

NOTICE OF INTENT

Department of Environmental Quality
Office of Environmental Assessment
Environmental Planning Division

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Hazardous Waste regulations, LAC 33:V.903, 905, 907, 913, 915, 917, 919, 1107, 1111, and Chapter 11.Appendix A (Log #HW074).

This proposed rule will make Louisiana hazardous waste manifesting regulations equivalent to federal requirements and will reduce submittal and processing of redundant information contained in the manifest. This rule will allow the facilities to comply with equivalent federal regulations while retaining the cradle to grave concept for tracking hazardous waste activity. The basis and rationale for this proposed rule are to make Louisiana regulations equivalent to federal regulations.

This proposed rule meets an exception listed in R.S. 30:2019 (D) (3) and R.S.49:953 (G) (3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This proposed rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

A public hearing will be held on October 25, 2000, at 1:30 p.m. in the Maynard Ketcham Building, Room 326, 7290 Bluebonnet Boulevard, Baton Rouge, LA 70810. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Patsy Deaville at the address given below or at (225) 765-0399.

All interested persons are invited to submit written comments on the proposed regulations. Persons commenting should reference this proposed regulation by HW074. Such comments must be received no later than November 1, 2000, at 4:30 p.m., and should be sent to Patsy Deaville, Regulation Development Section, Box 82178, Baton Rouge, LA 70884-2178 or to FAX (225) 765-5095. Copies of this proposed regulation can be purchased at the above referenced address. Contact the Regulation Development Section at (225) 765-0399 for pricing information. Check or money order is required in advance for each copy of HW074.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 7290 Bluebonnet Boulevard, Fourth Floor, Baton Rouge, LA 70810; 804 Thirty-first Street, Monroe, LA 71203; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 3519 Patrick Street, Lake Charles, LA 70605; 3501 Chateau Boulevard, West Wing, Kenner, LA 70065; 100 Asma Boulevard, Suite 151, Lafayette, LA 70508; 104 Lococo Drive, Raceland, LA 70394 or on the Internet at <http://www.deq.state.la.us/planning/regs/index.htm>.

James H. Brent, Ph.D.
Assistant Secretary

Title 33
ENVIRONMENTAL QUALITY
Part V. Hazardous Waste and Hazardous Materials
Subpart 1. Department of Environmental QualityC Hazardous Waste

Chapter 9. Manifest System for TSD Facilities

' 903. ~~Manifest Requirements~~ Repealed

~~A. The manifest must contain all of the following information:~~

- ~~1. a state manifest document number which shall be obtained from this department if the destination point is in Louisiana;~~
- ~~2. the generator's name, mailing address, telephone number, and active EPA identification number;~~
- ~~3. the name, active EPA identification number and telephone number of each transporter;~~
- ~~4. the name, address, telephone number and active EPA identification number of the designated facility;~~
- ~~5. the description of the waste(s) (e.g., proper shipping name, hazard class, active EPA hazardous waste number, etc.) required by Louisiana Department of Public Safety and Corrections regulations in §§172.101, 172.202, and 172.203, the department's designated handling codes for waste described; and~~
- ~~6. the total quantity of each hazardous waste by units of weight in tons cubic yards, pounds, or gallons (liquids only), and the type and number of containers (metal drums, barrels, kegs, fiberboard or plastic drums, cargo tanks, tank trucks, dump trucks, metal boxes, cartons, cases, burlap bags, paper bags, plastic bags, wooden drums, tanks portable, tank cars, cylinders, wooden boxes, and fiber or plastic boxes) as loaded into or onto the transport vehicle. If the weight is unknown, the volume and estimated weight should be provided.~~
- ~~7. The department's handling codes for use on the manifest (effective January 1, 1992) are as follows:~~

Handling Codes	
Metals Recovery (for reuse)	
M011	High temperature metals recovery
M012	Retorting
M013	Secondary smelting
M014	Other metals recovery for reuse; e.g., ion exchange, reverse osmosis, acid leaching, etc. (specify in comments)
M019	Metals recovery — type unknown
Solvents Recovery	
M021	Fractionation/distillation
M022	Thin film evaporation

M023	Solvent extraction
M024	Other solvent recovery (specify in comments)
M029	Solvents recovery — type unknown
Other Recovery	
M031	Acid regeneration
M032	Other recovery; e.g., waste oil recovery, nonsolvent organics recovery, etc. (specify in comments)
M039	Other recovery — type unknown
Incineration	
M041	Incineration — liquids
M042	Incineration — sludges
M043	Incineration — solids
M044	Incineration — gases
M049	Incineration — type unknown
Energy Recovery (reuse as fuel)	
M051	Energy recovery — liquids
M052	Energy recovery — sludges
M053	Energy recovery — solids
M059	Energy recovery — type unknown
Fuel Blending	
M061	Fuel blending
Aqueous Inorganic Treatment	
M071	Chrome reduction followed by chemical precipitation
M072	Cyanide destruction followed by chemical precipitation
M073	Cyanide destruction only
M074	Chemical oxidation followed by chemical precipitation
M075	Chemical oxidation only
M076	Wet air oxidation
M077	Chemical precipitation
M078	Other aqueous inorganic treatment; e.g., ion exchange, reverse osmosis, etc. (specify in comments)
M079	Aqueous inorganic treatment — type unknown
Aqueous Organic Treatment	
M081	Biological treatment
M082	Carbon adsorption
M083	Air/steam stripping
M084	Wet air oxidation
M085	Other aqueous organic treatment (specify in comments)
M089	Aqueous organic treatment — type unknown
Aqueous Organic and Inorganic Treatment	
M091	Chemical precipitation in combination with biological treatment
M092	Chemical precipitation in combination with carbon adsorption

M093	Wet air oxidation
M094	Other organic/inorganic treatment (specify in comments)
M099	Aqueous organic and inorganic treatment — type unknown
Sludge Treatment	
M101	Sludge dewatering
M102	Addition of excess lime
M103	Absorption/adsorption
M104	Solvent extraction
M109	Sludge treatment — type unknown
Stabilization	
M111	Stabilization/Chemical fixation using cementitious and/or pozzolanic materials
M112	Other stabilization (specify in comments)
M119	Stabilization — type unknown
Other Treatment	
M121	Neutralization only
M122	Evaporation only
M123	Setting/clarification only
M124	Phase separation (e.g., emulsion breaking, filtration) only
M125	Other treatment (specify in comments)
M129	Other treatment — type unknown
Disposal	
M131	Land treatment/application/farming
M132	Landfill
M133	Surface impoundment (to be closed as a landfill)
M134	Deepwell/underground injection
M135	Direct discharge to sewer/POTW (no prior treatment)
M136	Direct discharge to surface water under NPDES (no prior treatment)
M137	Other disposal (specify in comments)
Transfer Facility Storage	
M141	Transfer facility storage, waste was shipped off site with no on-site TDR activity

B. The following certification must appear on the manifest: "This is to certify that the above-named materials are properly classified, described, packaged, marked, and labeled and are in proper condition for transportation according to the applicable regulations of the Louisiana Department of Public Safety, the Louisiana Department of Environmental Quality, the U.S. Department of Transportation, and the U.S. EPA."

C. The manifest must consist of at least enough copies to provide the original to the department; one copy each for the generator, each transporter, and the owner or operator of the designated facility; and remaining copies to be signed and returned to the generator and other appropriate parties.

~~D. The manifest form must be obtained from the department. A Louisiana manifest shall be used as follows:~~

- ~~1. if the hazardous waste is generated in Louisiana and disposed of in Louisiana;~~
- ~~2. if the hazardous waste is generated out of Louisiana and disposed of in Louisiana; or~~
- ~~3. if the hazardous waste is generated in Louisiana and is disposed of in a state without its own manifest system.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 12:319 (May 1986), LR 17:362 (April 1991), repealed by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

' 905. Use of the Manifest System

* * *

[See Prior Text in A - A.3]

- 4. within ~~seven~~³⁰ working days after the delivery, send a signed copy of the manifest to the generator; and
- 5. retain at the facility a copy of each manifest for at least three years from the date of delivery ~~or final disposal, whichever is later. After three years, a summary, extract, or microfilm copy of the information shall be retained by the facility to keep records of waste received.~~

* * *

[See Prior Text in B - B.4]

- 5. retain at the facility a copy of the manifest and shipping paper (if signed in lieu of the manifest at the time of delivery) for at least three years from the date of delivery ~~or final disposal, whichever is later.~~

* * *

[See Prior Text in C]

D. Within three working days of the receipt of a shipment subject to LAC 33:V.Chapter 11.Subchapter B, the owner or operator of the facility must provide a copy of the tracking document bearing all required signatures to the notifier, to the Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting and Data Division (2222A), Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460; to the Department of Environmental Quality, Office of Environmental Services, Environmental Assistance Division, Box 82135, Baton Rouge, LA 70884; and to competent authorities of all other concerned countries. A copy of the tracking document must be maintained at the facility for at least three years from the date of signature.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 17:364 (April 1991),

amended by the Office of Waste Services, Hazardous Waste Division, LR 24:660(April 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

§907. Manifest Discrepancies

* * *

[See Prior Text in A]

B. Upon discovering a significant discrepancy, the owner or operator must attempt to reconcile the discrepancy with the waste generator or transporter (e.g. with telephone conversations). ~~The owner or operator must submit to the administrative authority within five working days a letter describing the discrepancy and attempts to reconcile it, and a copy of the manifest or shipping paper at issue. After the discrepancy is resolved, a corrected copy is to be sent to the administrative authority.~~ If the discrepancy is not resolved within 15 days after receiving the waste, the owner or operator must immediately submit to the Office of Environmental Services, Environmental Assistance Division a letter describing the discrepancy and attempts to reconcile it, and a copy of the manifest or shipping paper at issue.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 17:364 (April 1991), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

' 913. ~~Manifest Document Flow~~ Repealed

~~A. The generator initiates the manifest (original and at least seven copies) as required in LAC 33:V.903. After the transporter signs the manifest, the generator retains one copy for his or her files, mails the second copy to the administrative authority of the generator's state (where the waste was generated), and the original and all other copies accompany the hazardous waste shipment.~~

~~B. The transporter who delivers the hazardous waste to the facility secures the hazardous waste facility operator's signature upon delivery of waste, retains one copy for his or her files, and gives the original and remaining copies to the hazardous waste facility operator.~~

~~C. The hazardous waste facility operator fills out his portion, retains a copy for his files, submits the original to the department no later than seven days after delivery of the hazardous waste and sends all remaining copies to the generator no later than seven days after delivery of the hazardous waste.~~

~~D. The generator files his copy and maintains records in accordance with LAC 33:V.1111.A.1.~~

~~E. The generator, transporter, and hazardous waste facility operator shall maintain file copies of the manifest for a period not less than three years for department inspection, as required in LAC 33:V.317.B.~~

~~F. The generator and hazardous waste facility operator each shall submit an annual report to the department including manifest numbers, total quantity by type of waste handled, its disposition, and all other information requested by the department on the annual report forms. The report shall cover the preceding calendar year and shall be submitted by March 1.~~

~~G. The signing of the manifest by the generator, transporter, or hazardous waste facility operator certifies that to the best of his knowledge, his portion of the manifest is accurately and~~

~~correctly filled out. The generator further certifies that the material is properly packaged, marked, and labelled and is in a proper container for transportation.~~

~~H. Except as otherwise provided in LAC 33:V.919 and 1309.G, hazardous waste facility operators are required to report to the department any irregularities between the wastes actually received and the waste described on the manifest, or any other irregularities, within five days.~~

~~I. Additional generator responsibilities for rail shipments are contained in LAC 33:V.1107.D.4 and 1107.D.5.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 12:319 (May 1986), LR 17:362 (April 1991), LR 18:1256 (November 1992), repealed by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

~~§915. Facilities Accepting Out-of-State Wastes~~Repealed

~~The operator of a hazardous waste facility accepting out-of-state wastes is responsible for all the requirements of this Section, including requiring the generator to initiate a manifest.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), repealed by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

~~§917. Hazardous Wastes Not Properly Manifested~~Repealed

~~When hazardous wastes are not properly manifested and shipped but are to be accepted by the operator of a hazardous waste facility, the requirements of LAC 33:V.909 should be followed.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), repealed by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

~~§919. Hazardous Waste Rejections~~Repealed

~~If any hazardous waste is rejected by the operator of a hazardous waste facility, the operator of that facility is to notify the department immediately (within 24 hours) by telephone and give reasons why the waste was rejected. Within seven days of the refusal to accept the wastes, the operator must provide the administrative authority with a written explanation of why the waste was rejected.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 17:364 (April 1991), repealed by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

Title 33
ENVIRONMENTAL QUALITY
Part V. Hazardous Waste and Hazardous Materials
Subpart 1. Department of Environmental Quality Hazardous Waste

Chapter 11. Generators

' 1107. The Manifest System

* * *

[See Prior Text in A - A.7]

8. ~~Except as otherwise provided in LAC 33:V.919 and 1309.F, generators are required to report to the department any irregularities between the wastes actually received and the waste described on the manifest, or any other irregularities, within 15 days~~Reserved.

* * *

[See Prior Text in A.9 - B.2]

C. Number of Copies. The manifest consists of at least the number of copies which will provide the generator, each transporter, and the owner or operator of the designated facility with one copy each for their records and another remaining copy to be returned to the generator and other appropriate parties.

* * *

[See Prior Text in D - D.6]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 12:319 (May 1986), LR 16:220 (March 1990), LR 17:362 (April 1991), LR 17:478 (May 1991), LR 18:1256 (November 1992), LR 20:1109 (October 1994), LR 21:266 (March 1995), LR 21:267 (March 1995), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1693 (September 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

§1111. Recordkeeping and Reporting

* * *

[See Prior Text in A - C]

1. ~~A generator who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 15 days of the date the waste was accepted by the initial transporter must contact the transporter and/or the owner or operator of the designated facility to determine the status of the hazardous waste.~~ Reserved

* * *

[See Prior Text in C.2 - E]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 16:220 (March 1990), LR 17:365 (April 1991), LR 20:1000 (September 1994), LR 20:1109 (October 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

Appendix A-Uniform Hazardous Waste Manifest and Instructions
(DEQ Form HW-3 and Its Instructions)

Read all instructions before completing DEQ Form HW-3. This form is available from the Office of Environmental Services, Environmental Assistance Division and has been designed for use on a 12-pitch (elite) typewriter; a firm point pen may also be used--press down hard. State regulations require generators and transporters of hazardous waste and owners or operators of hazardous waste treatment, storage, and disposal facilities to use this form (HW-3) and, if necessary, the continuation sheet for both interstate and intrastate transportation. Federal and state regulations also require generators and transporters of hazardous waste and owners or operators of hazardous waste treatment, storage, and disposal facilities to complete the following information:

I. DEQ Form HW-3

A. Generators

Item 1. Generator's U.S. EPA ID Number--Manifest Document Number

Enter the generator's U.S. EPA twelve digit identification number and the unique five digit number assigned to this manifest (e.g., 00001) by the generator.

Item 2. Page 1 of ----

Enter the total number of pages used to complete this manifest, i.e., the first page (HW-3) plus the number of continuation sheets, if any.

Item 3. Generator's Name and Mailing Address

Enter the name and mailing address of the generator. The address should be the location that will manage the returned manifest forms.

Item 4. Generator's Phone Number

Enter a telephone number where an authorized agent of the generator may be reached in the event of an emergency.

Item 5. Transporter 1 Company Name

Enter the company name of the first transporter who will transport the waste.

Item 6. U.S. EPA ID Number

Enter the U.S. EPA twelve digit identification number of the first transporter identified in item 5.

Item 7. Transporter 2 Company Name

If applicable, enter the company name of the second transporter who will transport the waste. If more than two transporters are used to transport the waste, use a continuation sheet(s) and list the transporters in the order they will be transporting the waste.

Item 8. U.S. EPA ID Number

If applicable, enter the U.S. EPA twelve digit identification number of the second transporter identified in item 7.

[Note: If more than two transporters are used, enter each additional transporter's company name and U.S. EPA twelve digit identification number in items 24-27 on the continuation sheet. Each continuation sheet has space to record two additional transporters. Every transporter used between the generator and the designated facility must be listed.]

Item 9. Designated Facility Name and Site Address

Enter the company name and site address of the facility designated to receive the waste listed on this manifest. The address must be the site address, which may differ from the company mailing address.

Item 10. U.S. EPA ID Number

Enter the U.S. EPA twelve digit identification number of the designated facility identified in item 9.

Item 11. U.S. DOT Description [Including Proper Shipping Name, Hazard Class, and ID Number (UN/NA)]

Enter the U.S. DOT Proper Shipping Name, Hazard Class, and ID Number (UN/NA) for each waste as identified in 49 CFR 171 - 177.

[Note: If additional space is needed for waste descriptions, enter these additional descriptions in item 28 on the continuation sheet.]

Item 12. Containers (No. and Type)

Enter the number of containers for each waste and the appropriate abbreviation from Table I (below) for the type of container.

<u>Table I--Types of Containers</u>	
<u>Abbreviation</u>	<u>Type of Container</u>
<u>DM</u>	<u>Metal drums, barrels, kegs</u>
<u>DW</u>	<u>Wooden drums, barrels, kegs</u>
<u>DF</u>	<u>Fiberboard or plastic drums, barrels, kegs</u>
<u>TP</u>	<u>Tanks portable</u>
<u>TT</u>	<u>Cargo tanks (tank trucks)</u>
<u>TC</u>	<u>Tank cars</u>
<u>DT</u>	<u>Dump truck</u>
<u>CY</u>	<u>Cylinders</u>
<u>CM</u>	<u>Metal boxes, cartons, cases (including roll-offs)</u>
<u>CW</u>	<u>Wooden boxes, cartons, cases</u>
<u>CF</u>	<u>Fiber or plastic boxes, cartons, cases</u>
<u>BA</u>	<u>Burlap, cloth, paper, or plastic bags</u>

Item 13. Total Quantity

Enter the total quantity of waste described on each line.

Item 14. Unit (Wt./Vol.)

Enter the appropriate abbreviation from Table II (below) for the unit of measure.

<u>Table II--Units of Measure</u>	
<u>Abbreviation</u>	<u>Unit of Measure</u>
<u>G</u>	<u>Gallons (liquids only)</u>
<u>P</u>	<u>Pounds</u>
<u>T</u>	<u>Tons (2000 lbs)</u>
<u>Y</u>	<u>Cubic yards</u>
<u>L</u>	<u>Liters (liquids only)</u>
<u>K</u>	<u>Kilograms</u>
<u>M</u>	<u>Metric tons (1000 kg)</u>
<u>N</u>	<u>Cubic meters</u>

Item 15. Special Handling Instructions and Additional Information

Generators may use this space to indicate special transportation, treatment, storage, or disposal information or bill of lading information. States may not require additional, new, or different information in this space. For international shipments, generators must enter in this space the point of departure (city and state) for those shipments destined for treatment, storage, or disposal outside the jurisdiction of the United States.

Item 16. Generator's Certification

The generator must read, sign (by hand), and date the certification statement. If a mode other than highway is used, the word "highway" should be lined out and the appropriate mode (rail, water, or air) inserted in the space below. If another mode in addition to the highway mode is used, enter the appropriate additional mode (e.g., and rail) in the space below.

Primary exporters shipping hazardous wastes to a facility located outside of the United States must add to the end of the first sentence of the certification the following words "and conforms to the terms of the EPA Acknowledgment of Consent to the shipment." In signing the waste minimization certification statement, those generators who have not been exempted by statute or regulation from the duty to make a waste minimization certification under section 3002(b) of RCRA are also certifying that they have complied with the waste minimization requirements.

Generators may preprint the words, "On behalf of" in the signature block or may hand write this statement in the signature block prior to signing the generator certifications.

[Note: All of the above information except the handwritten signature required in item 16 may be preprinted.]

B. Transporters

Item 17. Transporter 1 Acknowledgement of Receipt of Materials

Enter the name of the person accepting the waste on behalf of the first transporter. That person must acknowledge acceptance of the waste described on the Manifest by signing and entering the date of receipt.

Item 18. Transporter 2 Acknowledgement of Receipt of Materials

Enter, if applicable, the name of the person accepting the waste on behalf of the second transporter. That person must acknowledge acceptance of the waste described on the manifest by signing and entering the date of receipt.

[Note: International Shipments--Transporter Responsibilities. Exports-- Transporters must sign and enter the date the waste left the United States in item 15. Imports-- Shipments of hazardous waste regulated by RCRA and transported into the United States from another country must, upon entry, be accompanied by the U.S. EPA

Uniform Hazardous Waste Manifest. Transporters who transport hazardous waste into the United States from another country are responsible for completing the Manifest (LAC 33:V.1301.E).]

C. Owners and Operators of Treatment, Storage, or Disposal Facilities

Item 19. Discrepancy Indication Space

The authorized representative of the designated (or alternate) facility's owner or operator must note in this space any significant discrepancy between the waste described on the manifest and the waste actually received at the facility. Owners and operators of facilities located in unauthorized states (i.e., the U.S. EPA administers the hazardous waste management program) who cannot resolve significant discrepancies within 15 days of receiving the waste must submit to their regional administrator (see list below) a letter with a copy of the manifest at issue describing the discrepancy and attempts to reconcile it (LAC 33:V.907 and 4355). Owners and operators of facilities located in authorized states (i.e., those states that have received authorization from the U.S. EPA to administer the hazardous waste program) should contact their state agency for information on state discrepancy report requirements.

<u>EPA Regional Administrators</u>
<u>Regional Administrator, U.S. EPA Region I, J.F. Kennedy Federal Building, Boston, MA 02203</u>
<u>Regional Administrator, U.S. EPA Region II, 26 Federal Plaza, New York, NY 10278</u>
<u>Regional Administrator, U.S. EPA Region III, 6th and Walnut Streets, Philadelphia, PA 19106</u>
<u>Regional Administrator, U.S. EPA Region IV, 345 Courtland Street, NE, Atlanta, GA 30365</u>
<u>Regional Administrator, U.S. EPA Region V, 77 West Jackson Boulevard, Chicago, IL 60604</u>
<u>Regional Administrator, U.S. EPA Region VI, 1201 Elm Street, Dallas, TX 75270</u>
<u>Regional Administrator, U.S. EPA Region VII, 324 East 11th Street, Kansas City, MO 64106</u>
<u>Regional Administrator, U.S. EPA Region VIII, 1860 Lincoln Street, Denver, CO 80295</u>
<u>Regional Administrator, U.S. EPA Region IX, 215 Fremont Street, San Francisco, CA 94105</u>
<u>Regional Administrator, U.S. EPA Region X, 1200 Sixth Avenue, Seattle, WA 98101</u>

Item 20. Facility Owner or Operator: Certification of Receipt of Hazardous Materials Covered by This Manifest Except as Noted in Item 19

Print or type the name of the person accepting the waste on behalf of the owner or operator of the facility. That person must acknowledge acceptance of the waste described on the Manifest by signing and entering the date of receipt. Generators must also complete items A-K (the shaded portions of the manifest).

II. Instructions--Continuation Sheet

Read all instructions before completing this form. This form has been designed for use on a 12-pitch (elite) typewriter; a firm point pen may also be used--press down hard. This form must be used as a continuation sheet to DEQ Form HW-3 if:

more than two transporters are to be used to transport the waste; or
more space is required for the U.S. DOT description and related information in Item 11 of DEQ Form HW-3.

Federal and state regulations require generators and transporters of hazardous waste and owners or operators of hazardous waste treatment, storage, or disposal facilities to use the uniform hazardous waste manifest and, if necessary, this continuation sheet for both inter- and intrastate transportation.

A. Generators

Item 21. Generator's U.S. EPA ID Number--Manifest Document Number

Enter the generator's U.S. EPA twelve digit identification number and the unique five digit number assigned to this Manifest (e.g., 00001) as it appears in item 1 on the first page of the manifest.

Item 22. Page ----

Enter the page number of this continuation sheet.

Item 23. Generator's Name

Enter the generator's name as it appears in item 3 on the first page of the manifest.

Item 24. Transporter ---- Company Name

If additional transporters are used to transport the waste described on this manifest, enter the company name of each additional transporter in the order in which they will transport the waste. Enter after the word

“transporter” the order of the transporter. For example, Transporter 3 Company Name. Each Continuation Sheet will record the names of two additional transporters.

Item 25. U.S. EPA ID Number

Enter the U.S. EPA twelve digit identification number of the transporter described in item 24.

Item 26. Transporter ---- Company Name

If additional transporters are used to transport the waste described on this manifest, enter the company name of each additional transporter in the order in which they will transport the waste. Enter after the word “transporter” the order of the transporter. For example, Transporter 4 Company Name. Each continuation sheet will record the names of two additional transporters.

Item 27. U.S. EPA ID Number

Enter the U.S. EPA twelve digit identification number of the transporter described in item 26.

Item 28. U.S. DOT Description Including Proper Shipping Name, Hazardous Class, and ID Number (UN/NA). Refer to item 11.

Item 29. Containers (No. and Type). Refer to item 12.

Item 30. Total Quantity. Refer to item 13.

Item 31. Unit (Wt./Vol.). Refer to item 14.

Item 32. Special Handling Instructions

Generators may use this space to indicate special transportation, treatment, storage, or disposal information or bill of lading information.

B. Transporters

Item 33. Transporter ---- Acknowledgement of Receipt of Materials

Enter the same number of the transporter as identified in item 24. Enter also the name of the person accepting the waste on behalf of the transporter (Company Name) identified in item 24. That person must acknowledge acceptance of the waste described on the manifest by signing and entering the date of receipt.

Item 34. Transporter ---- Acknowledgement of Receipt of Materials

Enter the same number of the transporter as identified in item 26. Enter also the name of the person accepting the waste on behalf of the transporter (Company Name) identified in item 26. That person must acknowledge acceptance of the waste described on the manifest by signing and entering the date of receipt.

C. Owners And Operators of Treatment, Storage, or Disposal Facilities

Item 35. Discrepancy Indication Space. Refer to item 19.

D. Generators must also complete items L-R (the shaded portions of the continuation sheet).

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

LOG #: HW074

Person

Preparing

Statement: Thelma Y. Jenkins-Anthony

Dept.: Environmental Quality

Phone: (225) 765-0399

Office: Environmental Assessment

Return

Address: P.O. Box 82178
Baton Rouge, LA 70884
915, 917, 919, 1107, and 1111

Rule

Title: Hazardous Waste Manifest
Revisions - LAC 33:V. 903, 905, 907, 913,

Date Rule

Takes Effect: Upon Promulgation

SUMMARY

(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The department will better utilize the current personnel that are dedicated to the management of manifests to review annual reports in order to more effectively assess the waste management practices in the state. The proposed rule will reduce processing of redundant paperwork submitted to the department and result in reduced costs for document storage space. No information relative to tracking hazardous waste from "cradle to grave" will be sacrificed.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

No effect on revenue collections of state or local governmental units is anticipated.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The regulated community will realize an economic benefit due to the elimination of the requirement to submit copies of approximately 100,000 manifests annually at 33 cents postage (for a collective savings of \$33,000 per year). Personnel mailing manifests to the department will be free to perform other tasks. Hazardous waste manifests will still be required.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

No effect on competition or employment is expected as a result of this rule.

Signature of Agency Head or Designee
DESIGNEE

LEGISLATIVE FISCAL OFFICER OR

James H. Brent, Ph.D., Assistant Secretary
Typed Name and Title of Agency Head or Designee

Date of Signature

Date of Signature

LFO 7/1/94

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

The following information is requested in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The proposed rule will make Louisiana's hazardous waste manifesting requirements equivalent to federal requirements.

- B. Summarize the circumstances which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

In addition to making Louisiana's hazardous waste manifest requirements equivalent to federal requirements, the proposed rule will reduce submittal, processing, and storage of redundant information contained in the manifest. The result will be a modest savings to both the department and the regulated community without sacrificing necessary information.

- C. Compliance with Act II of the 1986 First Extraordinary Session

(1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

No, there will be no increase in the expenditure of funds.

2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) _____ Yes. If yes, attach documentation.

(b) _____ No. If no, provide justification as to why this rule change should be published at this time.

This is not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

There is no anticipated change in costs to implement the proposed action.

COSTS	FY 00-01	FY 01-02	FY 02-03
PERSONAL SERVICES			
OPERATING EXPENSES			
PROFESSIONAL SERVICES			
OTHER CHARGES			
<u>EQUIPMENT</u>			
<u>TOTAL</u>	0	0	0
<u>MAJOR REPAIR & CONSTR.</u>			
<u>POSITIONS(#)</u>	0	0	0

2. Provide a narrative explanation of the costs or savings shown in "A.1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

The department will better utilize the current personnel that are dedicated to the management of manifests to review annual reports in order to more effectively assess the waste management practices in the state. The proposed rule will reduce processing of redundant paperwork submitted to the department and result in reduced costs for document storage space. No information relative to tracking hazardous waste from "cradle to grave" will be sacrificed.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 00-01	FY 01-02	FY 02-03
STATE GENERAL FUND			
AGENCY SELF-GENERATED			
DEDICATED FEDERAL FUNDS			
<u>OTHER (Specify)</u>			
<u>TOTAL</u>	0	0	0

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

No additional funding is necessary to implement the proposed rule.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

No implementation cost or savings to local governmental units are expected as a result of this rule.

2. Indicate the sources of funding of the local governmental unit which will be affected by these costs or savings.

This section is not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

REVENUE INCREASE/DECREASE	FY 00-01	FY 01-02	FY 02-03
STATE GENERAL FUND			
AGENCY SELF-GENERATED			
RESTRICTED FUNDS*			
FEDERAL FUNDS			
<u>LOCAL FUNDS</u>			
<u>TOTAL</u>	0	0	0

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

This section is not applicable.

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS

A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

The regulated community will realize an economic benefit due to the elimination of the requirement to submit copies of approximately 100,000 manifests annually at 33 cents postage (for a collective savings of \$33,000 per year). Personnel mailing manifests to the department will be free to perform other tasks. Hazardous waste manifests will still be required.

B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

This section is not applicable.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

No effect on competition or employment is expected as a result of this rule.