

Importing Resource Conservation and Recovery Act (RCRA) Hazardous Waste (Title 40 of the Code of Federal Regulations (CFR) Part 262 Subpart H)

Flowchart key

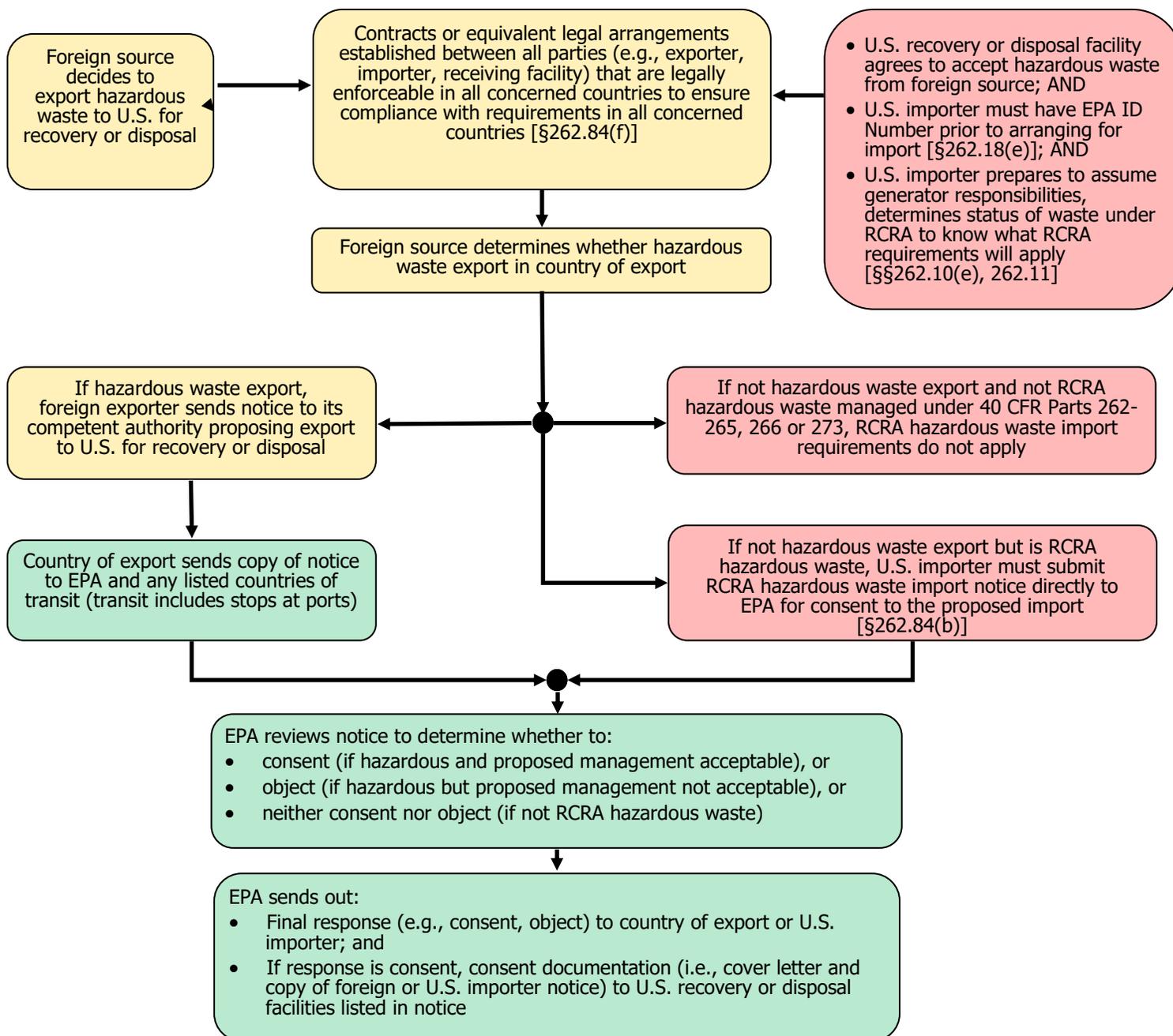
EPA or Country of Export

U.S. Importer or U.S. Recovery Or Disposal Facility (TSDF)

Foreign Source Shipping to U.S.

Foreign or U.S. Transporters

Pre-Shipment Requirements



RCRA Hazardous Waste Import Shipment Requirements

Foreign source prepares the international movement document for each shipment and provides to initial transporter. U.S. importer must ensure foreign source does this through contract terms even if not hazardous waste export [§§262.84(d)(1), 262.84(f)(7)].

Transporters sign and date the international movement document when accepting custody of the shipment from another transporter.

Shipment enters United States.

Is shipment disrupted before it enters U.S.?

Transporter informs country of transit of disruption and need to return shipment, which in turn informs country of export.

U.S. importer initiates RCRA manifest prior to first act of transport within U.S. unless waste exempted from manifesting (e.g., SLABS and universal waste) [§262.84(c)].

Foreign source must complete shipment return to country of export within 90 days of date country of export informed of need to return.

Transporters sign and date RCRA manifest, if manifested, and the international movement document, and deliver shipment to U.S. recovery or disposal facility. [§262.84(c), §262.84(d)(2)(xiv)]

Does U.S. facility accept or reject shipment?

If shipment accepted, U.S. facility:

- Sends copy of signed and dated international movement document within 3 days of receipt to foreign exporter, to countries of export and transit, and starting on electronic import-export reporting compliance date, to EPA using WIETS. [§262.84(d)(2)(xv), §264.71(d)]; AND
- Matches RCRA manifest, if manifested, with relevant consent documentation from EPA on file, adds consent numbers for each listed waste onto manifest, sends copy of RCRA manifest within 30 days of receipt to e-manifest system [§264.71(a)(3)].

If shipment rejected, U.S. facility must inform foreign exporter and EPA of need to arrange alternate management or return (should also inform U.S. importer, Regional EPA and state agency). The person specified in the contract assumes responsibility for locating an acceptable alternate location in the U.S. or arranging the return of the hazardous wastes. [§262.84(f)(4)]

U.S. facility completes shipment recycling or disposal, must send confirmation of recovery or disposal no later than 30 days after completing recovery AND no later than 1 year from receipt of shipment to foreign exporter, to the country of export, and starting on electronic import-export reporting compliance date, to EPA. If U.S. facility did interim operation, then U.S. facility responsible for obtaining confirmation of final recovery or disposal from final recovery or disposal facility and sending that confirmation to the country of export, and starting on electronic import-export reporting compliance date, to EPA. [§262.84(g), §264.12(a)(4)]

For manifested import shipments, after consulting with the responsible person specified in the contract, the importer must instruct the transporter to designate another facility within the United States or return the hazardous waste to the foreign exporter and revise the manifest in accordance with the importer's instructions. [§262.84(c)(5)]

U.S. facility submits biennial report noting import shipments as required. [§264.75(c)] If LQG, U.S. importer submits biennial report noting imported and domestically generated wastes. [§262.41]