



Fact Sheet

Commonwealth of Pennsylvania • Department of Environmental Protection

Waste Transportation Safety Program

Background

Act 90, passed by the Legislature and signed into law by the Governor on June 29, 2002, contains provisions for the establishment of a Waste Transportation Safety Program. The program requires owners of waste transportation vehicles (trucks registered for more than 17,000 pounds and trailers registered for more than 10,000 pounds) that regularly transport municipal or residual waste to a processing or disposal facility in the Commonwealth to obtain written authorization from DEP. Act 90 also prohibits municipal or residual waste processing or disposal facilities from accepting waste after December 26, 2002, from vehicles that do not have a valid authorization sticker. It also establishes fees and provides DEP with the authority to deny or revoke transporter authorizations. All existing county or municipal transportation or licensing programs in place prior to August 29, 2002, may be implemented at the county's or municipality's discretion.

Definitions

Combination - two or more vehicles physically interconnected in tandem.

Motor Carrier Vehicle - a truck, truck tractor or combination having a gross weight or registered gross weight in excess of 17,000 pounds used to transport municipal or residual waste.

Owner - a person other than the lien holder having the property right in or title to a vehicle.

Transportation - the offsite removal of municipal and residual waste any time after generation.

Transporter - the owner of a public or private waste transportation vehicle.

Waste Trailer - a vehicle having a registered weight in excess of 10,000 pounds used to carry waste and designed to be towed by a motor vehicle.

Waste Transportation Vehicle - public and private motor carrier vehicles and waste trailers

regularly used in transporting municipal or residual waste to a processing or disposal facility in Pennsylvania.

Public and Private Motor Carrier Vehicle and Waste Trailer Regularly Used in Transporting Municipal or Residual Waste - a motor carrier vehicle or waste trailer that is normally or typically used in transporting municipal or residual waste based upon the pattern or frequency of usage of the vehicle or trailer.

Exclusions

WTSP authorization is not applicable to: vehicles currently registered by DEP to transport residential septic; waste transportation vehicles passing through Pennsylvania or only picking up waste in Pennsylvania; waste transportation vehicles used only to transport captive waste within a captive waste facility that do not drive on public roads; and infectious and chemotherapeutic waste and hazardous waste transportation vehicles licensed by Pennsylvania and used only to transport infectious and chemotherapeutic waste or hazardous waste.

Waste Transportation Safety Authorization Process

Interim Authorizations: Within 120 days from August 29, 2002, current owners of waste transportation vehicles must submit an application on a DEP form for an interim authorization. The application must include a copy of the state registration for each vehicle, evidence of current inspection, current certificate of insurance and a fee of \$100 per truck and/or \$50 each per truck/trailer combination. Within 60 days of receipt of the fee and complete documentation, DEP will either issue interim written authorization, along with a sticker showing the authorization number, or deny authorization. Interim authorizations are valid until final authorizations are issued or denied, unless otherwise suspended or revoked.

Final Authorizations: After notification from DEP, the transporter shall submit documentation of compliance history. Upon evaluation of the compliance history, DEP will either issue final written authorization, along with a sticker showing the authorization number, or deny final authorization. Final authorizations are valid for one year, unless otherwise suspended or revoked.

Renewal Requests: Ninety days prior to expiration, transporters must submit renewal applications on a DEP form and include a copy of the state registration for each vehicle, evidence of current inspection, current certificate of insurance, fee of \$100 per truck and/or \$50 each per truck/trailer combination and compliance history information.

Effective August 29, 2002, any transporter seeking to transport municipal or residual waste to a processing or disposal facility in the Commonwealth must apply for an authorization following the procedures identified above for an interim and final authorization. Authorizations can be amended to add, delete or replace vehicles.

Transfer Authorization Stickers

Authorized vehicles are transferable to new owners as interim authorizations in accordance with the procedure required for application of interim authorizations. Prior owners are required to notify DEP when authorized vehicles are no longer owned. Notification must include the authorization number, vehicle identification number, authorization sticker number and the date.

Authorization Sticker Replacement

Requests for replacing authorization stickers at \$5 each will be reviewed for valid reasons for replacement. Valid reasons may be a vehicular accident that damaged or destroyed the sticker, vehicle repair otherwise damaged or destroyed the sticker, documentation of sticker loss, documented claim of vandalism, or replacement vehicle. Vehicles replacing out-of-service vehicles require replacement stickers. All requests for replacement stickers must provide

the authorization number, vehicle identification number being added and replaced, and the date.

Compliance

DEP has the authority to deny, suspend, modify or revoke authorizations where the agency finds that the transporter has failed or continues to fail to comply with applicable laws and regulations. Findings may be received from the Pennsylvania State Police or the Department of Transportation. Authorizations may also be denied, suspended, modified or revoked if a transporter has shown a lack of ability or intention to comply with applicable laws and regulations. Transporters must also comply with any order of DEP and any condition of any permit, license or other written authorization issued by DEP.

Miscellaneous

Additionally, DEP may modify fees after July 1, 2003, not to exceed \$200 per truck and/or \$100 each per truck/trailer combination based on the actual costs to DEP, the Pennsylvania State Police and the Department of Transportation in implementing and enforcing the Waste Transportation Safety Program. The program also provides for criminal penalties, civil penalties, enforcement orders, injunctions, forfeiture of waste transportation vehicles and a restricted account for all fees, fines and penalties paid.

Application forms and instructions for the forms can be downloaded from DEP's Environmental Print Shop, www.dep.state.pa.us (Keyword: 'DEP permits'), or www.dep.state.pa.us/dep/deputate/airwaste/wm/MRW/MRW.htm or can be requested from the Department of Environmental Protection, Bureau of Waste Management, P.O. Box 8472, Harrisburg, PA 17105-8472 or phone 717-787-7381 or fax 717-787-1904.

For more information, visit DEP's website at www.dep.state.pa.us, Keyword: "DEP Permits."