STATEMENT

This Substantive Policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties, you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.

SPECIAL WASTE MANIFESTING FACT SHEET

Who needs to comply with manifesting requirements?

- Special Waste Generators
- Special Waste Shippers
- Special Waste Receiving Facilities

Exemptions:

R18-13-1303 (C) Shipments of special waste between facilities owned by the same generator shall be exempt from the requirements of rules adopted pursuant to A.R.S. § 49-856.

(What this means is that if the special waste generator facility and the special waste receiving facility are under the same ownership, then manifesting of special waste shipments between those facilities is not required. Please note that, regardless of common ownership, all special waste generators, shippers and receiving facilities must obtain special waste ID numbers.)

Special Waste Generator Manifesting Requirements

R18-13-1302 Before shipping special waste, request a special waste generator ID# on a form provided by the department.

Completing the manifest:

Prior to shipping special waste offsite

- Complete and sign "Generator" section, Lines 1 through 10.
- Have the shipper sign on Line 11 to acknowledge receipt of special waste.
- Keep the green manifest copy for your records.
- Give remaining copies of manifest to the shipper or send to receiving facility.

Once the waste leaves the site – following up:

Within **14 days** after shipping waste:

- Send in the pink manifest copy to ADEQ with the generator's section completed and signed by the generator and shipper.

Within **35 days** after shipping waste:

- The generator *should* receive a signed, completed copy of the manifest from receiving facility.

What to do when things go wrong:

If you do not receive a copy of the manifest:

- Generator contacts the special waste shipper and receiving facility to determine status of the special waste.
- If, within *45 days* after shipping the waste, the generator still has not received a signed completed copy of the manifest from the receiving facility –

Submit an **exception report** to the department which contains:

- ▶ A cover letter signed by the generator explaining what you have done to locate the waste and what was discovered.
- ▶ Legible copy of generator's copy of the manifest with signatures of the generator and shipper.

Note: A federal manifest, shipping paper or shipping record may be used as long as it *includes all information* required on the Arizona state manifest form.

Special Waste Shipper
Manifesting Requirements

R18-13-1303 Shippers who receive special waste in-state for transport to a receiving facility in Arizona must request a special waste shipper ID# on a form provided by the department.

Before you leave with the waste:

- Accept waste for shipment within Arizona only when it is accompanied by a special waste manifest with the "Generator" section of the manifest completed and signed by the generator.

Making the delivery:

- Deliver the entire shipment of special waste to the receiving facility designated in the manifest.
- Retain the orange manifest copy for your records.

What to do when things go wrong:

If the shipper is *unable* to deliver the waste to the primary or alternate receiving facility designated on the manifest, either

- Return the special waste to the generator, or
- Contact the generator for instructions and deliver the waste accordingly.

When shipping special waste make sure that:

- Transporting vehicles are constructed to prevent spills and leaks and are covered to prevent blowing of material.

Special Waste Receiving Facility **Manifesting Requirements**

R18013-1304

- Request a special waste receiving facility ID# on a form provided by the department.
- Receive only special waste accompanied by a manifest signed and dated by the generator and shipper.

Completing the manifest:

In the "Facility" section of the manifest, the receiving facility operator shall complete *all of the following*:

1. Enter the ID number.
2. Sign and date each copy of the manifest to certify that the type and amount of waste received matches that stated on the manifest.
3. Indicate on the manifest any *significant discrepancies* between the description, volume, or weight of the special waste stated on the manifest and the waste received.

A significant manifest discrepancy means a difference of more than 10% by weight for bulk shipments, any variation in a piece count for a batch delivery, or any difference in the type of special waste received as compared to the type of special waste listed on the manifest. [R18-13-1301 (10)].

4. Keep the blue manifest copy for your records.
5. Send the yellow manifest copy to the department and the white manifest copy to the generator within **30 days** of delivery of the waste.

Note: A facility owned by this state, a political subdivision of this state or a municipality shall not accept special waste generated outside this state (A.R.S. § 49-867).

What to do when things go wrong:

If the receiving facility operator discovers a significant manifest discrepancy between the manifest waste and the waste received, the receiving facility operator shall:

- Contact the generator and shipper to try to reconcile the discrepancy.

- If the discrepancy cannot be resolved within *15 days* after receiving the waste:
 - ▶ Submit the manifest to the Director within *5 days*.
 - ▶ Submit a letter describing the significant manifest discrepancy and all attempts to reconcile it.

R18-13-1305 Records

Keep all records required by this Article *for at least 3 years*. If notified of an enforcement action by the Department, *records shall be maintained until a final determination has been made* in the matter or in accordance with the final determination.

Please send all manifest copies and discrepancy reports to ADEQ at the following address:

Arizona Department of Environmental Quality
Solid Waste Inspections and Compliance Unit
3003 North Central Avenue, T3011A
Phoenix, AZ 85012-2905

How to get special waste manifest forms:

Contact: Cathy Charney at (602) 207-4170 or (800) 234-5677, ext 4170, or . . .
Kathleen Jones at (602) 207-4673 or (800) 234-5677, ext 4673.

How to get special waste ID numbers:

Contact Cathy Charney (see above), or
Visit our web site at www.adeq.state.az.us/enviro/waste/solid/special.html