

2. Definition of Transporter and Transporter Signature on Manifest

A generator contracts with a hazardous waste transport company to haul hazardous waste from the generator to a TSDf. While in transit, the driver of the truck brings the hazardous waste to a transfer facility. A second driver, from the same transport company, hauls the waste from the transfer facility to the TSDf. Must the generator identify the second driver on the manifest as a second transporter? Must the second driver sign the manifest since he is a new individual taking possession of the waste?

The generator does not need to identify the second driver on the manifest, nor would the second driver need to sign the manifest when he takes possession of the waste. When the same transport company conducts all transportation activities, and there is no interruption in that company's custody and control, it is unnecessary for generators to identify individual drivers of a transport company on the manifest.

The term "transporter" and a transporter's EPA identification number refer to the entire company involved in the transport of hazardous waste, not individuals within the company. Custody of a given shipment of hazardous waste lies with the entity that is associated with the EPA identification number listed on the manifest, not with the individual operating the transport vehicle. Therefore, when waste shipments are exchanged among individuals within the same transport company, a generator is not required to identify those individuals as multiple transporters on the manifest and no signature is required of those drivers. The signature and EPA identification number of a second transporter are required on the manifest only when a second transport company, with its own EPA identification number, takes possession of the waste.