



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

JUN 2 2000

Ms. Daniel G. Fox
Director of Training
New Village Industrial Park
60 Commerce Drive
Buffalo, New York 14218-1040

Ref. No. 00-0114

Dear Ms. Fox:

This is in response to your letter dated April 11, 2000, requesting clarification on the hazardous waste manifest requirements under § 172.205(c) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether it is permissible for the shipper/generator to prepare, sign and date a manifest in accordance with 40 CFR Part 262 at the time it is offered for transportation, even though the initial carrier may not sign and date the manifest to accept the waste until three or four days later.

Section 172.205(c) requires that the shipper/generator sign and date the manifest at the time the shipment is offered for transportation and the initial carrier at the time the shipment is accepted. The HMR do not prohibit the use of different shipper/generator and initial carrier dates on the manifest form. The Uniform Hazardous Waste Manifest (EPA Form 8700-22 and 8700-22A) is required by the U.S. Environmental Protection Agency (EPA). Therefore, you should contact your EPA regional office or state environmental office or EPA's RCRA Hotline at 800-424-9346 regarding different shipper/generator and initial carrier dates on the manifest.

I hope this answers your inquiry.

Sincerely,

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards



000114

172.205



HAZMAT
ENVIRONMENTAL
GROUP, INC.

172.205
New Village Industrial Park
60 Commerce Drive
Buffalo, New York 14218-1040

00-0114

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April 11, 2000

Mr. Edward Mazzullo
Director - Office of Hazardous Materials Standards
USDOT/RSPA DHM - 10
400 7th Ave. SW
Washington, DC 20590-001

Subject: Hazardous waste manifest

Dear Mr. Muzzullo

The DOT regulations at 49 CFR 172.205(c) state that the original copy of the manifest must be dated by, and bear the handwritten signature of, the person representing:

- (1) The shipper (generator) of the waste at the time it is offered for transportation, and
- (2) The initial carrier accepting the waste for transportation.

Question: Is the shipper (generator) at the time it is offered for transportation, allowed to prepare, sign and date the manifest in accordance with 40 CFR Part 262, although the initial carrier may not accept the waste until three or four days later? In the above scenario, the date the generator signed the manifest and the date the initial carrier signed the manifest would differ.

Are two different dates acceptable?

Your clarification on this issue of different dates on the manifest would be greatly appreciated.

Sincerely,

Daniel G. Fox
Director of Training