

## HAZARDOUS MATERIALS PROGRAM ENVIRONMENTAL FACT SHEET

## Transporters of Hazardous Waste

This fact sheet is intended to assist hazardous waste transporters with understanding and complying with the requirements of [Subchapter 4](#) of the [Vermont Hazardous Waste Management Regulations \(VHWMR\)](#). Please refer to the VHWMR for the comprehensive requirements.

### Do I need a permit to transport hazardous waste?

Yes. Permits are also required for transporting used oil, owning or operating a transfer facility, and transporting recyclable hazardous waste (with a few exemptions). Permits allow the Vermont Department of Environmental Conservation (DEC) to hold waste haulers accountable for practicing safe, environmentally sound transportation methods, and for delivering waste to appropriate destinations. With the exceptions listed on this fact sheet, any person transporting hazardous waste accepted from the following entities must obtain a permit from DEC:

- Large quantity generators (LQGs);
- Small quantity generator (SQGs);
- Owners/operators of permitted waste storage facilities; or
- Very small quantity generators (VSQGs), if the amount exceeds:
  - 2,200 pounds of hazardous waste;
  - 2.2 pounds of *acutely* hazardous waste; or
  - 220 pounds of contaminated soil, waste, or other debris resulting from the cleanup of *acutely* hazardous waste.

### When are hazardous waste transporter permits not required?

The requirements of Subchapter 4 do not apply and a permit is not required in the following situations:

- Transportation of hazardous waste and used oil by generators *within the site (the same property)* where the hazardous waste or used oil is generated.
- Transportation of hazardous waste *within the site* of a certified treatment, storage or disposal facility (TSDF) *by the owner or operator* of the facility.
- Self-transportation of hazardous waste by VSQGs (if less than amounts listed in previous question) in accordance with [Subchapter 3](#).
- Transportation of used oil by do-it-yourselfers, and used oil generators self-transporting *up to 55 gallons* of used oil, in accordance with [Subchapter 8](#).
- Transportation of universal waste conducted in accordance with the universal waste management standards of [Subchapter 9](#).
- Transportation during an emergency response to a release may be approved by DEC when it has been determined that immediate removal is necessary to protect human health and the environment in accordance with [Subchapter 1](#).
- Transportation of military munitions; these requirements are specified in federal regulations (40 CFR § 266.203).

### **What are the requirements for obtaining a permit?**

DEC only issues transporter permits to legal entities, such as active corporations (e.g., Inc., LLC) registered to do business in Vermont, or to sole proprietors (individuals). Any transporter who is required to obtain a permit must:

- Contact the Transporter Permit Coordinator of the DEC Solid Waste Program (see last question on this fact sheet) for a Transporter ID number prior to applying for a new permit.
- Submit a completed [Vermont Waste Transporter Vehicle Report Form](#) and pay applicable fees.
- Maintain an up-to-date Hazardous Waste Handler Site Identification Form.
- Possess an [EPA Identification Number](#).
- Maintain liability insurance for sudden accidental occurrences.
- Conduct a personnel training program for all employees handling hazardous waste or used oil.

### **How long is a permit valid?**

Permits are issued for five years and must be renewed annually. The permit year runs from July 1 through June 30.

### **What prohibitions apply to transporters of hazardous waste?**

Transporters may not accept hazardous waste from any entity other than a generator who has an EPA identification number or another transporter who has a valid transporter permit. The following prohibitions also apply:

- No transporter may release hazardous material into the surface or groundwater, or onto land.
  - Note: unsecured containers in vehicles are a common source of releases.
- No transporter may remove hazardous waste from a container once it has been manifested and moved from the site of generation until it is accepted at the designated facility, except:
  - Under the emergency provisions of VHWMR § 7-105; or
  - For wastes of like U.S. Department of Transportation (DOT) shipping descriptions, at a transfer facility with written consent of the generator.
- No transporter may transport or accept for transport hazardous wastes which are:
  - Unlabeled or in damaged, bulging, leaking, unsuitable, or otherwise unsafe containers.
  - Incompatible with each other such that a danger to public health, safety, or the environment could result from their being transported together.
- No transporter may accept hazardous waste from an SQG or LQG unless it is accompanied by a signed a manifest. In the case of exports, a transporter may not accept such waste from a primary exporter or other person:
  - If the transporter knows the shipment does not conform to the EPA Acknowledgment of Consent; and
  - Unless, in addition to a signed manifest, such waste is also accompanied by an EPA Acknowledgment of Consent which, except for shipment by rail, is attached to the manifest (or shipping paper for bulk shipments by water).
- No transporter may dilute hazardous waste subject to land disposal restrictions.

### **What are the training requirements for transporters?**

Permitted hazardous waste and used oil transporters must provide employee training to all persons

who directly affect hazardous waste transportation safety. The training program must be consistent with DOT employee training requirements of 49 CFR § 172.700 and include:

- For *hazardous waste* (but not for used oil) transporters:
  - DOT's labeling, packing, placarding, and shipping requirements as set forth in 49 CFR Parts 171 through 179 and all other applicable DOT regulations.
  - Familiarity with and use of the most recent edition of the North American Emergency Response Guidebook for hazardous materials published by the DOT.
- For *hazardous waste and used oil* transporters:
  - Safe vehicle operations to avoid hazards to public health, safety, or the environment.
  - Safe handling of hazardous waste and used oil.
  - Emergency handling procedures in the event of a release or discharge of hazardous waste or used oil during transportation.

For each person required to be trained, a record of current training inclusive of the preceding three years must be kept on file by the transporter while these individuals are employed by the transporter, and for 90 days after these individuals cease being employed by the transporter. Records must include:

- Name of employee.
- Date of most recent training.
- Description of training materials.
- Name and address of person providing training.
- Certification that the employee has been trained and tested.

It is *recommended* that each person required to be trained have knowledge of the VHWMR, in particular Subchapter 4, as well as: Emergency and corrective actions (§ 7-105); Vermont listed hazardous wastes (§ 7-211); and Manifest, reporting, and recordkeeping requirements ([Subchapter 7](#)).

### **Do hazardous waste transporters need to be insured?**

Yes. All permitted hazardous waste transporters must carry liability insurance, as required by DOT regulations, for sudden and accidental occurrences, exclusive of legal defense costs, for claims arising out of bodily injury and property damage from the hazardous waste transport operations of the transporter. Such insurance policy must carry an approved DOT endorsement (Form MCS 90 - DOT) covering liability for accidents, including environmental restoration, bodily injury, and property damage. The policy must be maintained in full force at all times during the term of the permit.

### **How are vehicles permitted, and what is required to be inside a vehicle transporting hazardous waste?**

Transporters must add a vehicle or trailer to their Vehicle Report Form prior to transporting hazardous waste. A fee of \$125 per vehicle must be paid online for each vehicle transporting hazardous waste, regardless of size. Refer to the [Additional Vehicles and Modifications](#) webpage for more information and to access the form for adding a vehicle. No transporter shall transport hazardous waste in Vermont without being in possession of the following on each vehicle:

- The Transporter permit, current waste transportation vehicle report form (or copies of each),

and the current waste transportation sticker on the driver's side of the vehicle.

- Telephone numbers of:
  - The generator of the waste being transported; and
  - The Vermont Agency of Natural Resources (ANR) and the telephone numbers specified in § 7-105.
- A copy of the most recent edition of the North American Emergency Response Guidebook for hazardous materials published by DOT.
- All of the following equipment in good operating condition:
  - First aid kit with eyewash
  - Underwriters' Laboratory listed explosion proof flashlight
  - Fire extinguisher of appropriate size and type for the vehicle and wastes carried

### **What requirements apply to transfer facilities?**

Subchapter 4 sets standards for transfer facilities, which include loading docks, parking areas, storage areas, and other similar areas where shipments of hazardous waste are held during the normal course of transportation. Operation of a transfer facilities *must be authorized* by DEC. For more information, please contact the Hazardous Waste Section using the information at the end of this fact sheet.

### **Do transporters of hazardous waste need to follow DOT requirements?**

Yes. Transporters of hazardous waste must follow all applicable DOT requirements for transporting hazardous materials established in 49 CFR Parts 171 through 180.

### **What is the role of the Transporter Permit Coordinator of the DEC Solid Waste Program as it relates to transport under Subchapter 4?**

The Transporter Permit Coordinator in the Compliance Section of the DEC Solid Waste Program issues transporter permits and oversees the permitting of additional vehicles. Refer to the DEC [Waste Hauler Permitting](#) webpage for additional resources. Questions for the Section should be directed to the contacts listed at the bottom of the webpage. Note that the Section uses the ANR online portal to administer the permit application process. Refer to the [ANR Online Waste Transportation Vehicle Report](#) (also accessible via the above permitting webpage) for instructions on applying for a permit.

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***For more information regarding the requirements for transporters of hazardous waste, or if you have other hazardous waste management questions, please contact:***

Hazardous Materials Program – Hazardous Waste Section  
Waste Management and Prevention Division  
Vermont Department of Environmental Conservation  
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802-828-1138  
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