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## **Title 40 —Protection of Environment**

### **Chapter I —Environmental Protection Agency**

#### **Subchapter I —Solid Wastes**

#### **Part 263 —Standards Applicable to Transporters of Hazardous Waste**

##### **Subpart C —Hazardous Waste Discharges**

**Authority:** 42 U.S.C. 6906, 6912, 6922-6925, 6937, 6938, and 6939g.

**Source:** 45 FR 33151, May 19, 1980, unless otherwise noted.

##### **§ 263.30 Immediate action.**

- (a) In the event of a discharge of hazardous waste during transportation, the transporter must 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 an official (State or local government or a Federal Agency) acting within the scope of his 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 EPA identification numbers and without the preparation of a manifest.
- (c) An air, rail, highway, or water transporter who has discharged hazardous waste must:
  - (1) Give notice, if required by 49 CFR 171.15, to the National Response Center (800-424-8802 or 202-426-2675); and
  - (2) Report in writing as required by 49 CFR 171.16 to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau, Department of Transportation, Washington, DC 20590.
- (d) A water (bulk shipment) transporter who has discharged hazardous waste must give the same notice as required by 33 CFR 153.203 for oil and hazardous substances.