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RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

JANUARY 83

QUESTIONS/ ANSWERS - RCRA

1. Question: Can a transporter consolidate manifested shipments of hazardous waste at a transfer facility by transferring waste in drums to a tank truck for bulk delivery to a TSDF? All of the drums contain wastes with the same DOT shipping description.

Answer: If the transporter were combining waste with different DOT shipping descriptions into a single container, the transporter would be mixing wastes and must comply with the Part 262 regulations. Since in this instance no mixing of different DOT waste types occurs, there is no requirement for a new manifest. (The preamble to the Dec. 31, 1980, interim final rule on storage by transporters at transfer facilities solicited comments on whether regulatory controls over the consolidation of shipments and mixing of hazardous waste by transporters is ????????. If the containers are empty according to section 261.?, they are not subject to further RCRA regulations.

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