

State Hazardous Waste Regulations Transporters

Transporters of hazardous waste are required to follow the federal Hazardous Materials Regulations (HMR), Resource Conservation and Recovery Act (RCRA), and individual state regulations thereof. The Environmental Protection Agency (EPA) delegates primary responsibility of implementing RCRA's hazardous waste program to individual states. States which receive final authorization from EPA under RCRA must maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal program. As the Federal program changes, states must change their programs and ask EPA to authorize the changes. In addition, many states are authorized to implement additional parts of RCRA including corrective action and land disposal restrictions. State requirements that go beyond the scope of the Federal program are not part of the authorized program and EPA cannot enforce them. Although transporters must comply with these requirements under state law, they are not RCRA requirements.

With regard to the transportation of hazardous waste under the HMR, states are expressly preempted from promulgating any regulation that is substantively different from the federal packaging, labeling, marking, and placarding requirements. In almost all cases, states require transporters to comply with the federal requirements when transporting waste. However, like states under RCRA, states are free to include more stringent transport requirements.

The following chart is intended to illustrate examples wherein a state provides a more stringent regulatory requirement on transporters. It is for information only and is not intended to be, nor is it, legal advice or an exhaustive review of all law, regulations, procedures, and policies applicable to the subject matter thereof. It is not intended to create, and receipt of it does not constitute a lawyer-client relationship.

State	Hazardous Waste State Statute or Code	Specific Citation to Additional Requirements	Summary of Additional Requirements
Alabama	Ala. Code § 22-30-1 et. seq. Ala. Admin. Code r. 335-14-1 et. seq.	Ala. Admin Code r. 335-14-4.03 Ala. Admin. Code r. 335-14-4-.04 Ala. Admin. Code r. 335-14-8-.09	Discharge Notification Requirements Financial Assurance Requirements Transporter Permit Requirements
Alaska	Alaska Stat. § 46.03.299 Alaska Admin. Code tit. 18, § 62.020	Alaska Stat. § 46.03.299(b)	Exemptions
Arizona	Ariz. Rev. Stat. Ann. § 49-701 et. seq. Ariz. Admin. Code § 18-8-260 et. seq.	Ariz. Admin. Code § 18-8-260(M) Ariz. Admin. Code § 18-8-263(C) Ariz. Admin Code § 18-8-263(E)	Registration and Fee Requirements Intrastate Manifest Requirements Immediate Action Reporting Requirements
Arkansas	Ark. Code Ann. § 8-7-201 et. seq. Ark. Reg. No. 23	Ark. Reg. No. 23	Identification of Hazardous Waste Standards for Transporters
California	Cal. Health & Safety Code §§ 25100.-25257.1 Cal. Code Regs. tit. 22, § 66250 et. seq	Cal. Code Regs. tit. 22, § 66263.11, .15, .17 Cal. Code Regs. tit. 22 § 66263.18 Cal. Code Regs. tit. 22 § 66263.20 Cal. Code Regs. tit. 22 § 66263.30 Cal. Code Regs. tit. 22 § 66263.32 Cal. Code Regs. tit. 22 § 66263.40	Transporter Registration Requirements Transfer Facility Exception Manifest Requirements Hazardous Waste Discharge Requirements Hazardous Waste of Concern Requirements Regulatory Exemptions
Colorado	Colo. Rev. Stat. §§ 25-15-101-515 6 Colo. Code Regs. § 1007-3	6 Colo. Code Regs. § 263.12 6 Colo. Code Regs. § 263.30	Mixing Hazardous Wastes Hazardous Waste Discharge Requirements

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Connecticut	Conn. Gen Stat. § 22a-114 et. seq. Conn. Agencies Regs. §§ 22a-449(c)-100-119	Conn. Agencies Regs. § 22a-449(c)-11 Conn Agencies Regs. § 22a-440(c)-103	Permit Requirements Permit Display, Storage, Discharge, Financial Responsibility, and Training Requirements
Delaware	Del. Code Ann. tit. 7, §§ 6301-09 7-1302-122 Del. Code Regs. § 122.1 et. seq.	7-1302-163 Del. Code Regs. § 263.30 7-1302-263 Del. Code Regs. § 263.100-103 7-1302-263 Del. Code Regs. § 263.104 7-1302-263 Del Code Regs. § 263.105	Hazardous Waste Discharge Requirements Permit Requirements Training Requirements Operating Requirements
District of Columbia	D.C. Code §§8-1301-14 D.C. Mun. Regs. tit. 20, §§ 4200-99	D.C. Mun. Regs. tit. 20 § 4202 D.C. Mun Regs. tit. 20 § 4203 D.C. Mun. Regs. tit. 20 S 4263	Prohibitions Specific to D.C. District-Only Hazardous Wastes Standards Applicable to Transporters
Florida	Fla. Stat. § 403.721 Fla. Admin. Code Ann. r. 62-730	Fla. Admin. Code Ann. r. 62-730-170 Fla. Admin. Code Ann. r. 62-730-171 Fla. Admin Code Ann. r. 62-737-400 Fla. Admin Code Ann. r. 64E-16.009	Financial Responsibility, Exclusions, and Annual Verification Transfer Facility Requirements Universal Waste Transporters Biomedical Waste Transporters
Georgia	Ga. Code Ann. § 12-8-60 Ga. Comp. R. & Regs. 391-3-11	Ga. Comp. R. & Regs. 391-3-11-.04	Notification Requirements
Hawaii	Haw. Rev. Stat. §§ 342J-56 Haw Code R. § 11-260-1 et. seq.	Haw. Code R. § 11-263-10	Transporters of Hazardous Waste
Idaho	Idaho Code Ann. §§ 39-4401-32 Idaho Admin. Code r. 58.01.05.000-.999	None	None

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Illinois	415 Ill. Comp. Stat. 20/	Ill. Admin. Code tit. 35 § 723	Transporters of Hazardous Waste
	Ill. Admin. Code tit. 35 § 720.101	Ill. Admin. Code tit. 35 § 726	Standards for Specific Hazardous Waste
Indiana	Ind. Code § 13-22	329 Ind. Admin. Code 3.1-8-2	Transporter Exceptions and Additions
	329 Ind. Admin. Code 3.1-1-1	329 Ind. Admin. Code 3.1-8-3	Hazardous Waste Discharge Requirements
		329 Ind. Admin. Code 3.1-8-4	Hazardous Waste Transfer Facilities
Iowa	Iowa Code § 455B	Iowa Admin. Code r. 567-141.4	Notification Requirements
	Iowa Admin. Code r. 567-141.1-.16	Iowa Admin. Code r. 567-141.12	Additional Notification Requirements
Kansas	Kan. Stat. Ann. §§ 65-3401-174	Kan. Admin. Regs. § 28-31-6(e)	Transporter Manifest Exceptions
	Kan. Admin. Regs. § 28-31	Kan. Admin. Regs. § 28-31-7	Hazardous Waste Routing
		Kan. Admin. Regs. § 28-31-263a	Transporter Additional Requirements
Kentucky	Ky. Rev. Stat. Ann. § 224.46	Ky. Admin. Regs. 33:010	Transporter Identification Number and Registration Requirements
	Ky. Admin. Regs. 33:005-030	Ky. Admin. Regs. 33:030	Hazardous Waste Discharge Requirements
Louisiana		La. Admin. Code tit 33, § 1313	Financial Responsibility Requirements
	La. Rev. Stat. Ann. §§ 2171-2206	La. Admin. Code tit 33, § 1315	Transporter Spill Requirements
	La. Admin. Code tit. 33, § 101	La. Admin. Code tit 33, § 1317	Hazardous Waste Discharge Requirements
		La. Admin. Code tit 33, § 1319	Use and Reuse of Containers
		La. Admin. Code tit, § 1323	Vehicle Marking and Placards
Maine	Me. Rev. Stat. Ann. tit. 38, §§ 1301-19	06-096-850 Me. Code R. § 3(A)(6)	Used or Reused Hazardous Waste
	06-096-850 Me. Code R. § 1	06-096-853 Me. Code R. §§ 1-11	Transporter Licensing Requirements
		06-096-857 Me. Code R. § 6	Manifest Exceptions

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Maryland	Md. Code Ann., Envir. § 7-201 et. seq. Md. Code Regs. §§ 26.13.01-.13	Md. Code Regs. § 26.13.04.01 Md. Code Regs. § 26.13.04.03 Md. Code Regs. § 26.13.13	Applicability, Certification, mixing, training, stoppage and storage, and inspection Requirements Hazardous Waste Discharge Requirements Standards Applicable to Transporters of Medical Waste
Massachusetts	Mass. Gen. Laws ch. 21C, §§ 1-30 310 Mass. Code Regs. 30	310 Mass. Code Regs. 30.333-.34 310 Mass. Code Regs. 30.401 310 Mass. Code Regs. 30.407 310 Mass. Code Regs. 30.409 310 Mass. Code Regs. 30.410, .411, .414, .415, .416, .802, .834	Exception and Additional Reporting Requirements Transporter Exceptions Reporting Requirements Training Requirements Insurance, Bonding, Vehicle Identification Device, Emergency Procedure, Marking, Licensing, and Public Notice Requirements
Michigan	Mich. Comp. Laws §§ 324.11101-.53 Mich. Admin. Code r. 299.9101-.11007	Mich. Admin. Code r. 299.9404 Mich. Admin. Code r. 299.9405 Mich. Admin. Code r. 299.9406 Mich. Admin. Code r. 299.9407-08 Mich. Admin. Code r. 299.9410 Mich. Comp Laws. § 333.13801	Vehicle Storage Requirements Mixing Requirements Vehicle Requirements Inspection Requirements Hazardous Waste Discharge Requirements Medical Waste Regulatory Act

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Minnesota	Minn. Stat. §§ 115A.152-.31 Minn. R. 7045.0010-.1400	Minn. R. 7045.0365 Minn. R. 7045.0375 Minn. R. 7045.0395	Transfer Facility Requirements Manifest Requirements Hazardous Waste Discharge Requirements
Mississippi	Miss. Code Ann. §§ 49-31-1-43 HW-1-260-279 Miss. Code R.	HW-1-263 Miss. Code R. § S1 HW-1-270 Miss. Code R. § S1	Annual Reporting Requirements Additional General Requirements
Missouri	Mo. Rev. Stat. § 260.365 Mo. Code Regs. Ann. tit. 10, §§ 25-1.010-19.010	Mo. Code Regs. tit. 10, § 25-6.263	Licensing, 10-Day Transit Limit, Recordkeeping, Insurance, and Emergency Response requirements
Montana	Mont. Code Ann. §§ 75-10-401-51 Mont. Admin. R. 17.53.101-1502	Mont. Admin. R. 17.53.702 Mont. Admin. R. 17. 53.703 Mont. Admin. R. 17.53.704 Mont. Admin. R. 17.53.706 Mont. Admin. R. 17.53.707 Mont. Admin. R. 17.53.708	Notification and Recordkeeping Requirements Transporter Registration Requirements Transfer Facility Training Requirements Transfer Facility Emergency Planning Transfer Facility Container Handling Annual Reporting Requirements
Nebraska	Neb. Rev. Stat. §§ 1521.08-.23 128 Neb. Admin. Code §§1-001-27-002	128 Neb. Admin. Code §§ 4-001-005.05 128 Neb. Admin. Code § 11-001	Notification, Reporting, and Recordkeeping Requirements. Transporter Requirements
Nevada	Nev. Rev. Stat. §§ 459.400-.600 Nev. Admin. Code §§ 444.850-.8746	Nev. Admin. Code 444.8677 Nev. Admin. Code 444.8681	Record of Inspection Requirements Mixing Prohibitions

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New Hampshire	N.H. Rev. Stat. Ann. § 147-A:1 N.H. Code Admin. R. Ann. Env-Hw 100-1114.04	N.H. Code Admin. R. Ann. Env-Hw 602.01 N.H. Code Admin. R. Ann. Env-Hw 603.01 N.H. Code Admin. R. Ann. Env-Hw 603.06 N.H. Code Admin. R. Ann. Env-Hw 603.08 N.H. Code Admin. R. Ann. Env-Hw 603.10 N.H. Code Admin. R. Ann. Env-Hw 608.01	Registration Requirements Notification Requirements Vehicle Requirements Security Requirements Emergency Response Requirements Hazardous Waste Discharge Requirements
New Jersey	N.J. Stat. Ann. § 13:1E-49 N.J. Admin. Code §§ 7:26G-1.1-16.12	N.J. Admin. Code § 7:26G-7.2 N.J. Admin. Code § 7:26G-7.4	Registration Requirements Transfer Facility Requirements
New Mexico	N.M. Stat. §§ 74-4-1-14 N.M. Code R. §§ 20.4-1.1-5.21	N.M. Code R. § 20.4.1.101 N.M. Code R. § 20.4.1 N.M. Code R. § 20.4.4	Incident Reporting Requirements Modifications, Exceptions, and Omissions Accident Response Training Requirements
New York	N.Y. Env'tl. Conserv. Law § 27-0101 N.Y. Comp. Codes R. & Regs. tit. 6, § 370.1	N.Y. Comp. Codes R. & Regs. tit. 6, § 364.1 N.Y. Comp. Codes R. & Regs. tit. 6, § 364.5 N.Y. Comp. Codes R. & Regs. tit. 6, § 364.6 N.Y. Comp. Codes R. & Regs. tit. 6, § 372.3	Permit Requirements Insurance Requirements Operation and Annual Reporting Requirements Notice and Hazardous Waste Discharge Requirements
North Carolina	N.C. Gen. Stat. § 130A-290 15A N.C. Admin. Code 13A.0101	N.C. Gen Stat. § 130A-295 15A N.C. Admin. Code 13A.0108 15A N.C. Admin. Code 13A.0113	Hazardous Waste Facility Requirements Manifest Discrepancy Requirements Permit Requirements

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North Dakota	N.D. Cent. Code § 23-20.3	N.D. Admin. Code 33-24-04-01	Standards for Transporters
	N.D. Admin. Code 33-24-01	N.D. Admin. Code 33-24-06-01	Permit Requirements
Ohio	Ohio Rev. Code Ann. § 3734.01	Ohio Admin. Code § 3745-53-11	Registration Requirements
	Ohio Admin. Code § 3745:50-01	Ohio Admin. Code § 3745-53-20	Manifest Requirements
		Ohio Admin. Code § 3745-53-30	Hazardous Waste Discharge Requirements
Oklahoma	Okla. Stat. tit. 27A § 2-7-101	Okla. Admin. Code § 252:205-7-1	Additional Transporter Rules
	Okla. Admin. Code § 252:205-1-1	Okla. Admin. Code § 252:205-9-1	Additional Treatment, Storage, Disposal, and Recycling Requirements
		Okla. Admin. Code § 252:205-11-1	Additional Permit Procedures
		Okla. Admin. Code § 252:205-25-1	Excluding Wastes
Oregon	Or. Rev. Stat. § 459.005	Or. Admin. R. 340-103-0010	Standards Applicable to Transporters by Air or Water
	Or. Admin. R. 340-100-0001		
Pennsylvania		25 Pa. Code § 262a.12	Notification Requirements
	27 Pa. Cons. Stat. § 6201	25 Pa. Code § 262a.43	Reporting Requirements
	25 Pa. Code § 260a.1	25 Pa. Code § 263a.12	Transfer Facility Requirements
		25 Pa. Code § 263a.30	Hazardous Waste Discharge Requirements

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Rhode Island	R.I. Gen. Laws § 23-19.1-1 12.030.003 R.I. Code R. § 1.0	12.030.003 R.I. Code R. § 6.1 12.030.003 R.I. Code R. § 6.2 12.030.003 R.I. Code R. § 6.3 12.030.003 R.I. Code R. § 6.4 12.030.003 R.I. Code R. §§ 6.6, .7, .8, .9, .17	Permit and Fee Requirements Application and Insurance Requirements Contingency Plan, Labeling, and Placards Manifest Requirements Personnel and Equipment, Inspection, Emergency/Accident/Training, Decontamination, and Reporting Requirements
South Carolina	S.C. Code Ann. § 44-56-10 S.C. Code Ann. Regs. 61-79	S.C. Code Ann. Regs. 61-79.263.10 S.C. Code Ann. Regs. 61-79.263.13 S.C. Code Ann. Regs. 61-79.263.14 S.C. Code Ann. Regs. 61-79.263.23 S.C. Code Ann. Regs. 61-79.263.30	Permits, Exemptions, and Training Notification Requirements Insurance Requirements Mixing and Storage Requirements Hazardous Waste Discharge Requirements
South Dakota	S.D. Codified Laws § 34A-11-1 S.D. Admin. R. 74:28:21	S.D. Admin. R. 74:28:26:01	Permit Requirements
Tennessee	Tenn. Code Ann. § 68-212-101 Tenn. Comp. R. & Regs. 1200-01-11-.01	Tenn. Comp. R. & Regs. 1200-01-11-.04	Identification Number, Permit, Inspection, Recordkeeping, Discharge, Manifest, and Transfer Facility Requirements
Texas	Tex. Health & Safety Code Ann. § 361.001 30 Tex. Admin. Code § 335.1	30 Tex. Admin. Code §§ 335.11-.14 30 Tex. Admin. Code § 335.93 30 Tex. Admin. Code § 335.94	Manifest and Recording Requirements Hazardous Waste Discharge Requirements Transfer Facility Requirements

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Utah	Utah Code Ann. § 19-6-105 Utah Admin. Code r. 315-1-1	Utah Admin. Code r. 315-9-1	Spill Reporting Requirements
Vermont	Vt. Stat. Ann. tit. 10, § 6607 12-032-001 Vt. Code R. § 7-101	12-032-001 Vt. Code R. § 7-401	Transporter Requirements
Virginia	Va. Code Ann. § 10.1-1400 9 Va. Admin. Code § 20-60-420	9 Va. Admin. Code § 20-60-430 9 Va. Admin. Code § 20-60-450 9 Va. Admin. Code § 20-60-490 9 Va. Admin. Code § 20-60-500	Manifest and Reporting Requirements Permit Requirements Hazardous Waste Discharge Requirements Transfer Facility Requirements
Washington	Wash. Rev. Code § 70.105.005 Wash Admin. Code § 173-303-010	Wash. Admin. Code § 173-303-240 Wash. Admin. Code § 173-303-370	Transporter Requirements Manifest System Requirements
West Virginia	W. Va. Code § 22-18-1 W. Va. Code R. § 33-20-1	W. Va. Code R. § 33-20-4 W. Va. Code R. § 150-23	Notification Requirements Registration and Permit Requirements
Wisconsin	Wis. Stat. § 291.001 Wis. Admin. Code NR § 660	Wis. Admin. Code NR § 663.10 Wis. Admin. Code NR § 663.13 Wis. Admin. Code NR § 663.20 Wis. Admin. Code NR § 663.30	Exemptions Licensing Requirements Manifest Requirements Release Notification Requirements
Wyoming	Wyo. Stat. Ann. § 35-11-516 x-x- 1 Wyo. Code R. § 1	x-x- 9 Wyo. Code R. § 3	Hazardous Waste Discharge Requirements

