



TCEQ REGULATORY GUIDANCE

Permitting Registration and Support Division
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Transporting Waste in Texas— A Guide to Regulations

Whether you transport waste in Texas or hire a waste transporter, this publication will help you decide if the waste to be hauled is regulated, who regulates it, how to contact that agency, and what the important requirements are for many of the wastes.

Correct and timely compliance with regulations on the transportation of hazardous and industrial wastes will help to protect the state's environment and also safeguard the health of Texas citizens.

Who Regulates Waste Transportation in Texas?

The state of Texas regulates the transportation of hazardous waste and certain nonhazardous waste through rules established and enforced by the Texas Commission on Environmental Quality (TCEQ) and the Texas Department of State Health Services (DSHS).

Federal agencies, such as the U.S. Department of Transportation (USDOT) and the U.S. Environmental Protection Agency (EPA), also regulate some of these same wastes.

In Texas, the TCEQ regulates waste in two portions of the Texas Administrative Code:

- **Hazardous waste and industrial nonhazardous waste** is covered in Title 30 of the Texas Administrative Code, Chapter 335 (30 TAC Chapter 335).
- **Municipal waste** is regulated in 30 TAC Chapter 330.

In the remainder of this publication, the location of a referenced rule will be abbreviated and included in parentheses at the end of each sentence.

To better understand the many terms, definitions, and classes of waste, see *Guidelines for the Classification and Coding of Industrial and Hazardous Wastes*, TCEQ Publication RG-022.

For information on this and other publications, call TCEQ Publications at 512-239-0028 or go to the TCEQ website at www.tceq.texas.gov/publications.

For information on the Texas rules referenced in this publication, go to the TCEQ's website at www.tceq.texas.gov/rules.

For information on federal regulations that are also referenced in this publication, go to the EPA's website at www.epa.gov.

Transporting Hazardous Waste

What Is Hazardous Waste?

The definition of *hazardous waste* is found in Title 30 TAC Chapter 335. A waste is hazardous if it exhibits one or more of four hazardous characteristics (ignitability, reactivity, corrosivity, and toxicity), or if it is one of over 400 wastes listed as hazardous.

Texas law, as described in TCEQ rules, includes a classification system for industrial waste. Included in the TCEQ classification system are definitions for Class 1, Class 2, and Class 3 industrial waste (30 TAC Subchapter R).

Who Regulates the Transportation of Hazardous Waste?

At the federal level, the EPA set standards for transporters of hazardous waste (40 CFR 263). The USDOT also regulates the transportation of waste (49 CFR Parts 173, 177, and 178).

The TCEQ regulates the movement of hazardous and industrial waste on public roads and rights-of-way in Texas (30 TAC Sections 335.9–335.94).

Steps to Take If You Transport Hazardous Waste

- **Get an EPA identification number** if you transport hazardous waste (30 TAC Section 335.92). You get an EPA identification number by completing EPA Form 8700-12. You may get this form from the TCEQ in either of two ways:
 - Go to **www.tceq.texas.gov/forms** and enter the form number under “Current Forms Search.”
 - Call TCEQ Publications, 512-239-0028.
- **Register with the TCEQ** if you transport hazardous or industrial Class 1 waste. You register by completing the Industrial and Hazardous Waste Initial Notification Form, TCEQ 0002. You may get this form in two ways:
 - Go to **www.tceq.texas.gov/forms** and enter the form number under “Current Forms Search.”
 - Call TCEQ Publications, 512-239-0028.
- Mail the completed forms to the TCEQ (both the EPA Form 8700-12 and the TCEQ Form 0002) at the following address:

TCEQ
Mail Code 129
PO Box 13087
Austin TX 78711-3087

Other Requirements for Transporting Hazardous and Industrial Nonhazardous Waste

Completing a Manifest

If you transport hazardous or industrial Class 1 waste, you are usually required to complete a manifest. The TCEQ has requirements for this document (30 TAC Sections 335.10, 335.11, and 335.14). **Exceptions** to the requirement to use a manifest include:

- hazardous waste generated by *conditionally-exempt small-quantity generators* (30 TAC Section 335.78);
- universal waste (30 TAC Section 335.261);
- Class 1 waste that is shipped for recycling;
- Class 2 waste; and
- Class 3 waste.

To obtain a copy of the *Federal Uniform Hazardous Waste Manifest* (not available on the Web), call TCEQ Publications at 512-239-0028. You may have to pay for these forms depending on whether or not you are a small-quantity generator and how many manifests you use per year.

The EPA is implementing an electronic manifest system. Once this is implemented it will be the preferred method to manifest waste. You can find the status of this system at **www.epa.gov/osw/hazard/transportation/manifest/e-man.htm**.

Off-Site Storage, Processing and Disposal

The TCEQ has established standards for the transportation of hazardous waste off-site storage, processing, or disposal facilities (30 TAC Sections 335.91-335.94).

As a registered transporter of hazardous waste, you may store hazardous waste for less than 10 days in a transfer facility that meets the standards found in 30 TAC Section 335.94.

Packaging and Labeling Requirements

The USDOT has established packaging and transportation requirements (49 CFR Parts 173, 177, and 178). These standards include:

- proper waste packing instructions;
- proper marking and labeling instructions;
- proper shipping name, identification number, and hazardous class for manifest preparation; and
- placarding for transportation of waste.

For toll-free USDOT regulatory information, call 1-800-467-4922.

Transporting Other Wastes

This section highlights regulatory requirements for the transportation of asbestos, medical waste, used oil and used oil filters, scrap tires, municipal solid waste, and municipal sludge.

Transporting Asbestos

There are regulations that apply to regulated asbestos- containing material (also called RACM and defined in 30 TAC Section 330.3). If you handle and transport RACM, you need to become familiar with all the requirements (40 CFR Part 61 and 30 TAC Sections 330.173(c) for Industrial Class 1 waste). Remember these important points:

- Obtain a license from the DSHS to transport asbestos.
- Inspect the load to ensure that it has been correctly packaged and labeled.
- Complete the manifest properly.
- Cover or enclose all transport vehicles.
- Display signs and markings that identify the load and are easy to read. The signs must include the following message:

DANGER
ASBESTOS DUST HAZARD CANCER
AND LUNG DISEASE HAZARD
Authorized Personnel Only

For additional information on asbestos abatement and handling an application, call the DSHS Toxic Substances Control Division at 512-834-6600.

For information on asbestos disposal, call the TCEQ at 512-239-6412.

Transporting Medical Waste

The TCEQ regulates the transportation of medical waste (30 TAC Chapter 330 Subchapter Y). There are registration and shipping requirements for the transportation of medical waste (30 TAC 330.1211).

To register to transport medical waste, call the TCEQ at 512-239-6001 and select the appropriate option.

Transporting Used Oil and Used Oil Filters

The TCEQ regulates used oil (30 TAC Chapter 324) and the recycling management of used oil filters (30 TAC Chapter 328). If you are a transporter of used oil and used oil filters, you must obtain an EPA identification number and register with the TCEQ.

You are not required to register as a transporter if you are a generator and you transport up to 55 gallons or less of used oil in your own vehicle or in an employee's vehicle to a used oil collection center. A bill of lading is required for shipments of used oil and used oil filters.

For information about registering and recycling programs, call the TCEQ at 512-239-3393.

Transporting Scrap Tires

The TCEQ regulates the transportation of scrap tires (30 TAC Chapter 328 Subchapter F). If you transport scrap tires, you must comply with the following requirements:

- register with the TCEQ;
- report annually to the TCEQ;
- know the rules on the collection, transportation, and delivery of waste tires;
- keep records and comply with vehicle and equipment standards; and
- complete a scrap tire manifest.

To register as a scrap tire transporter, call the TCEQ at 817-588-5817.

Transporting Household Hazardous Waste

The TCEQ regulates the transportation of household hazardous waste (30 TAC 335 Subchapter N). In most cases, transportation of aggregated HHW will fall under the same transportation requirements as if it were hazardous waste. In all cases, transportation of aggregated HHW must abide by USDOT standards.

For HHW regulatory information, call the TCEQ at 512-239-3143 or go to www.tceq.texas.gov/p2/hhw/additional-program-guidance.

Transporting Municipal Solid Waste

The TCEQ regulates the transportation of municipal solid waste (30 TAC 330 Sections 330.101–330.107). Special permits are required for enclosed vehicles and stationary

compactors before disposal is allowed in a Type IV MSW landfill.

To apply for a special permit for an enclosed vehicle or stationary compactor, call the TCEQ at 512-239-6001 and select the appropriate option.

Transporting Municipal Sludge

The TCEQ regulates municipal wastewater treatment plant sludge, water treatment plant sludge, grit and grease trap waste, and septic tank and chemical toilet waste (30 TAC 312 Subchapter G). If you haul these types of waste, please see *The Step-by-Step Guide to Sludge Transporter Registration and Operating Requirements*, TCEQ Publication RG-309.

To register as a transporter of one of these wastes, call the TCEQ at 512-239-3695.

Other Telephone Numbers to Remember

To **report hazardous waste spills** (as soon as possible, but not later than 24 hours after the occurrence) call:

The National Response Center, 1-800-424-8802 and the **TCEQ Emergency Response Center, 512-463-7727**

For toll-free information from the Texas Department of Transportation (TXDOT) about **transportation-related programs in Texas, call 1-800-299-1700.**