

## § 263.22

shipment or a regulated container residue to an alternate facility or returning it to the generator, the transporter must obtain a new manifest to accompany the shipment, and the new manifest must include all of the information required in 40 CFR 264.72(e)(1) through (6) or (f)(1) through (6) or 40 CFR 265.72(e)(1) through (6) or (f)(1) through (6).

(ii) For a full load rejection that will be taken back by the transporter, a copy of the original manifest that includes the rejecting facility's signature and date attesting to the rejection, the description of the rejection in the discrepancy block of the manifest, and the name, address, phone number, and Identification Number for the alternate facility or generator to whom the shipment must be delivered. The transporter must retain a copy of the manifest in accordance with § 263.22, and give a copy of the manifest containing this information to the rejecting designated facility. If the original manifest is not used, then the transporter must obtain a new manifest for the shipment and comply with 40 CFR 264.72(e)(1) through (6) or 40 CFR 265.72(e)(1) through (6).

[45 FR 33151, May 19, 1980, as amended at 70 FR 10821, Mar. 2005]

### § 263.22 Recordkeeping.

(a) A transporter of hazardous waste must keep a copy of the manifest signed by the generator, himself, and the next designated transporter or the owner or operator of the designated facility for a period of three years from the date the hazardous waste was accepted by the initial transporter.

(b) For shipments delivered to the designated facility by water (bulk shipment), each water (bulk shipment) transporter must retain a copy of the shipping paper containing all the information required in § 263.20(e)(2) for a period of three years from the date the hazardous waste was accepted by the initial transporter.

(c) For shipments of hazardous waste by rail within the United States:

(1) The initial rail transporter must keep a copy of the manifest and shipping paper with all the information required in § 263.20(f)(2) for a period of three years from the date the haz-

## 40 CFR Ch. I (7–1–15 Edition)

ardous waste was accepted by the initial transporter; and

(2) The final rail transporter must keep a copy of the signed manifest (or the shipping paper if signed by the designated facility in lieu of the manifest) for a period of three years from the date the hazardous waste was accepted by the initial transporter.

NOTE: Intermediate rail transporters are not required to keep records pursuant to these regulations.

(d) A transporter who transports hazardous waste out of the United States must keep a copy of the manifest indicating that the hazardous waste left the United States for a period of three years from the date the hazardous waste was accepted by the initial transporter.

(e) The periods of retention referred to in this Section are extended automatically during the course of any unresolved enforcement action regarding the regulated activity or as requested by the Administrator.

[45 FR 33151, May 19, 1980, as amended at 45 FR 86973, Dec. 31, 1980]

### § 263.25 Electronic manifest signatures.

(a) Electronic manifest signatures shall meet the criteria described in § 262.25 of this chapter.

(b) [Reserved]

[79 FR 7560, Feb. 7, 2014]

## Subpart C—Hazardous Waste Discharges

### § 263.30 Immediate action.

(a) In the event of a discharge of hazardous waste during transportation, the transporter must take appropriate immediate action to protect human health and the environment (e.g., notify local authorities, dike the discharge area).

(b) If a discharge of hazardous waste occurs during transportation and an official (State or local government or a Federal Agency) acting within the scope of his official responsibilities determines that immediate removal of the waste is necessary to protect human health or the environment, that official may authorize the removal of

the waste by transporters who do not have EPA identification numbers and without the preparation of a manifest.

(c) An air, rail, highway, or water transporter who has discharged hazardous waste must:

(1) Give notice, if required by 49 CFR 171.15, to the National Response Center (800-424-8802 or 202-426-2675); and

(2) Report in writing as required by 49 CFR 171.16 to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau, Department of Transportation, Washington, DC 20590.

(d) A water (bulk shipment) transporter who has discharged hazardous waste must give the same notice as required by 33 CFR 153.203 for oil and hazardous substances.

#### § 263.31 Discharge clean up.

A transporter must clean up any hazardous waste discharge that occurs during transportation or take such action as may be required or approved by Federal, State, or local officials so that the hazardous waste discharge no longer presents a hazard to human health or the environment.

## PART 264—STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

### Subpart A—General

- Sec.
- 264.1 Purpose, scope and applicability.
- 264.2 [Reserved]
- 264.3 Relationship to interim status standards.
- 264.4 Imminent hazard action.

### Subpart B—General Facility Standards

- 264.10 Applicability.
- 264.11 Identification number.
- 264.12 Required notices.
- 264.13 General waste analysis.
- 264.14 Security.
- 264.15 General inspection requirements.
- 264.16 Personnel training.
- 264.17 General requirements for ignitable, reactive, or incompatible wastes.
- 264.18 Location standards.
- 264.19 Construction quality assurance program.

### Subpart C—Preparedness and Prevention

- 264.30 Applicability.
- 264.31 Design and operation of facility.
- 264.32 Required equipment.
- 264.33 Testing and maintenance of equipment.
- 264.34 Access to communications or alarm system.
- 264.35 Required aisle space.
- 264.36 [Reserved]
- 264.37 Arrangements with local authorities.

### Subpart D—Contingency Plan and Emergency Procedures

- 264.50 Applicability.
- 264.51 Purpose and implementation of contingency plan.
- 264.52 Content of contingency plan.
- 264.53 Copies of contingency plan.
- 264.54 Amendment of contingency plan.
- 264.55 Emergency coordinator.
- 264.56 Emergency procedures.

### Subpart E—Manifest System, Recordkeeping, and Reporting

- 264.70 Applicability.
- 264.71 Use of manifest system.
- 264.72 Manifest discrepancies.
- 264.73 Operating record.
- 264.74 Availability, retention, and disposition of records.
- 264.75 Biennial report.
- 264.76 Unmanifested waste report.
- 264.77 Additional reports.

### Subpart F—Releases From Solid Waste Management Units

- 264.90 Applicability.
- 264.91 Required programs.
- 264.92 Ground-water protection standard.
- 264.93 Hazardous constituents.
- 264.94 Concentration limits.
- 264.95 Point of compliance.
- 264.96 Compliance period.
- 264.97 General ground-water monitoring requirements.
- 264.98 Detection monitoring program.
- 264.99 Compliance monitoring program.
- 264.100 Corrective action program.
- 264.101 Corrective action for solid waste management units.

### Subpart G—Closure and Post-Closure

- 264.110 Applicability.
- 264.111 Closure performance standard.
- 264.112 Closure plan; amendment of plan.
- 264.113 Closure; time allowed for closure.
- 264.114 Disposal or decontamination of equipment, structures and soils.
- 264.115 Certification of closure.
- 264.116 Survey plat.
- 264.117 Post-closure care and use of property.