

Chapter VI Disposal Contracts

A. GENERAL.

1. DRMS will contract for the disposal of HM/HW that is within its disposal responsibility as stated in DoD 4160.21-M, Chapter 10. To receive information concerning services offered on DRMS HM/HW disposal contracts contact DRMS-LHO for a copy of the Menu of Services at (DSN)661-5931 or Commercial (269)961-5931. When requested, DRMS will make every effort to provide contract disposal service for hazardous property that is the responsibility of the Military Services (such as: commingled industrial waste treatment plant sludge and residues; installation restoration wastes and residues). In these instances, the Military Service shall provide an advance fund citation and sufficient advance notification to allow placement of the property on a DRMS contract. DRMOs shall accept accountability on a wash-post basis. DRMOs should encourage Military Services to dispose of wastes through on-base facilities when possible instead of using a disposal contract.

2. DRMOs will notify DRMS-LHO when generator activities do their own disposal contracting for HP that is a DLA/DRMS disposal responsibility. For withdrawal of hazardous property from DRMS service contract, see paragraph E.5.

3. DRMS disposal contracts provide for disposal of regulated and non-regulated HW. Upon requests from installation commanders, DRMOs will provide a listing of disposal facilities approved for use in each disposal contract along with corresponding EPA identification numbers.
<http://www.drms.dla.mil/environmental/qualfac.pdf>
<http://www.drms.dla.mil/environmental/qualtran.pdf>

4. Overseas disposal contracts will include all appropriate disposal clauses and restrictions to comply with U.S. standards, final governing standards and host country laws and regulations. If conflict arises, the more stringent standard will be followed. DRMOs will develop and maintain

a cradle-to-grave audit trail of records for the disposition of HM/HW. Foreign contractors will be able to demonstrate they are in compliance with host nation requirements, meet DoD disposal requirements, and show evidence that their facilities are audited by local authorities on a periodic basis.

5. A list of characteristic-based CLINs is included in the Menu of Services.

<http://www.drms.dla.mil/drms/intranet/index.html>

NOTE: These are general instructions only. Specific disposal contracts should be consulted for provisions that take precedence over any guidance in this instruction.

B. QUALIFIED FACILITIES AND TRANSPORTERS.

<http://www.drms.dla.mil/environmental/qualfac.pdf>
<http://www.drms.dla.mil/environmental/qualtran.pdf>

1. Evaluation Procedures for Addition of TSDFs and Transporters to the Qualified Listing (H.6).

a. DRMS-LHO evaluators will review the contractor's H.6 submittal for additions to the approved list. The web listed TSDFs are approved in the Base Operating Support System (BOSS) and can accept waste for treatment, storage and disposal.

b. It is the responsibility of the contractor to ensure all wastes and special requirements are covered by an approved TSDF and transporter. Examples of special requirements:

- oxygen breathing apparatus/oxygen candles
- acutely hazardous pesticides
- aerosols
- lithium sulfur-dioxide batteries
- k045s or other explosives
- red fuming nitric acid
- hydrazine
- cyanides

- PCBs

c. It is the contractor's responsibility to ensure sufficient final disposal capacity exists to meet the performance time frames of the solicitation.

d. Proposed TSDFs must meet the criteria at H.5 USE OF TSDFS AND TRANSPORTERS of the solicitation and submittal requirements of H.6 ADDITIONAL TSDFs AND TRANSPORTERS.

2. To determine transporter acceptability, the following criteria are considered:

a. Transporter must have a valid EPA identification number.

b. Transporter must list all applicable state hauling permit numbers.

c. Transporter must have a "Satisfactory" rating from the Office of Motor Carrier Safety (OMCS).

d. Transporter must meet the evaluation criteria at H.5 of the solicitation.

NOTE: A transporter hauling PART II non-RCRA waste does not require an EPA identification number or state hazardous waste permit. However, the transporter must meet all evaluation criteria including OMCS ratings. When a transporter meets the evaluation criteria and has a satisfactory OMCS rating but does not have an EPA identification number, a "dummy" EPA number will be constructed by DRMS-LHO technical evaluators who will notify DRMS-TP.

3. L.49(a) Management Plan. The following documentation may be evaluated by the contracting officer to determine acceptability of the contractor's proposal.

a. **Training.**

(1) DRMS-LHO evaluators will examine the contractor's training package to verify that the following training requirements have been successfully met:

- RCRA Training - 40 CFR 264.16 and 265.16, when applicable.

- OSHA Training - 29 CFR 1910.120 and 1910.1200.

- DoT Training - 49 CFR 177.800, 177.816, 173.1, and 172 subpart H, when applicable.

- TSCA Training - when applicable.

- The initial 24-hour and 8-hour refresher training courses on hazardous property handling, safety, manifesting, and the hazardous communications course must be accomplished.

(2) Evidence of training must be submitted by each offeror. DRMS-LHO evaluators will review evidence of training to determine acceptability. Acceptable evidence of training includes one or more of the following:

- Certificates of Training.

- Class Rosters.

- Transcripts.

- Schedules.

(3) The offeror must provide the training documentation at paragraph B3a(2) above when sampling or removal of hazardous waste will be performed by a subcontractor.

b. **Procedures.** Offerors are to provide step-by-step logistical procedures for performing on a hazardous waste disposal contract. Procedures should be in sufficient detail to demonstrate offeror's understanding of the scope of work to be performed and the degree of difficulty involved. Procedures performed by subcontractors must also be addressed.

(1) DRMS-LHO evaluators will review the solicitation, offer and award package for any "special requirements"/additional information that may be required by the offeror.

(2) The potential contractor must address the following elements in the procedures outline which will be reviewed by DRMS-LHO evaluators:

- Timeframe considerations:
- Material handling.
- Safety equipment.
- Drum handling considerations:
 - Drum removal.
 - Sampling.
 - Handling.
 - Loading.
 - Inspection.
 - Overpack use.
 - Marking and labeling.
 - Waste segregation and waste profiling manifest preparation.

(3) In addition to the above (paragraph B3b(2)), the offeror must describe the following procedures that will be reviewed by DRMS-LHO evaluators:

- Coordination between prime and sub-contractors.
- Waste profiling approvals.
- Waste segregation procedures
- Documentation submittals.

c. ***TSDF and Transporter Agreements.*** Evidence of established working relationships with the TSDFs and transporters indicated on the TSDF and transporter plans will be made available to the contracting officer on request. If an existing working relationship does not exist between offeror and any proposed TSDF or transporter, the offeror must provide written evidence of the TSDF or transporter's willingness to provide subcontracting services under the solicitation.

(1) Evidence of a working relationship with TSDFs and transporters may consist of any of the following:

- Letters of Agreement (LOAs).
- Existing legal contract or purchase order.
- Completed uniform hazardous waste manifest or bill of lading.
- Paid invoice with corresponding purchase order.
- A required notice as delineated in the 40 CFR 264.12b.
- Certification as specified in Clause C.37.

(2) Potential contractors must also provide procedures for review and selection of TSDFs and transporters.

(3) DRMS-LHO evaluators will review each potential contractor's evidence of a working relationship and procedures for the review and selection of TSDFs and transporters for acceptability.

NOTE: Evidence of working relationships shall be no older than two (2) years prior to receipt of initial offers on the solicitation.

C. WORK REQUIREMENTS PREPARATION.

1. In order to plan and execute a contract, a procurement request (PR) must be written to identify work requirements. The COR/COTR plays an active and important part in this process by gathering generations data and other information to be included in the PR. In coordination with the Acquisition Team Leader, the DRMS-LHO will send a letter to generating activities, requesting information on expected generations of HM/HW for the coming year (see Enclosure 1).

With this request, the DRMS-LHO will provide each generating activity with a history of previous generations (usually for a recent 12-month

period). The histories are extracted from BOSS through a program called ERS. The generating activities will use this information to update contract requirements. DRMS-LHO should request supporting documentation (e.g., waste analysis, HWPS) when available.

2. In addition to the ERS data, the letter should include a menu of services. The Menu of Services explains the routine services offered by DRMS. The generator is to complete this package in accordance with the instructions provided in the menu of services.

3. The COR will review the DRMO's current contract to determine what changes are needed; e.g., points of contact and telephone numbers, pick-up points, CLIN estimates, work requirements, etc. The COR will submit this information, with the information received from the generators, to DRMS-LHO. This information will then be incorporated in the PR that is forwarded to DRMS-TP. If waste profiles are available in SHIP, the COR can use the SHIP export to dbase function export the three WPS tables to a floppy disk or to the hard drive and e-mail/send them to DRMS-LHO.

4. An alternative to preparing a new PR is to exercise an option period if such an alternative is provided in the current contract. If there is a significant change in the requirement or unsatisfactory contractor performance, the option may not be exercisable. The determination to exercise an option is made by the CO. The COR will determine if the requirements as stated for the option period remain valid and make an assessment of the contractor's performance. This information will be forwarded to the cognizant Contract Specialist. Contractor performance shall be documented throughout the contract period in order to justify either satisfactory or unsatisfactory performance assessment.

6. **One-Time Contracts.**

a. A one-time contract can be used for HP removal in unique or emergency situations. *Unique situations/emergency situations* include removal of property which falls outside the scope of the regular requirements contract because of

its quantity, or other special conditions which may include removal of property for which there is a lapse in contract coverage or lack of performance by current contractor.

b. If there is a need to remove the property immediately, a one-time contract can be issued.

c. Upon receipt of the above information, the CO will determine the urgency of the situation and take action to resolve the problem in the most expeditious manner.

D. CONTRACTING OFFICER'S REPRESENTATIVE (COR).

1. **Appointment.**

a. A COR is appointed in writing by a CO to monitor each DRMS disposal contract. The policy guidance for assigning specific responsibilities to CORs for oversight of contract operations is at DLAD 4105.1 (Defense Logistics Acquisition Directive), Subpart 90.6. DRMS COs issue an appointment letter that outlines the COR's authority and provides a list of duties and responsibilities. Unless canceled, the appointment is effective for the life of the contract.

b. The DRMO Chief will nominate an employee for appointment and provide the name to the CO. All GS-028, Environmental Protection Specialists, at the DRMO will be nominated for COR appointment. In addition, generator personnel may be assigned as a Contractor Officer Technical Representative (COTR) as determined by the contracting officer. Appointment will be determined by the contracting officer in coordination with the DRMO and generating activity.

c. The CO is the final authority on the contract. The COR works with the CO in monitoring contractor compliance. This includes compliance with the terms and conditions of the contract and ensuring that the contractor complies with all environmental/safety Federal, state and local laws and regulations as implemented by the contract.

d. The employees accomplishing the receipt and storage of HM/HW at the DRMO may or may not perform COR functions. The environmentally trained specialist at the DRMO will coordinate disposal actions with appropriate personnel and surface DRMO HM/HW environmental/safety problems to the DRMO Chief, e.g., incorrect receipt and storage practices.

2. **Training.** Environmental/safety training is required for all personnel involved in the managing or handling of HM and/or HW including personnel on temporary appointments. Training requirements are outlined in the DRMS Corporation Training Plan <http://www.drms.dla.mil/drms/internal/General/Training/training.html>

Additional training requirements are in Chapter X. In addition to the environmental/safety courses, each COR should complete either the DRMS or DoD sanctioned COR or COTR course to be eligible for appointment by the contracting officer.

3. **Safety.** CORs will follow all safety rules/regulations. They will use appropriate personal protective equipment at all times. CORs will not monitor contractors that are opening containers until they have been properly trained; i.e., completion of OSHA/RCRA Hazardous Facility Training or an equivalent course approved by DRMS-LHP.

4. **Liability.** Environmental compliance requirements for all DRMS employees, including military, civilian and local nationals, regardless of grade or assignment, are in DRMS-R 5000.6, Compliance with Environmental Laws and Regulations. In summary, DRMS employees who violate environmental laws and regulations or who disregard environmental laws and regulations in carrying out their duties may be subject to disciplinary action and/or criminal sanctions.

E. GENERATOR RESPONSIBILITIES.

In order to ensure compliance with environmental/safety Federal, state, local, host country laws and regulations, as related to the transportation and disposal of HM/HW, the environmental

specialist/monitor must fulfill specific responsibilities that DRMS has as a generator of HM/HW.

1. Delivery Order Request (DOR) - General Information.

a. DORs will be prepared routinely. The frequency will depend upon the amount of hazardous property at the DRMO or off-site pick-up locations. Some DRMOs need as many as four DORs a week, while others only need one each month. Schedule DORs to keep the property moving within acceptable storage timeframes.

b. As a minimum, the following information/references are required for CONUS DRMOs to prepare a DOR:

(1) A copy of the contracts CLIN list in numerical order. This list contains all CLINs currently used on DRMS contracts. It can be obtained from DRMS-LHO.

(2) A copy of the price schedule for your particular contract. This price schedule will vary from contract to contract because not all of the CLINs from the master CLIN list are listed on each contract. Therefore, to determine which CLINs are available for use under your contract you must have the price schedule and all modifications (MODs) to the contract.

NOTE: Special service requirement CLINs (6600-6699) may be available under your contract. See Enclosure 5 for guidance concerning processing orders for special service CLINs.

(3) Information on property that is eligible for the DOR. Use all available sources to get this information; e.g., the DTID, HM/HW On Hand Inventory Report, Hazardous Waste Profile Sheet (DRMS Form 1930), MSDS, SHIP documentation, or DAISY consolidated inquiries. The DOR should contain at a minimum the DTID number, and the storage location (e.g., A020000A0/bldg. # for offsite locations). Additional information required in the noun description is as follows:

(a) Mandatory information in noun description.

- HWPS reference number.
- Noun name of the waste and the chemical name of the **most predominant constituents/contaminants or the associated EPA codes**, if applicable. Percentages should also be included if space allows. Additional EPA codes, and where applicable, state waste codes.
- All information (i.e., flash point, corrosiveness, etc.), including physical state, necessary in determining DOT shipping information and requirements.
- Size and number of containers (i.e., 1 x 55 gal) or applicable dimensions if packaging is irregular.
- Unique number, if applicable (e.g., DTID #, hazardous waste log number).
- Date removed from service for disposal/manifesting (PCBs only).
- Proper shipping name (PSN) (may be omitted if the COR has an alternative mechanism in place to verify PSN).

(b) Optional information in noun description.

- NSN, if applicable. For PCBs a unique identification number (e.g., stock number or part number).
- Generators EPA identification number and any additional information DRMOs want to add (e.g., universal waste).

NOTE: When considering what optional information to include, the DRMO should cooperate with the contractor to ensure they are provided with all necessary information needed to properly manifest the waste and profile it to a TSDF. Additional information may not be necessary, for contractors that have been provided information at an earlier date (e.g., waste profile

sheets with MSDS/analytical attached or a list of generators EPA identification numbers).

Do not preface profiles/MSDS with “Waste Profile”, “WPS”, “MSDS”, “HMIS” or any other preface, just the number.

EXAMPLE:

CORRECT: W25G1V0001

INCORRECT: WPS:W25G1V0001

SHIP will automatically put all items into the BOSS noun description in the proper order, if DAISY HW screen and SHIP HWPS data is complete (see Enclosure 3).

(4) To assign CLINs for other than PCBs, use a current copy of 40 CFR 261 Subpart C, Characteristics of Hazardous Waste, and Subpart D, Lists of Hazardous Wastes. The information in the contract schedule corresponds to 40 CFR 261. The two are used together.

(5) Use any reference material that will identify the hazard class of the property. For CLIN selection, it may be necessary to know if an item is ignitable, corrosive, toxic or reactive. Sources of information for item description include prior manifests and marking and labeling on the package. Some references that may help are the Hazardous Material Information System (HMIS), the condensed Chemical Dictionary, the DOT Chemical Response Information System (CHRIS) book and the Material Safety Data Sheet (MSDS).

2. Contract Line Item Number (CLIN) Assignment. Some contracts may have different CLIN structure. Look at specific contract as applicable. Proper CLIN assignment is critical for a smooth running contract. Questions concerning CLIN assignment should be directed to DRMS-LHO.

a. The bid schedule is broken into three primary categories - RCRA; State Regulated Hazardous Waste; and NON-RCRA, Non State Regulated Hazardous Waste. The CLIN selection will be dependent upon the most descriptive

CLIN based on the framework of the contract and in accordance with the following criteria:

(1) *RCRA*. Wastes regulated by RCRA are identified according to the EPA waste number listed in 40 CFR, part 261 and referenced by the CLIN headings (i.e., IGNITABLE WASTE [40 CFR 261.21] DOO1). To determine a specific heading, selection will be made according to the criteria listed below. Once the specific heading is determined, a CLIN will be assigned based on the appropriate subcategory listed under the specific heading.

- If a waste exhibits more than one characteristic (more than one “D” waste number) the following hierarchy will apply to select the proper category:

Reactivity	(D003)
Ignitability	(D001)
Corrosivity	(D002)
Toxicity	(D004-D043)

- If the waste is a combination of more than one listed waste with different waste numbers, the following hierarchy will apply to select the proper category:

Acutely Hazardous	(P-Listed)
Dioxin Related	(F020-23, F026-28)
Leachate	(F039)
Electroplating Related	(F006-12, F019)
Spent Solvent	(F001-5)
Toxics	(U-Listed)
Industrial Process	(K-Listed)

- When a waste includes combinations of listed and characteristic waste, the category will be selected based upon the listed waste number(s).

(2) *State Regulated Hazardous Wastes*. Wastes that are State Regulated in the state where the waste is generated will be assigned the appropriate CLIN listed under the heading STATE REGULATED HAZARDOUS WASTE. All wastes generated in the state of Texas classified as TWC Class I nonhazardous waste will be clinned in this category.

(3) *Non RCRA, Non State Regulated Hazardous Waste*. Waste that is not regulated by RCRA nor regulated by the state of generation as hazardous waste will be assigned the appropriate CLIN listed under the heading NON RCRA, NON STATE REGULATED HAZARDOUS WASTE. All wastes generated in the state of Texas classified as TWC Class II or Class III nonhazardous waste will be clinned in this category.

b. CLIN selection within the waste category shall be accomplished as follows:

- (1) If material is an aerosol, select the “AEROSOLS” CLIN;

NOTE: REGARDLESS OF SIZE -- AEROSOLS WILL BE ORDERED UNDER THE AEROSOL CLIN.

- (2) If material is in a small container select the “SMALL CONTAINER” CLIN as defined in the contract.

- (3) If material is in bulk (in containers having a capacity greater than 119 gallons, or any size non-removable container, or is not containerized), select the appropriate “BULK” CLIN;

- (4) If containerized material contains any free liquids, select the “CONTAINERIZED LIQUIDS/MULTI-PHASE” CLIN; (see **)

- (5) If containerized material contains no free liquids, select the “CONTAINERIZED SOLIDS” CLIN. (see **)

** Physical state based on test method 9095 (Paint Filter Liquids Test) as described in “Test Methods for Evaluating Solid Wastes Physical/Chemical Methods”, EPA Publication No. SW-846.

- c. *Batteries*. All batteries will be ordered under the “CONTAINERIZED SOLID” CLIN in the appropriate category.

- d. *Empty Containers*. State Regulated Hazardous Waste and Non RCRA, Non State

Regulated Hazardous Waste empty containers (excluding aerosols) will be ordered under the "BULK SOLID" CLIN. Aerosols will always be ordered under the appropriate aerosol CLIN.

e. **PCB Contaminated Waste.**

(1) RCRA/State Regulated Hazardous Waste contaminated with PCBs will be ordered under the appropriate "RCRA/STATE REGULATED HAZARDOUS WASTE" CLIN. If the PCB concentration is at or above regulated levels, the applicable CLIN shall be suffixed with a "PP" or "P_" in the fifth and sixth positions and the following verbiage added to the description, "*contaminated with PCBs at or above regulated levels*". PCB contaminated with RCRA waste may be ordered under the PCB contract.

(2) Non RCRA, Non State Regulated Hazardous Waste contaminated with PCBs will be ordered under the PCB contract, using the CLIN for the applicable concentration level.

f. **Aerosols.** The "AEROSOLS" CLINs found in most categories of the contract bid schedule are to be used only for small pressurized containers (including, but not limited to, paints, pesticides, lubricants, engine starting canisters, etc.) Compressed gas cylinders as defined in DLAR 4145.25, Storage and Handling of Compressed Gases and Liquids in Cylinders, and of Cylinders, are to be ordered on the compressed gas cylinder contract.

3. **Facility and Transporter Modification Requests For Disposal Contracts.**

a. Contractors may request additions to the DRMS TSDF and Transporter Qualified Lists by letter to DRMS-LHO or DRMS-TP. These modifications shall be added by DRMS-LHO to the BOSS as workload/expertise allow and may be found on the DRMS web page when completed.

b. Note that contract clause H.6 states that the government must be given a "reasonable" amount of time to evaluate contractor requests

and that additional TSDFs and transporters must meet the same standards contained in the solicitation. The contractor shall furnish information for addition of the TSDF or Transporter as found in clause H.6 (b), (c) and (d).

4. **Removal of Hazardous Property From the Accountable Record (DAISY).** When HP is removed by a contractor, data from the DD Form 1155, Order for Supplies or Services, is input into SHIP/BOSS. Input by DRMO personnel into the SHIP/BOSS pickup manifest screen (PMF) will allow the SHIP/BOSS/DAISY interface to clear the DAISY inventory record of HP which has been picked up. If the interface does not clear the record, manually input an "issue to ultimate disposal" screen.

5. **Withdrawal of Property From a Hazardous Waste Disposal Contract.**

a. DRMO will determine if other available assets could satisfy the requirement.

b. Determine if the property required can be withdrawn or if Law requires destruction.

c. If the property that has been placed on a delivery order needs to be withdrawn contact the contracting officer.

6. **EPA Uniform Hazardous Waste Manifest (see Enclosures 2, 3, and 4).**

NOTE: See Chapter XXXI for HM 181 instructions.

a. **General.** The manifest is a special shipping paper used for tracking the movement of hazardous wastes. The EPA and DOT require that all shipments of hazardous wastes be accompanied by a hazardous waste manifest. The manifest serves as part of the "cradle-to-grave" record that documents proper management of the waste.

b. **Sources of the Manifest.** The standard manifest form provides space for state-specific information. Since each state has the option of

requiring their own information, the regulations have established this hierarchy for determining which manifest forms to use:

(1) The consignment (receiving) state, when that state has its own printing of the uniform manifest.

(2) The generator state, when the consignment state does not print the form, but the generator state does.

(3) The standard EPA form when neither the consignment nor the generator state has its own uniform manifest form. DRMS contracts require the disposal contractor to provide the correct manifest forms.

c. **Responsible Parties.** The RCRA identifies three parties: the generator, the transporter and the TSD.

(1) The generator is charged with the responsibility of preparing the manifest document and signing the manifest certification. Generator signatory authority is site specific. That is, the generator or authorized representative must be physically located at the site where the hazardous waste is generated. DRMOs located off-site from where the hazardous waste is generated cannot sign manifests exclusively as the generator for the facility. A signature by an authorized representative physically located at the generating activity is required. An authorized DoD representative will sign manifests. DRMOs may sign as the generator for military activities that they are physically located, because these DRMOs meet the definition of "an authorized representative" by being located contiguous to the military facility. To operate in this manner, the commanding officer must designate the DRMO as an authorized representative of the facility. For manifesting purposes, the DRMO, in conjunction with the host installation, is the generator.

(2) In most cases, the disposal contractor prepares the manifest for the DRMO under the terms of the contract. When this is the case, the actual signing of the manifest is the DRMO responsibility. The permit holder (installation

commander) has primary responsibility for signing manifests, but may delegate signature authority. An authorized DoD representative will sign manifests.

(3) The transporter signs the manifest, acknowledging receipt of the HW listed on the manifest. A signed copy is provided to the generator and the remaining copies are carried with the shipment.

(4) The TSD owner or operator signs the manifest acknowledging receipt of the waste. The TSD is required to give the transporter a copy, send a copy to the generator and, depending on state regulations, send a copy to the state regulator.

(5) The signature responsibilities outlined in paragraph E6c(1) also apply to LDR requirements including contractor-prepared waste notification forms and forms to identify/test hazardous wastes, including the Toxicity Characteristic Leaching Procedure (TCLP).

(6) Contractor-prepared hazardous waste profile sheets (HWPS) prepared by a contractor to profile the waste into a TSD satisfy an industry practice; but is not a regulatory requirement. Consequently, it is appropriate for the contractor to sign the HWPS for the generator.

(7) DRMO personnel should only sign forms if they are confident that the information on the form is correct. If doubt exists, they should research and resolve questions prior to signing the form. This research should include, as a minimum, using all available supporting documentation, going back to the generator for clarification or additional information and, if necessary, elevating the question through command channels for resolution.

NOTE: The DRMO COR is not required to co-sign at locations where the generator has been appointed as COTR.

d. **Required Information.** There are four categories of information that must be entered on the manifest: the manifest document number,

responsible party identification, hazardous waste identification and certification. In some cases, additional state information may also be required.

(1) The uniform manifest regulations require the generator to assign the EPA identification number of the facility having custody of the waste, plus a unique five character manifest document number to each manifest. DRMS recommends the document number for manifests generated by the DRMO begin with the letter "D", and the remaining four characters reflect a numerical sequence (Example: D0001, D0002, D0003, etc.). Ensure that each document number is unique and used only once per calendar year.

(2) All parties must also be properly identified on the manifest. The following information is required:

- Generator.

- The EPA identification number of the facility from which the manifested wastes are shipped.

- Name, mailing address and 24-hour emergency notification telephone number of the location that will manage the returned manifest forms (the DRMO).

- Transporter. The transporter's name and EPA identification number. The transporter's name and EPA identification number are to be supplied at the time of pickup, and must be consistent with the names and EPA ID numbers identified on the DRMS web page. <http://www.drms.dla.mil/environmental/qualtran.pdf>

- TSDF. The TSDF's name, address and EPA ID number (the facility designated for receiving the waste) must be supplied and be consistent with the list of such facilities on the DRMS web page.

<http://www.drms.dla.mil/environmental/qualfac.pdf>
The requirement to know the correct TSDF identity is also required for the determination of which state's uniform manifest form to use. Do not release property to a transporter/contractor that is not approved on the contract.

(3) Hazardous Waste Identification. This consists of:

- Description of each waste, as found in 49 CFR 172.101, including:

- a proper shipping name,
 - hazard class,
 - identification number (UN or NA),
- and
- packing group.

- The quantity of each waste in units of weight or volume.

- The type and number of containers loaded onto the transport vehicle.

- Waste number, when required by a state.

(4) Certification. There is a pre-printed certification of the uniform manifest that must be signed by the generator.

e. **Emergency Response Telephone Numbers.** Emergency response telephone numbers are required on the manifest immediately following the description of the hazardous material. For shipments hauled by disposal contractors, the disposal contractor will provide the 24 hour telephone number.

f. **Emergency Response Information.** Emergency Response Information including information on immediate hazards to health; risk of fire or explosion; immediate methods for handling small or large fires; initial methods for handling spills or leaks; and preliminary first aid measures which must be available for use away from the package containing the hazardous material. The shipping paper may contain the information or it may contain a reference to another document that contains the information. To implement this the DRMO should use the North American Emergency Response Guidebook and reference the appropriate guide page on the

manifest or attach a copy of the page to the manifest that has the reference. The transporter is required to carry emergency response information. A sample manifest is provided to show how implementation of the above affects a shipment (See Enclosure 2).

g. **DOT Description.** The DOT description includes proper shipping name, hazardous class/division and DOT identification number and packaging group. It includes all four components and must be listed in this order. The information for item descriptions may be found in numerous sources such as:

(1) 49 CFR 172.01, Hazardous Material Table.

(2) Hazardous waste turned in from an off-site generating activity that was manifested to a permitted DRMO. The DOT description on this manifest can then be used on the manifest for contract disposal.

(3) If an item was not turned in as a hazardous waste, or was turned in from on-site, further research must be conducted to determine the proper shipping name, hazard class, and identification number.

(4) If the Hazardous Materials Table (HMT) is used to select the proper shipping name, the selection will be accomplished using the following guidelines:

- Use an entry that appears in the HMT in Roman (bold) type. Italicized entries are not proper shipping names (PSN) and cannot be used. (Italicized entries generally cross reference another PSN or a common name, or indicate the item is forbidden from transportation. See “cupric cyanide”).

- Use the entry in the HMT that most appropriately describes the item. When determining the most appropriate PSN for the item, selection should be based on the following priorities:

- Technical (chemical) name. If the technical name of the material is in the table, that is the Proper Shipping Name (e.g., acetone).

- Application (usage) Name. If the material doesn't have a technical name, and an application or usage type name is in the table, that is the Proper Shipping Name (e.g., Paint).

- Not Otherwise Specified (N.O.S.) Name. If neither a technical nor application type name appears in the table, use the n.o.s. (general hazard class) entry as the Proper Shipping Name (e.g., Flammable Liquid, n.o.s.).

- If you still can't find a PSN for the item in the HMT, it must be a non-hazardous material.

h. **Modifications to PSN.**

(1) DOT has listed a few cases where modifications to the PSN are either allowed or required. The following qualifying words may be used as part of the PSN when appropriate:

- Waste.
- Mixture.
- Solution.

(2) For hazardous wastes, if the word “waste” is not included in the PSN appearing in the HMT, then the word “waste” must be entered immediately preceding the PSN appearing in the table and it becomes part of the PSN. For example: acetone identified as hazardous waste (HW) would have a PSN of “waste acetone.”

(3) For combinations of one hazardous material listed in the HMT by technical name and one or more non-hazardous items, the words “mixture” or “solution” may be added to the PSN to properly describe the item, provided that the item (mixture or solution) has the same hazard class as its hazardous component. For example: A solution of acetone and water meeting the definition of a flammable liquid would have the PSN “acetone solution.”

- A mixture is any combination of two or more chemical compounds or elements.

- A solution is any homogeneous liquid mixture of two or more chemical compounds or elements that will not undergo any segregation under conditions normal to transportation.

- A mixture can be either liquid or solid; a solution is a liquid mixture that will not separate while being transported.

i. Technical Names for N.O.S. and Generic Items. DOT defines technical names as the chemical names recognized in scientific and technical journals. DOT requires that, for hazardous materials described under N.O.S. descriptions, the technical name of the hazardous material be entered on the shipping paper. It is entered in parentheses with the basic description. For example: “Corrosive liquid N.O.S. (Caprylyl chloride).” If a hazardous material is a mixture or solution of two or more hazardous materials, the technical names of at least two components most predominantly contributing to the hazards of the mixture or solution must be entered on the shipping paper. For example: flammable liquid, corrosive, N.O.S. (contains Methanol, Potassium hydroxide).

j. PSNs may be either singular or plural.

k. *Use of the prefix “mono” in a PSN is optional.* For example: “monoethen-olamine” may be correctly assigned the PSN “ethanolamine.”

l. When the PSN includes a concentration range as part of the shipping description, the actual concentration being shipped, if it is within the range stated, may be used in place of the concentration range listed in the HMT. For example: A hydrogen peroxide solution containing 30 percent peroxide may be identified by either the PSN “hydrogen peroxide solution (8% to 40% peroxide)” or “hydrogen peroxide solution 30% peroxide.”

m. *Tentative Shipping Name.* DOT allows assignment of a tentative shipping name in lieu of a PSN in some instances. In cases where you

have either (a) a material for which the hazard class is to be determined by testing, or (b) a hazardous waste for which you are unsure of the PSN, a tentative shipping name (and related hazard class and identification number) may be assigned based on the following:

(1) The defining criteria contained in 49 CFR 173.

(2) The hazard precedence prescribed in 173.2.

(3) Personal knowledge of the material or waste.

n. PSN Selection for Combined Hazardous Materials. When two or more hazardous materials are mixed, the PSN that must be selected is based upon the hazard class(es) of the mixed item. For example: For a mixture of 70% acetone and 30% xylene, the correct PSN would be “flammable liquid, N.O.S.” If the mixture has more than one hazard class, use the hazard precedence prescribed in 173.2 to select the PSN.

o. *Empty containers.* Unless a container has been “cleaned and purged” of all residue, it must be described in the same manner as when it held hazardous material (49 CFR 173.29). The proper shipping description required on a manifest will depend upon the identity of the residue. For empty containers with residue, the basic description may be preceded by the words, “RESIDUE: Last Contained . . .” (49 CFR 172.203(e)). For example, a 55-gallon drum with acetone residue might be described as “RESIDUE: Last contained Waste Acetone, Flammable Liquid, UN 1090, 1 DM, 1 G”. Additionally, all marking and labeling requirements must also be complied with.

7. Marking.

a. Markings must be printed in English directly on the surface of the package or on a label, tag, or sign securely affixed to the package. They must be displayed on background of sharply contrasting color, must be unobscured, and must be durable.

b. DOT requires that containers of 110 gallons or less bear specific identification markings (containers with a capacity of more than 110 gallons or more are considered to be portable tanks and are covered by separate regulations).

c. These markings include proper shipping name and DOT identification number and the name and address of the co-signee or co-signer, if the item is to be handled by more than one transporter. They must correspond to information on the manifest. For hazardous waste, the PSN marking does not have to include the word "waste," if the following EPA marking is on the package:

d. If the proper shipping name for a mixture or solution that is a hazardous substance does not identify the hazardous substance, the substance must be identified in association with the proper shipping name when marking the container. This can be done by showing:

(1) Technical name of hazardous substance.

(2) EPA characteristic of hazardous substance.

(3) EPA waste number of hazardous substance.

e. The letters "RQ" will also be displayed with the shipping name, if appropriate; i.e., if the package exceeds the quantity listed in the appendix to the HMT.

f. The "hazardous waste" marking must appear on every package containing a hazardous waste and must give the generator's name and address, as well as the manifest document number.

g. Hazardous wastes that are classified as Other Regulated Material (ORM) must bear the appropriate ORM designator on the outside of the package. The designator must be placed within a rectangle that is approximately one quarter inch larger on each side than the designator, and must be placed either immediately following or below the PSN.

h. Any package having inside containers of liquid hazardous material must be legibly marked "This Side Up" or "This End Up," if using the DoT packing standards, to indicate the upward position of the inside packages. Or, under the HM 181 performance oriented packaging (POP) standard, upward pointing arrow(s) may also be used for this marking.

i. Prior to the hazardous property leaving the overseas DRMO, it must be properly marked in accordance with host country transportation regulations or international transportation regulations. If host country transportation regulations are not as stringent as international regulations, the DRMO will elevate the issue to DRMS legal office for review. Retrograde property will be marked, as a minimum, according to U.S. DOT regulations.

8. Labeling.

a. DOT has also established a very rigid system for the labeling of hazardous wastes which are transported by railcar, aircraft, vessel and motor vehicle. This manual covers only transport by motor vehicle.

b. Unlike the regulations on marking, the labeling regulations are specific as to size, color, shape and design. Use the following to determine which label(s) to use:

(1) A primary source of information on labels is the DOT HMT in 49 CFR 172.101 and 172.402. Column 6 of the HMT lists the labeling requirements opposite the proper shipping name in column 2. In most cases, a single label is listed; in some cases, two or three labels are listed. The word "none" appears opposite those materials in the ORM and combustible liquid hazard classes.

(2) Multiple labels are required when the material meets the definition of more than one hazard class. The definitions of the hazard classes are found at the beginning of the applicable subparts of 49 CFR 173.

(3) Certain exceptions to labeling requirements are provided for small quantities and limited quantities in applicable sections in 49 CFR Part 173. Other exceptions are explained in 49 CFR 172.400a.

c. The label must be printed on, or affixed to, the surface of the package near the proper shipping name. DRMS recommends placement as close as possible. When two or more labels are required, they must be displayed next to each other. When the packages are small, or irregularly shaped, the labels can be placed on a tag which is securely affixed to the package. Finally, the label(s) must not be obscured by any markings or attachments.

d. The regulations are extremely specific on the design of the labels (pictures of, and specifications for, the approved labels are found in 49 CFR 172.411 through 172.450).

e. The label must represent the hazards of the hazardous material in the package. Any improper labels must be removed.

f. When feasible, labels should be in English and host-country language. Proper labeling for overseas DRMOs follows:

(1) For HM, the following information must be on the container:

- Identity of the hazardous chemicals.
- Appropriate hazard warnings.
- Name and address of chemical manufacturer, importer, or other responsible party.

(2) For HW, the following information must be on the container: (The words “hazardous waste” need not be used if it may cause confusion with host-country definitions or may be misleading.)

- Hazardous waste (optional for overseas).
- Proper shipping name and UN number.

- Generator's name and address.
- EPA waste number (for overseas, this applies to retrograded HW only).
- Accumulation start date (does not apply to overseas DRMOs, but overseas DRMOs must mark receipt date on container).
- Manifest document number (use DD Form 1348-1 number or a system that will provide an audit trail).

9. Packaging.

a. Column 5 of the HMT lists the 49 CFR 173 cross references which outline the packaging requirements. Column 8a refers to the subsection of 49 CFR 173 which details conditions under which exception (non-specification) packaging may be used; column 8b refers to the applicable specification packaging requirements. Column 7 references special provisions.

b. If there are no detailed packaging specifications for an item (an entry of “none” in column 8b) then, at a minimum, the package must meet the general DOT requirements as described in 49 CFR 173.24. The general requirement is that the package must be designed and constructed to maintain its integrity under normal transport conditions, and the contents must be properly constrained so that the container's integrity will not be compromised and there will be:

(1) No significant release of hazardous materials.

(2) No significant damage to containers (package).

(3) No heat or pressure buildup to the point of explosion through vapor or gas mixture.

c. **Exceptions.** Although there are different types of exceptions, the most frequently encountered is the limited quantity exception. A limited quantity is a material that is packaged in accordance with the “limited quantity” paragraph or subparagraph contained in the section referenced

by the entry in column 5. Generally, it is the first paragraph in the section.

d. **Specific Packaging Requirements:** To assist in recognizing which DOT specification a container meets, the following information is required to be legibly marked or embossed on the container certifying that the container meets DOT regulations:

(1) Letter and number identifying the container specification.

(2) Name, address, or symbol of person making above marks.

e. Another way of determining the specification of the container is the manufacturer's certification provided by the transporter, if the transporter is supplying the containers.

10. Placarding.

a. Placards are posted on freight containers and transport vehicles to alert individuals of hazards associated with the material being transported.

b. The placarding regulations are in 49 CFR 172.500. These regulations place the responsibility for having the appropriate placards on both the shipper and transporter. DRMS contracts place responsibility for providing and displaying placards with the contractor; i.e., the transporter.

c. Placarding does not apply to hazardous materials classed as ORM-D, combustible liquids in non-bulk packagings, or limited quantities when identified as such on the shipping paper.

d. Required placards are listed in the two tables found at 49 CFR 172.504. When any quantity of a material whose hazard class is listed in the left hand column of Table 1 is loaded into/onto a transport vehicle, the vehicle must be placarded as specified in the right hand column of Table 1. Normally a DRMO does not receive items with hazard classes listed on Table 1, but

when determining placarding requirements, always check Table 1 first.

e. A vehicle must be placarded for items whose hazard class is listed in Table 2 if the vehicle contains 1,001 pounds or more (aggregate gross weight) of one or more of those items. If the vehicle contains two or more classes of materials listed in table 2, requiring different placards, the vehicle must be placarded for each class, or a "dangerous" placard may be used. However, if 2,205 pounds or more of one class of material is loaded at one loading point, the placard specified for that class must be displayed.

f. Placards (when used) must be placed on each end and each side of the vehicle. They must be readily visible from the direction they face.

g. It is prohibited by regulation to display improper placards.

NOTE: Also see Chapter XXXI.

11. Release of Property/Discrepancies.

a. **Release.** Do not release property to a transporter/contractor unless all documentation is correct and property to be released has been accounted for. The COR/COTR shall complete DD Form 1943, Hazardous Property Release/COR/COTR Checklist Items (see DRMS-I 4160.14, Volume II, supplement 4). This includes reconciliation of all information contained on the DD Form 1348-1s, delivery orders, manifests, and pick-up reports. The COR/COTR must check the manifest, the packaging, markings and labels for shipment and count the drums/containers loaded to be sure the number agrees with the manifest. If everything is in compliance with the regulations, the COR/COTR will sign the manifest certification and date it. CORs/COTRs will make all other checks required under the terms of the contract and, if everything is in compliance, will release the property. CORs/COTRS are responsible for BOSS PMF data entry within five (5) working days of removal or issuance of an increase modification to the line item. Increase modifications must be completed prior to BOSS PMF entry. The SHIP Out-of-Date report can be used as a suspense

manifest tickler file when the COR enters the BOSS PMF at time of removal, then uses the SHIP PMF Return date function when the come-back manifest copy is received.

b. **Discrepancies.**

(1) If any discrepancies are noted with manifesting, packaging, labeling, marking, or quantity, attempt to resolve them with the COR. If discrepancy cannot be resolved, contact DRMS-LHO for technical information and the CO for guidance.

(2) For discrepancies or suspected discrepancies discovered after the property has been removed by the contractor, the COR/COTR shall make the proper notifications as directed by Chapter XII, of this instruction immediately after the discrepancy is known or suspected.

c. **Manifest File.**

(1) A copy of the manifest must be kept in a suspense file until a copy, signed by the designated TSDF certifying receipt of the property, is received. Notify the CO when the signed copy of the document is received or when it is not received 30 days after shipment. If it is not received by the end of the 45-day period, prepare and send an exception report, through the host, to the regulator.

(2) The exception report consists of a legible copy of the manifest and a cover letter explaining what was done to locate the shipment after 30 days.

(3) The signed copy, when received, must be retained at least 3 years (or longer depending on individual state regulations) from the date of the initial shipment.

(4) State regulations may differ. Contact the appropriate state agencies to determine what state regulations apply.

12. **Land Disposal Restrictions.** See DRMS-I 6050.1, Chapter IV, enclosure 1 for notification requirements and instructions.

13. **Record keeping.** Maintain an official COR file in accordance with Defense Logistics Agency Directive (DLAD) 4105.1, Subpart 90.603. This file must also be in accordance with 40 CFR 262, 264/265, Chapter IV, Paragraph S.

14. **Weighing HM/HW Released on Service Contracts.**

a. **Bulk Material.** Bulk material (material removed without the original container, usually in a tank truck) will be weighed on government scales when they are more convenient and are certified for trade. When commercial scales are used, all costs are the responsibility of the contractor. The weight ticket showing both weights and the computed (gross-tare) net weight will be provided to the COR/COTR and made a part of the file. (For scales that do not produce a printed ticket, a DLA Form 146, "Weight Ticket," or equivalent form will be used.) In all cases the net weight will be the quantity invoiced by the contractor. Bulk items can also be measured by calculation, provided the specified gravity of the material is known and the volume actually picked up is determined.

b. A "weighing of property" clause is included in HM/HW disposal contracts. The COR/COTR will review and comply with this clause.

F. INTERNATIONAL REQUIREMENTS

1. Contract services for international DRMOs are provided by DRMS-TPHB in Wiesbaden, Germany, with the exception of services provided to DRMOs located in Hawaii and Guam. International DRMOs with questions about contract requirements should contact DRMS-TPHB. Questions regarding the DRMS OCONUS Menu of Services and international CLIN lists should be directed to DRMS-P.

2. DRMS OCONUS contract structure differs slightly from contract structure in Battle Creek, particularly in the numbering of specified sections. Evaluation of submissions for the addition of qualified transporters and TSDFs on interna-

tional disposal contracts will be performed by DRMS-P in accordance with criteria applicable to the particular overseas location.

3. Training requirements for contractor personnel international vary from DRMS CONUS training standards. Training of contractor personnel must meet host nation and OEBGD/FGS standards.

4. In DRMS OCONUS the FST Environmentalist is responsible for many of the functions performed by DRMS-LHO. DRMS-P has determined that the best person to work with the customer to develop a contract is the person that knows their customer best, the COR or local environmentalist. DRMS-P has provided the tools (SOW templates, standardized CLIN list, Menu of Services) to effectively gather and document requirements and provides oversight and guidance and final review of the proposed SOW.

5. Manifests vary from country to country, and in some cases, do not exist as such. The country specific FGS, Chapter 6, Hazardous Waste, or the OEBGD should be consulted for manifest requirements.

6. Prior to hazardous property leaving the overseas DRMO, the transport vehicle must be properly placarded in accordance with host-country transportation or international transportation regulations. If host-country transportation regulations are not as stringent as international regulations, the DRMO will elevate the issue to the region legal office for review. Retrograde property will be, as a minimum, placarded in accordance with U.S. DoT regulations.

7. For overseas DRMOs, placarding will be in accordance with the appropriate host nation and/or international transportation regulations.