§ 761.210 Use of the manifest—Generator requirements.

(a) The generator must:
(1) Sign the manifest certification by hand; and
(2) Obtain the handwritten signature of the initial transporter and date of acceptance on the manifest; and
(3) Retain one copy, in accordance with § 761.214(a)(1).

(b) The generator must give the transporter the remaining copies of the manifest.

(c) For shipments of PCB waste within the United States solely by water (bulk shipments only), the generator must send three copies of the manifest dated and signed in accordance with this section to the owner or operator of the designated facility. Copies of the manifest are not required for each transporter.

(d) For rail shipments of PCB waste within the United States which originate at the site of generation, the generator must send at least three copies of the manifest dated and signed in accordance with this section to:
   (1) The next non-rail transporter, if any; or
   (2) The designated facility if transported solely by rail.

(e) For rejected shipments of PCB waste that are returned to the generator by the designated facility (following the procedures of § 761.215(f)), the generator must:
   (1) Sign either:
      (i) Item 20 of the new manifest if a new manifest is used for the returned shipment; or
      (ii) Item 18c of the original manifest if the original manifest is used for the returned shipment;
   (2) Provide the transporter a copy of the manifest;
   (3) Within 30 days of delivery of the rejected shipment, send a copy of the manifest to the designated facility that returned the shipment to the generator; and
   (4) Retain at the generator’s site a copy of each manifest for at least three years from the date of delivery.

§ 761.211 Manifest system—Transporter requirements.

(a)(1) A transporter shall not accept PCB waste from a generator unless it is accompanied by a manifest signed by the generator in accordance with § 761.210(a)(1), except that a manifest is not required if any one of the following conditions exists:
   (i) The shipment of PCB waste consists solely of PCB wastes with PCB concentrations below 50 ppm, unless the PCB concentration below 50 ppm was the result of dilution, in which case § 761.1(b) requires that the waste be managed as if it contained PCBs at the concentration prior to dilution.
   (ii) The PCB waste is accepted by the transporter for transport only to a storage or disposal facility owned or operated by the generator of the PCB waste.

(b) Before transporting the PCB waste, the transporter must sign and date the manifest acknowledging acceptance of the PCB waste from the generator. The transporter must return a signed copy to the generator before leaving the generator’s property.

(c) The transporter shall ensure that the manifest accompanies the PCB waste.

(d) A transporter who delivers PCB waste to another transporter or to the designated facility must:
   (1) Obtain the date of delivery and the handwritten signature of that transporter or of the owner or operator of the designated facility on the manifest; and
   (2) Retain one copy of the manifest in accordance with § 761.214; and
   (3) Give the remaining copies of the manifest to the accepting transporter or designated facility.

(e) The requirements of paragraphs (c), (d) and (f) of this section do not apply to water (bulk shipment) transporters if:
   (1) The PCB waste is delivered by water (bulk shipment) to the designated facility; and
(2) A shipping paper containing all the information required on the manifest (excluding EPA identification number, generator certification, and signatures) accompanies the PCB waste; and
(3) The delivering transporter obtains the date of delivery and handwritten signature of the owner or operator of the designated facility on either the manifest or the shipping paper; and
(4) The person delivering the PCB waste to the initial water (bulk shipment) transporter obtains the date of delivery and signature of the water (bulk shipment) transporter on the manifest and forwards it to the designated facility; and
(5) A copy of the shipping paper or manifest is retained by each water (bulk shipment) transporter in accordance with §761.214.

(f) For shipments involving rail transportation, the requirements of paragraphs (c), (d) and (e) do not apply and the following requirements do apply:
(1) When accepting PCB waste from a non-rail transporter, the initial rail transporter must:
(i) Sign and date the manifest acknowledging acceptance of the PCB waste;
(ii) Return a signed copy of the manifest to the non-rail transporter;
(iii) Forward at least three copies of the manifest to:
(A) The next non-rail transporter, if any; or,
(B) The designated facility, if the shipment is delivered to that facility by rail;
(iv) Retain one copy of the manifest and rail shipping paper in accordance with §761.214.
(2) Rail transporters must ensure that a shipping paper containing all the information required on the manifest (excluding the EPA identification numbers, generator certification, and signatures) accompanies the PCB waste at all times.

Note: Intermediate rail transporters are not required to sign either the manifest or shipping paper.

(3) When delivering PCB waste to the designated facility, a rail transporter must:
(i) Obtain the date of delivery and handwritten signature of the owner or operator of the designated facility on the manifest or the shipping paper (if the manifest has not been received by the facility); and
(ii) Retain a copy of the manifest or signed shipping paper in accordance with §761.214.
(4) When delivering PCB waste to a non-rail transporter a rail transporter must:
(i) Obtain the date of delivery and the handwritten signature of the next non-rail transporter on the manifest; and
(ii) Retain a copy of the manifest in accordance with §761.214.
(5) Before accepting PCB waste from a rail transporter, a non-rail transporter must sign and date the manifest and provide a copy to the rail transporter.

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