



# **HAZARDOUS WASTE MANIFESTS** **USEPA REQUIREMENTS FOR** **RAIL TRANSPORTATION**

## **Guidance Document**

This Guidance Document describes Kansas City Southern Railway (KCS) procedures for KCS to comply with the United States Environmental Protection Agency (USEPA) regulations for the rail transportation of hazardous waste. Under the Resource Conservation and Recovery Act (RCRA), the USEPA requires “cradle-to-grave” tracking of hazardous waste. The objective of the USEPA regulations is to ensure that all hazardous wastes shipments are properly accepted for transportation, tracked, and delivered to the designated hazardous wastes disposal or recycling facility.

### **I. DEFINITIONS**

1. Hazardous Waste: The proper shipping name of a hazardous material that is preceded with the word “Waste” (also listed as 48 STCC on waybills and EDI transmissions).
2. Generator: This is a USEPA term that describes the person or company that produces the waste. In most cases, this will also be the shipper.
3. Hazardous Waste Manifest (Manifest): A form approved by the USEPA titled Uniform Hazardous Waste Manifest, which provides details about the shipper, the consignee, the waste material to be shipped, and the required transporter and manifest identification numbers.
4. Designated Facility: A hazardous waste Treatment, Storage, and Disposal Facility (TSDF). In almost all cases the designated facility will be the consignee.
5. Acknowledgement of Consent (AOC): This is an official EPA document indicating that the shipper has approval to export hazardous waste to a consignee in another country.

### **II. SPECIFIC TRANSPORTOR REQUIREMENTS**

#### **A. HAZARDOUS WASTES SHIPMENTS THAT ORIGINATE ON THE KCS RAIL SYSTEM**

Prior to releasing a shipment for transportation, the hazardous waste generator (shipper) must send the original USEPA hazardous waste manifest directly to the KCS Hazardous Waste Manifest Manager at the KCS Customer Service Center (CSC). The manifest must be signed and dated in Box 15 by a shipper’s representative and the required information in Boxes 1 through 15 must be completed.

The KCS Hazardous Waste Manifest Manager will sign and date the manifest in Box 17, keep the Transporter 1 copy of the original manifest, and return the remaining original Manifest and its copies to the shipper. The manifest should be sent by overnight mail delivery service to assure rapid and secure delivery to:

**The Kansas City Southern Railway Company  
c/o Hazardous Waste Manifest Manager  
Customer Service Center  
4601 Shreveport Blanchard Highway  
Shreveport, Louisiana 71107-5797**

**KCS WILL NOT ACCEPT AN ORIGINATING HAZARDOUS WASTE SHIPMENT WITHOUT A FULLY EXECUTED ORIGINAL MANIFEST PRESENTED TO THE CSC.**

Originating shippers may EDI or Web bill hazardous wastes shipments only after the original manifest has been received, signed, and dated by the KCS Hazardous Waste Manifest Manager. Once the hazardous waste manifest has been signed by KCS and returned to the shipper, the car can be released for transportation.

CSC will generate a railroad waybill from the original manifest. The railroad waybill will include all information required on the hazardous wastes manifest, except USEPA ID numbers, generator certification, and signatures.

The original Transporter 1 copy of the manifest is to be retained in the CSC hazardous wastes manifest file system. The manifest will be scanned and the digital copy filed electronically by CSC. USEPA regulations require that the copy of the manifest be retained by KCS at the CSC for three years from the date the shipment is accepted by KCS.

**B. HAZARDOUS WASTES DELIVERED BY RAIL TO A CONSIGNEE (HAZARDOUS WASTE DISPOSAL/RECLAMATION SITE) LOCATED ON THE KCS**

The consignee must sign and date the manifest in Box 20 when KCS delivers a shipment of hazardous waste to a consignee. The consignee must return a copy of the manifest with the consignee's signature indicating the shipment has been received to the KCS Hazardous Waste Manifest Manager at:

**The Kansas City Southern Railway Company  
c/o Hazardous Waste Manifest Manager  
Customer Service Center  
4601 Shreveport Blanchard Highway  
Shreveport, Louisiana 71107-5797**

KCS is required to keep a copy of the signed and dated manifest at the CSC for three years from the date the shipment is received by the consignee.

Railcars are often delivered outside of normal business hours, which may result in the consignee not signing a hazardous waste manifest until the car is actually unloaded. It is the responsibility of the consignee to sign the manifest and forward it to CSC as soon as possible after the car has been delivered.

The monthly MCS hazardous waste shipment report lists all cars delivered on line. If a copy of the manifest has not been received within **thirty days (30)** of the delivery date to the consignee, CSC will contact the consignee and request for a copy of the signed and dated manifest.

KCS performs a monthly review of delivered hazardous waste shipments to confirm that a copy of the manifest, signed and dated by the consignee facility, has been received. If the review of the file indicates that a manifest copy was not been received, the consignee will be contacted to request that a copy be provided. If the consignee cannot produce a copy of the signed and dated manifest, then KCS will place a memo into the KCS hazardous waste file at CSC indicating that contact was made and no available copy was available from the consignee. KCS will contact the generator, informing of the situation and request for his copy of the delivered manifest. If the generator can not produce a fully executed manifest, signed by the shipper (generator), transporter(s), and consignee (disposal site), then no further hazardous wastes movements can be accepted from this shipper (generator) until the issue is resolved.

#### C. MANIFEST MANAGEMENT WHEN KCS IS AN INTERMEDIATE RAILROAD TRANSPORTER

USEPA regulations *do not* require that a hazardous waste manifest be provided to a railroad that is an intermediate transporter in the movement of the hazardous waste by rail. When KCS receives a hazardous waste shipment from another railroad at interchange, and then delivers the hazardous waste shipment to another railroad at another interchange, **no** signature, date, or copy of the hazardous waste manifest is required.

#### D. REJECTED SHIPMENTS

If a shipment of hazardous waste is rejected by a consignee, the following requirements apply:

- If no waste material has been unloaded, the original manifest may be used by the consignee to redirect the shipment to an alternative facility or return it to the original shipper.
- If the original manifest is not available, a new manifest must be obtained from the consignee that is rejecting the load.

## E. PARTIAL SHIPMENTS

If a portion of the shipment has been unloaded by the consignee and some remaining material is being sent back to the original shipper, the consignee must provide a new manifest as the shipper of the waste material. Box 18 must be completed by the rejecting facility.

## F. INTERMODAL IN/OUT GATING OF HAZARDOUS WASTES

### *In-Gate:*

Intermodal Ramp Operators will not accept (in-gate) a hazardous waste shipment unless the delivering driver has presented the original manifest. The KCS Ramp Agent will sign and date the manifest as the next Transporter. KCS Ramp Operators will reject all hazardous wastes shipments attempting to in-gate that do not have the appropriate billing in MCS. Ramp Operators will forward all In-gate manifests that they have signed as a Transporter to the CSC Hazardous Waste Manifest Manager. The Ramp Agent will maintain a copy of the manifest in their local file.

The CSC Hazardous Waste Manifest Manager will forward the signed manifest, retaining the KCS copy, to the next non-rail transporter (i.e., trucking firm). KCS will forward the original manifest to the consignee if the shipment is being delivered to the consignee by the KCS.

### *Out-Gate:*

Intermodal ramp operators will release (out-gate) hazardous waste shipments until the truck driver signs and dates the manifest in the transporter signature box and provides an original copy of the manifest to the ramp operator. The Intermodal ramp operator will retain a photocopy of the hazardous waste manifest and send the original signed and dated manifest copy to the CSC Hazardous Waste Manifest Manager.

## G. EXPORTS OF HAZARDOUS WASTES BY RAIL

Shipments of hazardous waste exported to another country are required to have a USEPA Acknowledgement of Consent (AOC).

### 1. Shipments Originating on KCS

Shippers of export shipments of hazardous waste that originate for transportation with the KCS railroad must provide a copy of their AOC and the original manifest to the KCS CSC Hazardous Waste Manifest Manager. The KCS CSC Hazardous Waste Manifest Manager will process the hazardous waste manifest as described in section A of this document. The CSC KCS Hazardous Waste Manifest Manager will maintain the original Transporter 1 page of the hazardous waste manifest and AOC in the CSC customer's file. CSC will forward a photocopy of the manifest and AOC to the US Customs Office and last rail carrier (only if other than KCS) at the point of departure from the United States.

## 2. Shipments Originating on Another Railroad

For shipments of hazardous waste that originate as a shipment on another railroad and KCS is the last rail carrier designated to handle the shipment in the U.S., the shipper must send a copy of the AOC\* and the original hazardous waste manifest, signed and dated by the Generator and the originating rail shipper, directly to the CSC Hazardous Waste Manifest Manager. The CSC Hazardous Waste Manifest Manager will (full name; not just initials) and date the original manifest in the International Shipment Block 16, indicating the date that the shipment of hazardous waste left the U.S.

### International Shipment Box 16

KCS is required to sign the manifest in Box 16 indicating that the shipment of hazardous waste has been exported from the United States and provide the date that the shipment left the U.S. The shipper must indicate in Box 16 the port where the hazardous waste will be exported (i.e., Laredo, TX). If the shipper has not provided this information, CSC Hazardous Waste Manifest Manager may enter the port where the shipment was exported out of the U.S. (Laredo, Texas).

### Shipment Tracking

The CSC Hazardous Waste Manifest Manager will track hazardous waste export shipments using the MCS Equipment Event Inquiry (EEI) function. Tracking with the EEI function will identify the date the railcar containing the hazardous waste shipment was exported. The date entered in Block 16 of the Hazardous Waste Manifest will be the actual date the car left the country. This date is determined by the EEI function, which is recorded by the Automatic Equipment Identification (AEI) when the car passes the last reader in the U.S. In addition, the following will occur:

- ❑ A photocopy of the manifest will be filed, in chronological order, in the KCS shipper's file, and retained for three (3) years (required by regulation).
- ❑ The original (or copy of) hazardous waste manifest will be forwarded to the customer's customs broker if requested.
- ❑ A photocopy of the signed and dated manifest will be sent (normally by fax) to the US Customs office at the point of export.
- ❑ An original copy of the signed and dated manifest will be promptly returned to the shipper.

If KCS is the last rail carrier in the U.S. and receives a hazardous waste shipment that originated by truck and was subsequently transferred to a railroad other than KCS (i.e., the initial rail transporter), then the initial rail transporter must send the original manifest that has been signed and dated by the Generator, the non-rail transporter, and the initial rail transporter directly to KCS CSC Hazardous Waste Manifest Manager.

***\*NOTE: USEPA regulations currently require that the AOC accompany the shipment, unlike the manifest. Because the electronic waybill process does not permit an AOC to accompany a rail car throughout rail transportation, the CSC and marketing department should advise shippers to place a copy of AOC in, or on the rail car (e.g., document tube), and note this document location on the manifest and waybill. A copy of the AOC should be sent with the original manifest.***

## G. IMPORTS OF HAZARDOUS WASTES BY RAIL

Prior to releasing a shipment for transportation, the hazardous waste generator must send the original USEPA hazardous waste manifest directly to the KCS Hazardous Waste Manifest Manager at the CSC. The manifest must be signed and dated in Box 15 by a shipper's representative and the required information in Boxes 1 through 16 must be completed.

The KCS CSC Hazardous Waste Manifest Manager will sign and date the manifest in Box 17, retain "Transporter 1" copy of the original manifest, and return the original Manifest and additional copies to the shipper. The manifest will be sent by overnight delivery service to assure rapid and secure delivery. (Note: Regardless of the originating location, when a hazardous waste shipment enters the United States, the first U.S. transporter will be shown as "Transporter 1" on the manifest.)

KCS CSC will copy KCSM CSC with the "Transporter 1" signed manifest. KCSM will couple this with their Mexican hazardous waste regulatory requirements. The KCS waybill will include all information required on the hazardous wastes manifest, except USEPA ID numbers, generator certification, and signatures.

The original Transporter 1 copy of the manifest is to be retained in the CSC hazardous wastes manifest file system. The manifest must be scanned and the digital copy filed electronically by CSC. USEPA regulations require that the copy of the manifest be retained by KCS at the CSC for three years from the date the shipment is accepted by KCS.

KCS will not accept an import hazardous waste shipment without a fully executed original manifest presented to the CSC Hazardous Waste Manifest Manager. Manifests received by the CSC incomplete or non-complying with EPA and DOT regulations will be returned to the shipper un-signed and shipment will not be accepted by KCS.

No Acknowledgement of Consent (AOC) is required by USEPA to accompany the manifest or to be received or maintained on file by the first transporter. No import date or signature is required in box 16 of the manifest. Box 16, "Import to U.S.", must be checked and the "Port of Entry" city indicated. USEPA does not require a copy of the import manifest to be sent to US Customs.

### **III. QUALITY CONTROL AUDIT PROCESS FOR THE HAZARDOUS WASTE MANIFEST**

An audit process has been established to verify that all hazardous waste manifests are accounted for properly processed when received, forwarded, and filed in accordance with USEPA regulations. MCS will automatically issue a monthly report of all originating, terminating, and export hazardous waste shipments handled on the KCS. An independent Auditor has been selected to facilitate quality control and verification of this process. The Auditor will review the records of hazardous waste shipments and reconcile any discrepancies with the KCS CSC Hazardous Waste Manifest Manager.