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Hotline Questions and Answers

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2. Manifest Requirements for Imported Hazardous Waste

Any person who imports hazardous waste into the United States must comply with all applicable generator requirements and the special requirements for importers in Part 262, Subpart F (262.60(a)). This includes preparing a manifest with a generator EPA identification number before transporting the imported hazardous waste within the United States. Because waste generated in another country will not have an EPA identification number, the importer's identification number should be used on the manifest. Any party who helped arrange for the importation (e.g., a broker, a transporter, a TSDf), however, may be considered an importer (June 25, 1985, memo from Skinner to Seraydarian). In cases where there is more than one importer each with an identification number, whose number should be used on the manifest?

EPA does not require any particular identification number to be used on the manifest. The Agency recommends that the parties to the movement decide among themselves who will act as the importer. The importer's responsibility includes providing an identification number on the manifest (262.60(b)(1)). Regardless of who performs the importer duties, EPA reserves the right to enforce against any of the involved parties if the requirements of the RCRA hazardous waste regulations are not adequately met.