

**15A NCAC 13A .0108 STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE -
PART 263**

- (a) 40 CFR 263.10 through 263.12 (Subpart A), "General" are incorporated by reference including subsequent amendments and editions.
- (b) 40 CFR 263.20 through 263.25 (Subpart B), "Compliance with the Manifest System and Recordkeeping" are incorporated by reference including subsequent amendments and editions.
- (c) Upon discovering a significant manifest discrepancy, the transporter shall attempt to reconcile the discrepancy with the waste generator (e.g. with telephone conversations). If the discrepancy is not resolved within 15 days after receiving the waste, the transporter on the 16th day shall submit to the Department a letter describing the discrepancy and attempts to reconcile it with a copy of the manifest or shipping paper at issue.
- (d) "Manifest discrepancies" means differences between the quantity or type of hazardous waste designated on the manifest or shipping paper, and the quantity or type of hazardous waste a transporter actually transports. Significant discrepancies in quantity shall be as follows: for bulk waste, variations greater than 10 percent in weight; and, for batch waste, any variation in piece count (e.g. a discrepancy of one drum in a truckload). Significant discrepancies in type are obvious differences that may be discovered by inspection or waste analysis (e.g. waste solvent substituted for waste acid, or toxic constituents not reported on the manifest or shipping paper).
- (e) 40 CFR 263.30 through 263.31 (Subpart C), "Hazardous Waste Discharges" are incorporated by reference including subsequent amendments and editions.

*History Note: Authority G.S. 130A-294(c);
Eff. November 19, 1980;
Amended Eff. June 1, 1988; August 1, 1987; May 1, 1987; October 1, 1986;
Transferred and Recodified from 10 NCAC 10F .0031 Eff. April 4, 1990;
Recodified from 15A NCAC 13A .0009 Eff. August 30, 1990;
Amended Eff. April 1, 1993; October 1, 1990;
Recodified from 15A NCAC 13A .0008 Eff. December 20, 1996;
Amended Eff. July 1, 2016; August 1, 2000;
Temporary Amendment Eff. May 30, 2017 (replaced by the rule effective March 1, 2018);
Readopted Eff. March 1, 2018.*