

**WAC 173-303-230 Special conditions.** (1) Exporting dangerous waste.

Federal export requirements, administered by EPA, are set forth at 40 C.F.R. 262 Subpart H and 40 C.F.R. 261.6 (a)(3)(i)(A) and (B), and specify the procedures applicable to generators and transporters of hazardous waste (as defined in WAC 173-303-040). These requirements are incorporated by reference. Copies of any forms or reports submitted to the administrator of United States EPA as required by 40 C.F.R. 262 Subpart H must also be submitted to the department.

(2) Importing dangerous waste. When importing dangerous waste from a foreign country into Washington state, the United States importer must comply with all the requirements of this chapter for generators, including the requirements of WAC 173-303-180, except that:

(a) In place of the generator's name, address and EPA/state identification number, the name and address of the foreign generator and the importer's name, address and EPA/state identification number must be used; and

(b) In place of the generator's signature on the certification statement, the United States importer or their agent must sign and date the certification and obtain the signature of the initial transporter.

(c) A person who imports dangerous waste may obtain the manifest form from any source that is registered with the U.S. EPA as a supplier of manifests (for example, states, waste handlers, and/or commercial forms printers).

(d) In the international shipments block, the importer must check the import box and enter the point of entry (city and state) into the United States.

(e) The importer must provide the transporter with an additional copy of the manifest to be submitted by the receiving facility to U.S. EPA in accordance with WAC 173-303-370(3).

(3) Empty containers. For the purposes of this chapter, a person who stores, treats, disposes, transports, or offers for transport empty containers of dangerous waste that were for their own use will not be treated as a generator or as a facility owner/operator if the containers are empty as defined in WAC 173-303-160(2), and either:

(a) The rinsate is not a dangerous waste under this chapter; or

(b) They reuse the rinsate in a manner consistent with the original product or, if they are a farmer and the rinsate contains pesticide residues, they reuse or manage the rinsate in a manner consistent with the instructions on the pesticide label, provided that when the label instructions specify disposal or burial, such disposal or burial must be on the farmer's own (including rented, leased or tenanted) property.

(4) Tank cars. A person rinsing out dangerous waste tote tanks, truck or railroad tank cars must handle the rinsate according to this chapter, and according to chapter 90.48 RCW, Water pollution control.

[Statutory Authority: Chapters 70.105, 70.105D RCW and RCRA. WSR 19-04-038 (Order 16-03), § 173-303-230, filed 1/28/19, effective 4/28/19. Statutory Authority: Chapter 70.105 RCW. WSR 15-01-123 (Order 13-07), § 173-303-230, filed 12/18/14, effective 1/18/15. Statutory Authority: Chapters 70.105 and 70.105D RCW. WSR 09-14-105 (Order 07-12), § 173-303-230, filed 6/30/09, effective 7/31/09. Statutory Authority: Chapters 70.105, 70.105D, and 15.54 RCW and RCW 70.105.007. WSR 04-24-065 (Order 03-10), § 173-303-230, filed 11/30/04, effective 1/1/05. Statutory Authority: Chapters 70.105 and 70.105D RCW. WSR

98-03-018 (Order 97-03), § 173-303-230, filed 1/12/98, effective 2/12/98; WSR 95-22-008 (Order 94-30), § 173-303-230, filed 10/19/95, effective 11/19/95; WSR 94-01-060 (Order 92-33), § 173-303-230, filed 12/8/93, effective 1/8/94. Statutory Authority: Chapters 70.105 and 70.105D RCW, 40 C.F.R. Part 271.3 and RCRA § 3006 (42 U.S.C. 3251). WSR 91-07-005 (Order 90-42), § 173-303-230, filed 3/7/91, effective 4/7/91. Statutory Authority: Chapter 70.105 RCW. WSR 87-14-029 (Order DE-87-4), § 173-303-230, filed 6/26/87; WSR 86-12-057 (Order DE-85-10), § 173-303-230, filed 6/3/86; WSR 84-09-088 (Order DE 83-36), § 173-303-230, filed 4/18/84. Statutory Authority: RCW 70.95.260 and chapter 70.105 RCW. WSR 82-05-023 (Order DE 81-33), § 173-303-230, filed 2/10/82.]