

66263.30 Immediate Action by the Transporter in the Case of a Hazardous Waste Discharge

(a)

In the event of a discharge of hazardous waste during transportation, the transporter shall take appropriate immediate action to protect human health and the environment (e.g., notify local authorities, dike the discharge area).

(b)

If a discharge of hazardous waste occurs during transportation and a representative of the Department, any local health officer or any local public officer as designated by the Department, or any federal agency official, acting within the scope of that person's official responsibilities determines that immediate removal of the waste is necessary to protect human health or the environment, that official may authorize the removal of the waste by transporters who do not have Identification Numbers, are not registered, and without the preparation of a manifest.

(c)

An air, rail, highway, or water transporter who has discharged hazardous waste shall: (1) give notice, if required by Title 49 CFR section 171.15, (as amended October 1, 1987,) to the National Response Center (800-424-8802 or 202-426-2675); and (2) report in writing as required by Title 49 CFR section 171.16 (as amended April 1, 1984) to the Director, Office of Hazardous Materials

Regulations, Materials Transportation Bureau, Department of Transportation, Washington, DC 20590, and the Department as required by section 66263.15(a)(3).

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(d)

A water (bulk shipment) transporter who has discharged hazardous waste shall give the same notice as required by Title 33 CFR section 153.203 (as amended July 1, 1988) for oil and hazardous substances.