(40 CFR 262 Subpart H) **EPA or Country of Export US Importer or US Recovery Or Disposal Facility (TSDF) Flowchart** kev Foreign Source Shipping to US **Foreign or US Transporters Pre-Shipment Requirements** Contracts or equivalent legal arrangements US recovery or disposal Foreign source established between all parties (e.g., exporter, facility agrees to accept decides to importer, receiving facility) that are legally hazardous waste from export hazardous enforceable in all concerned countries to ensure foreign source; waste to US for compliance with requirements in all concerned US importer must have recovery or disposal countries [§262.84(f)] EPA ID Number prior to arranging for import [§262.18(e)] Foreign source determines whether hazardous waste export in country of export If hazardous waste export, If not hazardous waste export, foreign exporter sends notice to its US Importer must submit export competent authority proposing export notice directly to EPA for consent to to US for recovery or disposal the proposed import [§262.84(b)] Country of export sends copy of notice to EPA and any listed countries of transit (transit includes stops at ports) EPA reviews notice to determine whether to: consent (if hazardous and proposed management acceptable), object (if hazardous but proposed management not acceptable), or neither consent nor object (if not RCRA hazardous waste) EPA sends out: Final response (e.g., consent, object) to country of export or US importer; and If response is consent, consent documentation (i.e., cover letter and copy of foreign notice) to US recovery or disposal facilities listed in notice

Importing RCRA Hazardous Waste

Import Shipment Requirements

Foreign source (or US importer if not haz waste export) prepares the international movement document for each shipment and provides to initial transporter. Transporters sign and date the international movement document when accepting custody of the shipment from another transporter. Transporter informs country of Is shipment disrupted transit of disruption and need to Shipment enters before it enters US? return shipment, which in turn United States. informs country of export. US importer assumes generator responsibilities, including Foreign source must complete shipment return to country of initiating RCRA manifest unless waste exempted (e.g., SLABS and export within 90 days of date universal waste) and submitting exception reports as country of export informed of required (e.g., if shipment rejected by US recovery or disposal faneed to return. cility or lost somewhere between US border and US recovery or disposal facility). [§262.10(e)] Transporters sign and date RCRA manifest, if manifested, and the international movement document, and deliver shipment to US recovery or disposal facility. [§262.84(c), §262.84(d)(2)(xiv)] If shipment accepted, US 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. [§262.84(d) Does US facility accept or (2)(xv), §264.71(d)] reject shipment? 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 EPA until it can send manifest If shipment rejected, US facility must inform foreign exporter and to e-manifest system. [§264.71(a)(3)] EPA (should also inform US importer, Regional EPA and state agency). The person specified in the contract assumes responsibility for locating an acceptable alternate location in the US or arranging the return of the hazardous wastes. [§262.84(f)(4)] US 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 For manifested import shipments, after consulting with the responexporter, to the country of export, and starting on sible person specified in the contract, the importer must electronic import-export reporting compliance date, to instruct the transporter to designate another facility within the EPA. [(§262.84(g), §264.12(a)(4)(i)] 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)] US facility submits biennial report noting import shipments as required. [§264.75(c)] If LQG, US importer submits biennial report noting imported and For manifested shipments, US importer submits exception report domestically generated wastes. [§262.41]

noting rejection of import shipment and subsequent redirection or

return. [§262.42]