

PPC 9461.1986(01)

TEN DAY REGULATION FOR TRANSPORTATION
OF HAZARDOUS WASTE

APR 10 1986

Ms. Virginia Eastwood
Director, Hazardous Waste Division
St. Joseph Motor Lines
5724 New Peachtree Road
Atlanta, Georgia 30341

Dear Ms. Eastwood:

I am responding to your letter of inquiry dated March 31, 1986.

As you stated correctly in your letter, the "10 day" regulation for storage in transit of hazardous waste does not apply to the period of time that such waste is actually in transit between the pick-up and delivery points.

This interpretation is consistent with the appropriate regulatory provision contained in 40 CFR Part 263 - Standards Applicable To Transporters of Hazardous Waste. More specifically 40 CFR 263.12 states: "A transporter who stores manifested shipments of hazardous waste in containers meeting the requirements of §262.30 at a transfer facility for a period of ten days or less is not subject to regulation under Parts 270, 264, and 265 of this chapter with respect to the storage of those wastes."

Thus, the "10 day" regulation only relates to storage at a transfer facility.

Furthermore, "transfer facility" is defined in 40 CFR 260.10 as follows: "Transfer Facility means any transportation related facility including loading docks, parking areas, storage areas and other similar areas where shipments of hazardous waste are held during the normal course of transportation".

I hope that these regulatory citation's provide you with the information which you requested. You must, however, remember

that individual State hazardous waste regulations may be more stringent than these Federal requirements.

Respectfully,

Bernard J. Stoll
Program Manager
Financial Responsibility and
Assessment Branch