

DOT/Hazardous Material Transportation

NJDEP/Transportation Oversight Unit/Special Investigations

Bureau of Hazardous Waste Compliance & Enforcement

Lawrence Lewis, Supervising Environmental Specialist III

609-209-1762

Lawrence.Lewis@dep.nj.gov



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
COMPLIANCE & ENFORCEMENT

DOT Requirements Applicable to Hazardous Waste Generator's (Steps Recommended for Compliance)

1. Training of HAZMAT Employees (who must be trained and to what extent, 49 CFR 172.704)
2. Properly classify/identify waste being shipped (using 49 CFR 172.101 table)
3. Packaging Selection (49 CFR 173)
4. Labeling of Packages (49 CFR 172, Subpart E)
5. Marking of Packages (49 CFR 172, Subpart D)
6. Shipping papers/Emergency response information (49 CFR 172.205) in accordance with (40 CFR Part 262)
7. Placarding/marketing of transporter vehicles (49 CFR 172, Subpart F)
8. How to find list of Licensed Hazardous Waste transporters in the State of New Jersey



Where do I find Federal Hazmat Transportation regulations?

Title 49 CFR Parts 100-185

- Part 107 - Hazmat Program Procedures
- Part 171 – General Information
- Part 172 – Hazmat Communications/Training
- Part 173 – Shipper/Packaging Requirements
- Part 174 – Hazmat by Rail
- Part 178 – Specifications for Non-Bulk & Portable Tanks
- Part 179 – Specifications for Tank Cars
- Part 180 – Qualification & Maintenance for Tank Cars & IBC's

(Title 40 CFR contains the codified U.S. Federal laws and regulations that are in effect for Environmental Protection)



Hazardous Materials Regulations (HMR) are found at (49 CFR)

Apply to:

- Those Responsible for offering and accepting shipments
- Providing Classification of hazardous materials
- Packaging standards
- Shipping papers
- Labels, markings, and placards
- Emergency response requirements
- Registration
- Training requirements
- Segregation and modal requirements

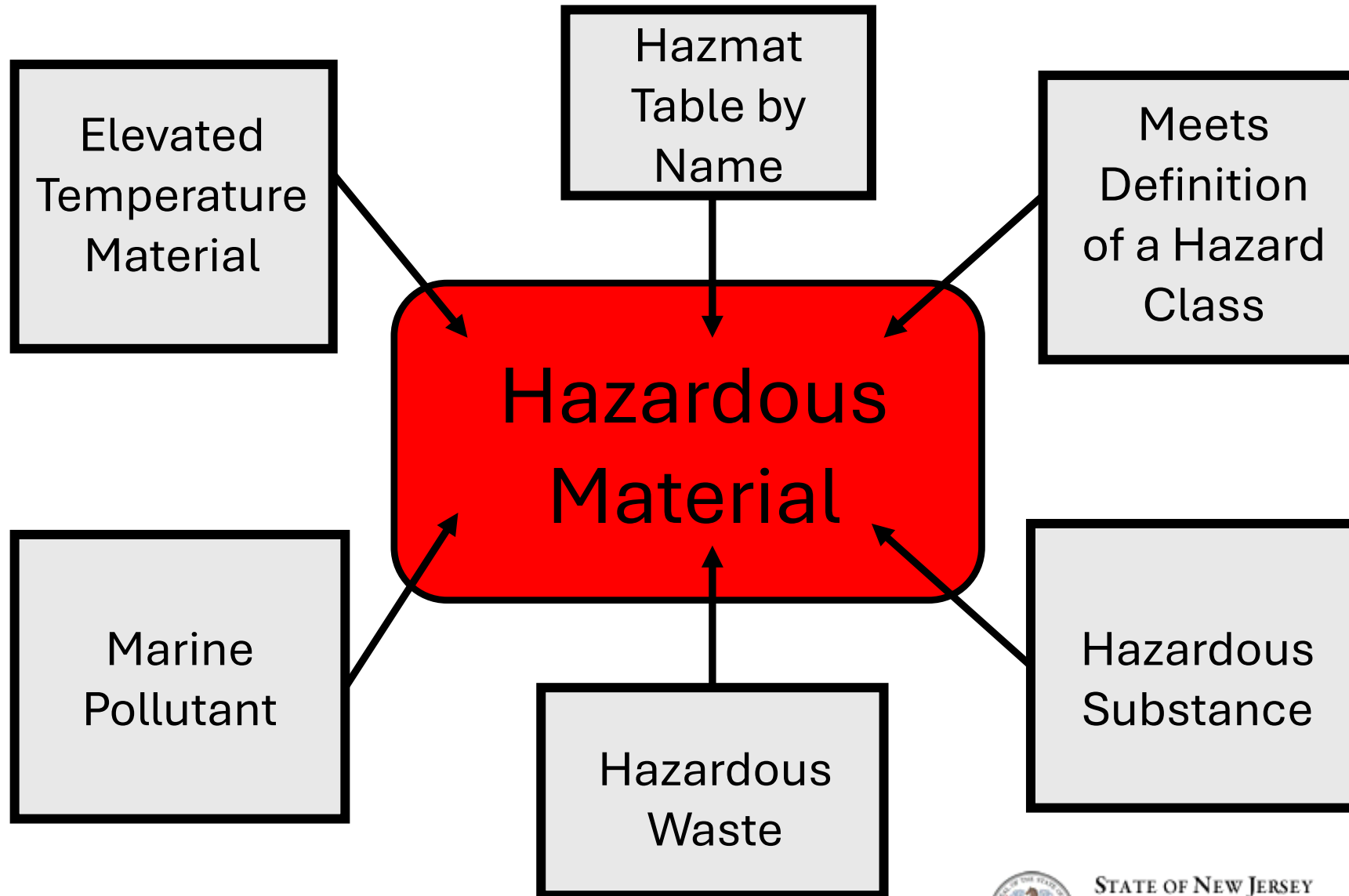


What are Hazardous Materials?

“**HAZARDOUS MATERIALS** are any substances or materials, including environmentally hazardous substances, which have been determined to be capable of posing an unreasonable risk to health, safety or property when transported in commerce, and have been so designated.” **(49 CFR 171.8)**



What are Hazardous Materials?



What are Hazardous Materials?

| S Y M B O L S (1) | Hazardous Materials Description and Proper Shipping Name (2) | Hazard Class or Division (3) | Identification Number (4) | PG (5) | Label Codes (6) |
|--|--|---------------------------------------|---------------------------------|-----------|-----------------------|
| | Acetone | 3 | UN1090 | II | 3 |
| D | Asphalt , <i>at or above its flashpoint</i> | 3 | NA1990 | III | 3 |
| | Barium chlorate | 5.1 | UN1445 | II | 5.1, 6.1 |

Remember, if it's listed by Name
in the 172.101 Table then it is a
Hazardous Material!



What are Hazardous Materials?

§172.101 Hazardous Materials Table- Cont'd

| Sym bols | Hazardous materials descriptions and proper shipping names | Hazard class or Division | Identifi- cation Numbers | PG | Label Codes | Special provisions (§172.102) | (8) Packaging §173.*** | | | (9) Quantity limitations | | (10) Vessel stowage | |
|-------------|--|-----------------------------|--------------------------------|-----|----------------|----------------------------------|---------------------------|--------------|------|------------------------------------|----------------------------|------------------------|--------|
| | | | | | | | Excep- tions | Non- bulk | Bulk | Passen - ger air craft /rail | Cargo air-craft only | Loca tion | Other |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8A) | (8B) | (8C) | (9A) | (9B) | (10A) | (10B) |
| G | Corrosive liquids, n.o.s | 8 | UN1760 | II | 8, 3 | B2, IB2, T11, TP2, TP27 | None | 202 | 243 | 1 L | 30 L | C | 25, 40 |
| | | | | I | 8 | A7, B10, T14, TP2, TP27 | None | 201 | 243 | 0.5 L | 2.5 L | B | 40 |
| | | | | II | 8 | B2, IB2, T11, TP2, TP27 | 154 | 202 | 242 | 1 L | 30 L | B | 40 |
| G | Corrosive liquids, oxidizing, n.o.s | 8 | UN3093 | III | 8 | IB3, T7, TP1, TP28 | 154 | 203 | 241 | 5 L | 60 L | A | 40 |
| | | | | I | 8, 5.1 | | None | 201 | 243 | Forbidden | 2.5 L | C | 89 |
| G | Corrosive liquids, toxic, n.o.s | 8 | UN2922 | II | 8, 5.1 | IB2 | None | 202 | 243 | 1 L | 30 L | C | 89 |
| | | | | I | 8, 6.1 | A7, B10, T14, TP2, TP13, TP27 | None | 201 | 243 | 0.5 L | 2.5 L | B | 40 |
| G | Corrosive liquids, water-reactive, n.o.s | 8 | UN3094 | II | 8, 6.1 | B3, IB2, T7, TP2 | None | 202 | 243 | 1 L | 30 L | B | 40 |
| | | | | III | 8, 6.1 | IB3, T7, TP1, TP28 | 154 | 203 | 241 | 5 L | 60 L | B | 40 |
| | | | | I | 8, 4.3 | | None | 201 | 243 | Forbidden | 1 L | E | |
| G | Corrosive solid, acidic, inorganic, n.o.s | 8 | UN3260 | II | 8, 4.3 | | None | 202 | 243 | 1 L | 5 L | E | |
| | | | | I | 8 | IB7, IP1 | None | 211 | 242 | 1 kg | 25 kg | B | |



What are Hazardous Materials?

If the product meets the definition of a **hazard class** but is **not** listed in the Hazmat Table by Name, then it is a Hazardous Material!



EPA 40 CFR: Hazardous Substances

A material (including its mixture & solutions) that:

1. Is listed in **Appendix A** to 49 CFR 172.101
2. Is in a quantity, in **one package**, that equals or exceeds the **Reportable Quantity** in Appendix A
3. When in a mixture or solution is in a concentration by weight which **equals** or **exceeds** the concentration corresponding to the RQ of the material as shown:

| RQ (Pounds) | Concentration by Weight Percent | Concentration by Weight Parts per Million |
|----------------|------------------------------------|--|
| 5000 | 10 | 100,000 |
| 1000 | 2 | 20,000 |
| 100 | .2 | 2,000 |
| 10 | .02 | 200 |
| 1 | 002 | 20 |



Appendix A to 172.101

List of Hazardous Substances & Other Reportable Quantities (Example)

| TABLE 1 – Hazardous Substances (Other Than Radionuclides) | | |
|--|---|---------------|
| Hazardous Substance | Reportable Quantity (RQ) Pounds (Kg) | |
| Acrolein | 1 | (.454) |
| Acetone cyanohydrin | 10 | (4.54) |
| Ammonia | 100 | (45.4) |
| Ally Chloride | 1000 | (454) |
| Acetone | 5000 | (2270) |
| D001 Unlisted Hazardous Wastes Characteristic of Ignitability | 100 | (45.4) |
| F001 Spent halogenated solvents | 10 | (4.54) |
| K002 Wastewater treatment sludge | 10 | (4.54) |



A **Hazardous Waste** is a waste with properties that make it dangerous or capable of having a harmful effect on human health or the environment.

An EPA regulated material offered & transported by the use of a Hazardous Waste Manifest under *Title 40 CFR Part 262* is a **Hazardous Waste**.



Training Requirements (49 CFR 172.704)

Train all HAZMAT employees to:

- ✓ Understand the regulations
- ✓ Know regulations that apply to his/her job
- ✓ Recognize and identify hazardous materials
- ✓ Be aware of relevant emergency response information



Training Requirements (49 CFR 172.704) - Continued

Different Types of Training:

- **General Awareness** – enables the employee to recognize & identify hazardous materials.
- **Function Specific** – hazmat employee must receive specific training to the hazmat function(s) performed.
- **Safety** – shall include emergency response information, methods of avoiding accidents such as proper handling procedures, & measures to protect themselves from exposure.
- **Security Awareness** – provides an awareness of security risks associated with hazardous materials transportation and methods designed to enhance transportation security.
- **In Depth Security** - Security training must include company security objectives, organizational security structure, specific security procedures, specific security duties and responsibilities for each employee, and specific actions to be taken by each employee in the event of a security breach. (Refer to Subpart I (172.800 & 172.804) for security plan specifics)
- **OSHA, EPA, and other training**



Training Requirements (49 CFR 172.704) - Continued

Administrative Requirements:

- New hazmat employees or an employee who changes job functions that requires DOT training “**may**” perform those functions **only under the direct supervision of a properly trained & knowledgeable hazmat employee.**
- DOT training received from other sources “**may**” be used to satisfy the training requirements; however, the current hazmat employer must determine that the DOT training previously received was adequate & the employer must still **certify** that the new hazmat employee has been trained & tested.
- The employer has **90 Days** to complete the new hire’s DOT training!
- Hazmat employees are required to receive DOT hazmat training at least once every: **3 YEARS!**
- If the training in the 3 required areas (***Gen. Awareness, Function-Specific & Safety***) are completed on **separate dates**, then each area of training would have a separate anniversary date.
- If the training is provided in segments on separate dates, then the “**completion date of the training**” is determined by the employer based on the **last date** of the segmented training that satisfies the minimum DOT training requirements.



Record Keeping for Employee:

1. Hazmat employee's name
2. Most recent training completion date
3. A copy, description *or* location of the training materials
4. Name & address of the trainer(s)
5. Certification that the hazmat employee has been **trained** & **tested**

| <u><i>Feehan, Inc.</i></u> | | | |
|--|--------------------------|-------------------|-----------------|
| Name of Employee | Training Completion Date | | |
| | Gen. Awareness | Function-Specific | Safety Training |
| Ron Feehan | 7-1-25 | 6-22-24 | 2-10-25 |
| Robert Harkins | 7-7-25 | 8-12-24 | 4-10-25 |
| Mike Kosierowski | 7-7-25 | 8-12-24 | 4-10-25 |
| I certify that the above named hazmat employees have been trained & tested per 49 CFR Part 172 Subpart H. <i>Ronald Feehan</i> (Certification Signature) | | | |
| (Name & Address of Trainer(s)) Training Room, Main Office Bldg., Feehan, Inc. | | | |
| (Location of Training Materials) | | | |



Uniform Hazardous Waste Manifest is the Shipping Paper For Hazardous Waste

- Select basic shipping description (172.202) in the 172.101 Table by:
- Selecting proper shipping name (PSN) (prescribed for the material in Column (2) of 172.101 table
- Hazard Class (prescribed for the material, as shown in Column (3) of 172.101 table)
- ID number (UN or NA) (prescribed for the material as shown in Column (4) of the 172.101 table)
- Packing Group (in Roman numerals, as designated for the hazardous material in Column (5) of the 172.101 table
- Total quantity being shipped
- If the PSN does not include the word “waste” & hazardous waste is being shipped the word waste **must** precede the proper shipping name



Hazardous and Non-Hazardous Materials

You can list hazardous and non-hazardous materials on the same shipping paper, if you do one of the following:

- ✓ Enter all hazardous materials first
- ✓ Highlight hazardous materials
- ✓ Mark an “X” or RQ in column headed “Hazardous Materials” or “HM”



Shipping Paper

- Check 172.203 (additional descriptions)
- Chemicals listed by name in Column (2) of 172.101 table
- Chemicals not listed by name
 - Generic names based on hazard
 - Generic names based on chemical family
 - Generic names based on usage
 - Technical name rule for generic names (172.203(k)(3)) (nos)
- Hazardous Substances and Marine Pollutants, not meeting the definition of a DOT hazard class may be classified as:
 - Environmentally hazardous substance, liquid, n.o.s.
 - Environmentally hazardous substance, solid, n.o.s.
 - Other regulated substance, liquid, n.o.s
 - Other regulated substance, solid, n.o.s.



Shipping Paper - Continued

- Check App. A of 172.101 Table & determine if material is a “RQ”
- Check App. B of 172.101 Table & determine if material is a Marine Pollutant (may not be applicable)
- Provide Emergency Response Information(E.R.G. # or MSDS form)
- Emergency Response Telephone number, see 172.604
- Monitored at all times the material is in transportation (until it is accepted at TSD)
- Person must have knowledge of material being shipped & have comprehensive ER information of the material or immediate access to someone who has this knowledge.

Shipping Paper - Continued

Information must include:

- Basic Description of the hazardous material
- Immediate hazards to health
- Risks of fire or explosion
- Immediate precautions in case of an accident
- Procedures in case of fire
- Methods for handling spills and leaks
- Preliminary first aid
- 24-hour telephone number



Shipping Paper - Continued

(172.204) – Generator Certification

Each person who offers a hazardous material for transportation shall certify that the material is offered for transportation in accordance with this subchapter by printing:

“By signing the manifest the generator is certifying the consignment is fully & accurately described by the proper shipping name, classified, packed, marked, labeled, & in all respects in proper condition for transport...”



Hazard Classes/Divisions (11 Total Classes)

- **Class 1** - Explosives (173.50)
- **Class 2** - Compressed gasses (173.115)
- **Class 3** - Flammable liquids (173.120)
- **Class 4** - Flammable solids (173.240)
- **Class 5** - Oxidizers and organic Peroxides (173.127 & 128)
- **Class 6** - Poisonous and infectious materials (173.132 & 134)
- **Class 7** - Radioactives (173.403)
- **Class 8** - Corrosive materials (173.136)
- **Class 9** - Miscellaneous Hazardous Materials (173.140)

- **ORM** - Other Regulated Material (173.144)

- **Elevated Temperature** (171.8)



Packaging Groups Associated with Hazard Classes, represent the degree of **Danger!**

- **Packing Group I** - Great danger
- **Packing Group II** - Moderate danger
- **Packing Group III** - Mild danger

Hazard Classes which are “NOT” assigned Packing Groups:

- **Class 2** (Gases)
- **Class 7** (Radioactive)
- **ORM-D** (Consumer Commodities)



Additional or Multiple Hazards? (Primary vs Subsidiary Hazards)

If the product meets more than one hazard class, then the **primary** hazard class will be determined by one of the following:

- ✓ Designated in Column **3** of the Hazmat Table, if the material has a PSN.
- ✓ If the material does not have a known PSN, then the product must be tested to determine which hazard classes, if any, the material meets.
- ✓ If the material meets more than one hazard, the shipper must determine the **primary** hazard based on *precedence* requirements in CFR 173.2a :
 - (1) Class 7 (Radioactive materials, other than limited quantities)
 - (2) Division 2.3 (Poisonous gases)
 - (3) Division 2.1 (Flammable gases)
 - (4) Division 2.2 (Non-Flammable gases)
 - (5) Division 6.1, PG I, PIH
 - (6) Division 4.2 [pyrophoric per 173.124 (b)(1)]
 - (7) Division 4.1 [self-reactive per 173.124 (a)(2)]
 - (8) Precedence Table (Classes 3,8,4.1,4.2,4.3,5.1,6.1)
 - (9) Combustible liquids
 - (10) Class 9 (Miscellaneous hazardous materials)
- ✓ Additional hazard classes (Subsidiary) are denoted in Column **6** (Labels) of the Hazmat Table.



Marine Pollutants

A material which is listed in **Appendix B** of 49 CFR 172.101 & when in a solution or mixture of 1 or more marine pollutants is packaged in a concentration which **equals** or **exceeds**:

(1) **10%** by weight of the solution or mixture;

OR

(2) **1%** by weight of the solution or mixture that are identified as Severe Marine Pollutants (pp) in the appendix.

Appendix B to 172.101 (Example)

| List of Marine Pollutants | |
|--|---------------------------------|
| (1) S.M.P. | (2) Marine Pollutants |
| | Acetal |
| PP | Aldrin |
| | Chlorine |
| PP | DDT |
| *PP – denotes a “ Severe Marine Pollutant ” in Column 1 | |



Package Selection (49 CFR 173)

Determine how much waste is being generated.

- Lab pack quantities, 55-gallon drum amounts, or cargo tank trailer quantities (bulk or non-bulk quantities)

What state is the waste in?

- Liquid, solid, semi-solid (sludge), or gaseous

Once the quantity & state of waste has been determined, refer to the 172.101

- Hazardous Materials Table and refer to Column 8 to identify acceptable packages and exceptions, & then check Column 7 (Special Provisions)



Research and Special Programs Administration, DOT 172.101

§172.101 Hazardous Materials Table- Cont'd

| Sym bols | Hazardous materials descriptions and proper shipping names | Hazard class or Division | Identifi- cation Numbers | PG | Label Codes | Special provisions (§172.102) | (8) Packaging §173.*** | | | (9) Quantity limitations | | (10) Vessel stowage | |
|-------------|--|-----------------------------|--------------------------------|-----|----------------|----------------------------------|---------------------------|--------------|------|------------------------------------|----------------------------|------------------------|--------|
| | | | | | | | Excep- tions | Non- bulk | Bulk | Passen - ger air craft /rail | Cargo air-craft only | Loca tion | Other |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8A) | (8B) | (8C) | (9A) | (9B) | (10A) | (10B) |
| G | Corrosive liquids, n.o.s | 8 | UN1760 | II | 8, 3 | B2, IB2, T11, TP2, TP27 | None | 202 | 243 | 1 L | 30 L | C | 25, 40 |
| | | | | I | 8 | A7, B10, T14, TP2, TP27 | None | 201 | 243 | 0.5 L | 2.5 L | B | 40 |
| | | | | II | 8 | B2, IB2, T11, TP2, TP27 | 154 | 202 | 242 | 1 L | 30 L | B | 40 |
| G | Corrosive liquids, oxidizing, n.o.s | 8 | UN3093 | III | 8 | IB3, T7, TP1, TP28 | 154 | 203 | 241 | 5 L | 60 L | A | 40 |
| | | | | I | 8, 5.1 | | None | 201 | 243 | Forbidden | 2.5 L | C | 89 |
| G | Corrosive liquids, toxic, n.o.s | 8 | UN2922 | II | 8, 5.1 | IB2 | None | 202 | 243 | 1 L | 30 L | C | 89 |
| | | | | I | 8, 6.1 | A7, B10, T14, TP2, TP13, TP27 | None | 201 | 243 | 0.5 L | 2.5 L | B | 40 |
| | | | | II | 8, 6.1 | B3, IB2, T7, TP2 | None | 202 | 243 | 1 L | 30 L | B | 40 |
| G | Corrosive liquids, water-reactive, n.o.s | 8 | UN3094 | III | 8, 6.1 | IB3, T7, TP1, TP28 | 154 | 203 | 241 | 5 L | 60 L | B | 40 |
| | | | | I | 8, 4.3 | | None | 201 | 243 | Forbidden | 1 L | E | |
| G | Corrosive solid, acidic, inorganic, n.o.s | 8 | UN3260 | II | 8, 4.3 | | None | 202 | 243 | 1 L | 5 L | E | |
| | | | | I | 8 | IB7, IP1 | None | 211 | 242 | 1 kg | 25 kg | B | |

Non-Bulk Packaging:

A package which has:

- Max. capacity of **119 gals or less** as a receptacle for a liquid
- Max. capacity of **882 lbs. or less** & a max. capacity of **119 gals or less** as a receptacle for a solid
- Max. capacity of **1000 lbs. or less** as a receptacle for a gas
- See 49 CFR 172.301



General Non-Bulk Marking Requirements 172.301

For hazardous waste, EPA marking required at 40 CFR 262.32 must be on package & include:

- ✓ Generator's name & address
- ✓ manifest document #
- ✓ proper shipping description
- ✓ technical names
- ✓ special permit #

Other prescribed DOT markings shall be used, where required, such as:

- ✓ Package orientation arrows for liquids
- ✓ Inhalation hazard
- ✓ Marine pollutant for vessel transportation (where applicable)
- ✓ Biohazard



DOT Non-Bulk Package Markings

Types of Markings:

- EPA Marking
- DOT Hazard Warning Labels
- Package Orientation Arrows



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Labeling Requirements – Subpart E

Label(s) selection, Column 6 of 172.101 Table

- Label placement on package 172.406 (Same surface of package and near PSN)
- Primary & subsidiary labels, when required, must be next to each other (within 6 inches of each other)
- All subsidiary labels must contain a hazard class or division number in the lower corner



DOT Non-Bulk Package Marking

DOT Hazard Warning Labels:

- Same surface of package and near PSN
- Primary & subsidiary labels, when required, must be next to each other (within 6 inches of each other)



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Bulk Packaging

- A cargo carrying body (such as a tank car, rail car, van, truck, cargo tank, portable tank or freight container) used for transportation, in which hazardous materials are loaded with no intermediate form of containment & which has:
 - Max. capacity > 119 gals as a receptacle for a liquid
 - Max. capacity > 882 lbs. & a max. capacity > 119 gals as a receptacle for a solid
 - A water capacity > 1000 lbs. as a receptacle for a gas
 - See 49 CFR 172.302 (for how to mark)



Intermediate Bulk Container (IBC)

- A rigid *or* flexible portable bulk packaging (other than cylinders & portable tanks) which is designed for **mechanical handling**.
- Max. capacity between **119 gals** (450 liters) and **793 gals** (3000 liters) for a **liquid** *or*, max. net mass > **882 lbs.** (400 kg) as a receptacle for a solid.
- See 49 CFR 173.35
- Not suitable for Packing Group 1 liquids



Placarding Requirements - Subpart F

- Placard selection, **Column 3** of 172.101 Table
- Generator's responsibility (172.506) states:
Each person offering a motor carrier a hazardous material for transportation by highway shall provide to the motor carrier the required placards for the material being offered prior to or at the same time the material is offered for transportation, unless the carrier's motor vehicle is already placarded for the material as required by this subpart
- Click Link Below for Guide to assist:

<https://www.phmsa.dot.gov/training/hazmat/do-t-chart-17-markings-labeling-and-placarding-guide>



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What to placard?

- (Tables found at 49 CFR 172.504) – General Placarding Requirements
- Table 1 - placard any quantity
 - cannot use “DANGEROUS” placard
- Table 2 - Placard if total quantity 454 kg (1001 pounds)
 - “DANGEROUS” placard permitted for mixed load if < 1000 Kg (2205 lb) per class loaded at facility



Identification Numbers and placement

- Bulk containers must display the identification number of their contents, either on the placard, or an orange panel beside the placard.
- Placards should be placed on each end and each side of motor vehicles or railroads.
- Cargo tanks and portable tanks less than 1000 gallons require two placards on opposite sides of the tank.

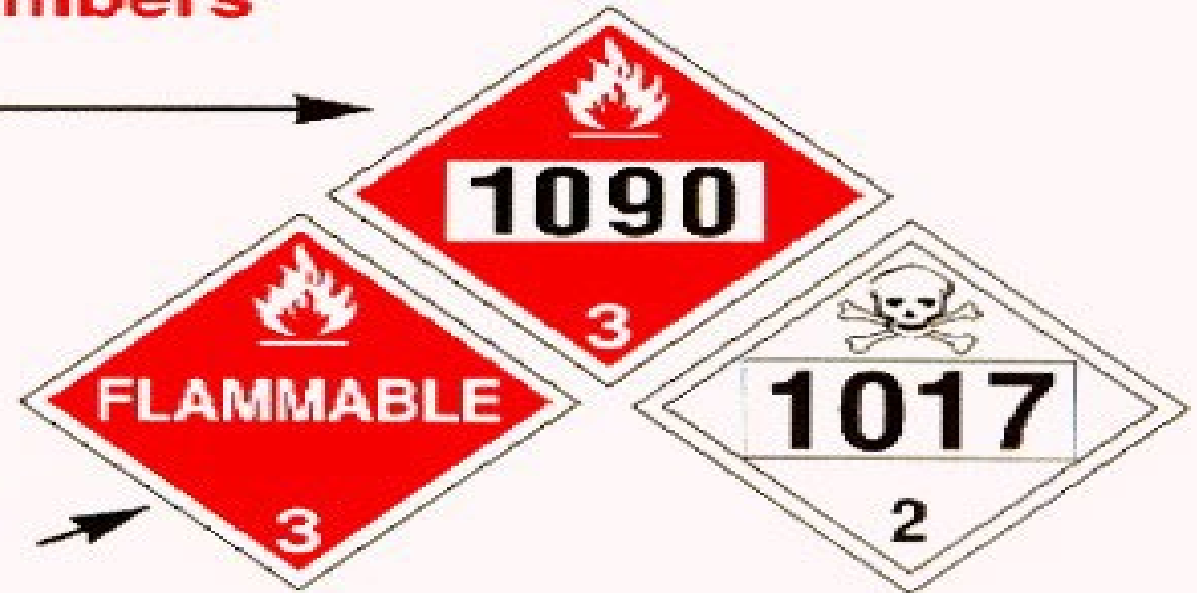
UN or NA Identification Numbers

PLACARDS
OR
ORANGE PANELS



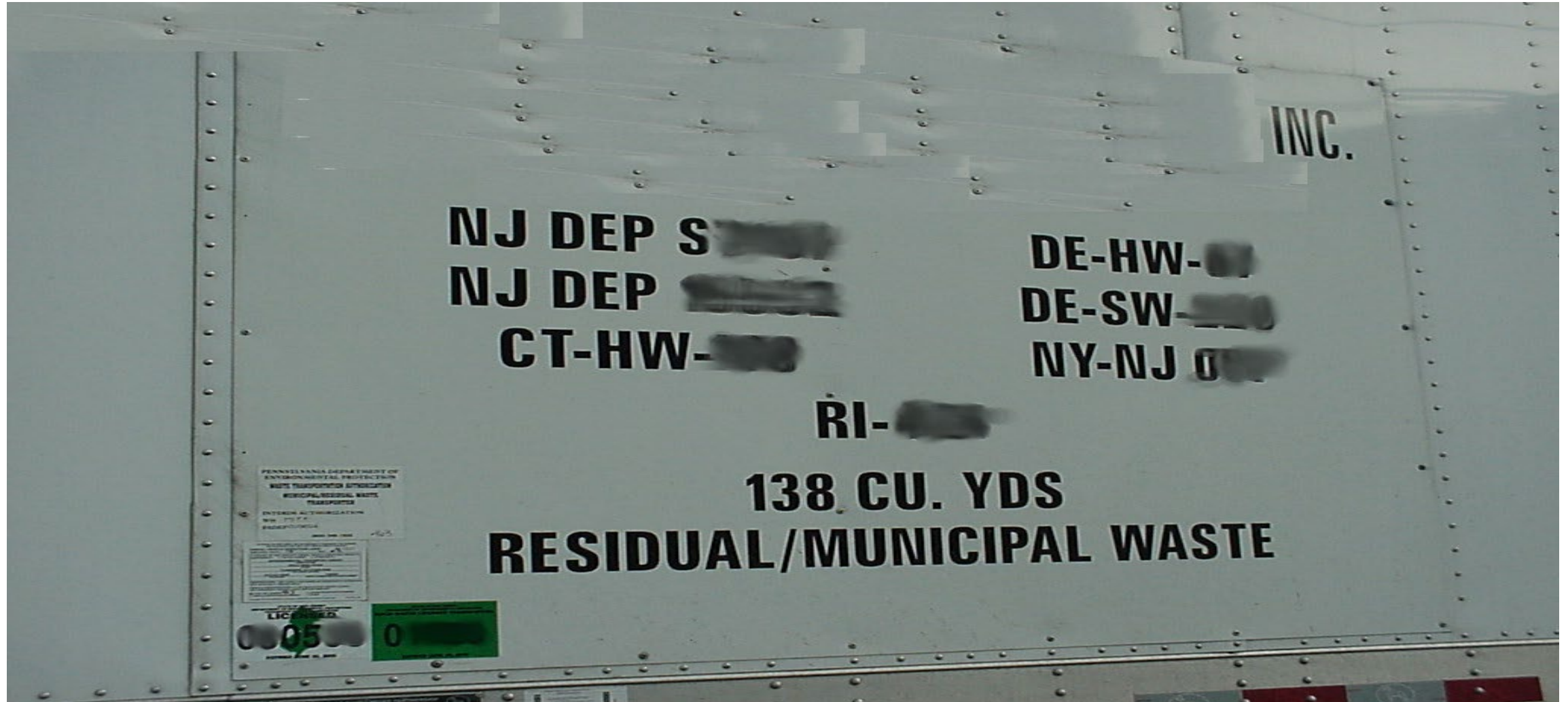
and

Appropriate Placard
must be used.



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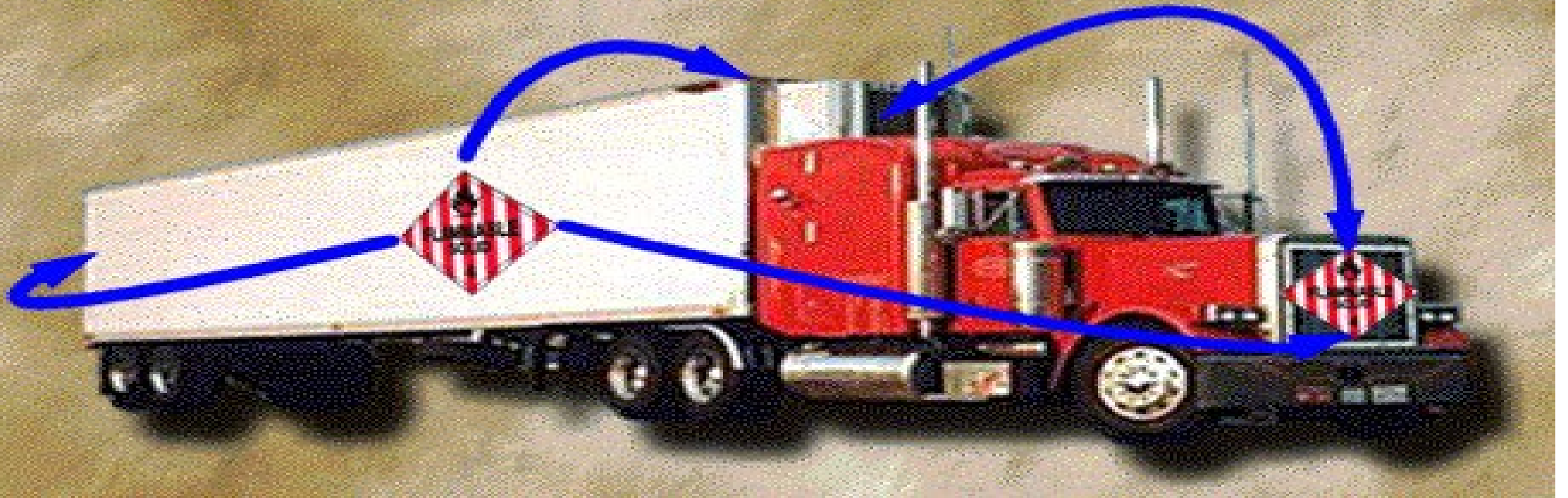
Additional DEP Vehicle Marking Requirements



Examples

"THE STANDARD"

Placard Any Quantity Each End and Each Side



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Are you using a reputable hauler?

For Verification of SW or HW Transporter, or Broker:

<https://njems.nj.gov/DataMiner>

(Click on “Search by Category” → Vehicle Registration (2009 Forward) → Transporters – A-901 Licensed or NJDEP Approved Waste Brokers)

NJDEP Transporter Compliance History via Data Miner:

(Click on “Search by Category” → Compliance & Enforcement)

Solid and Hazardous Waste Rules:

<https://www.state.nj.us/dep/dshw/resource/rules.htm>

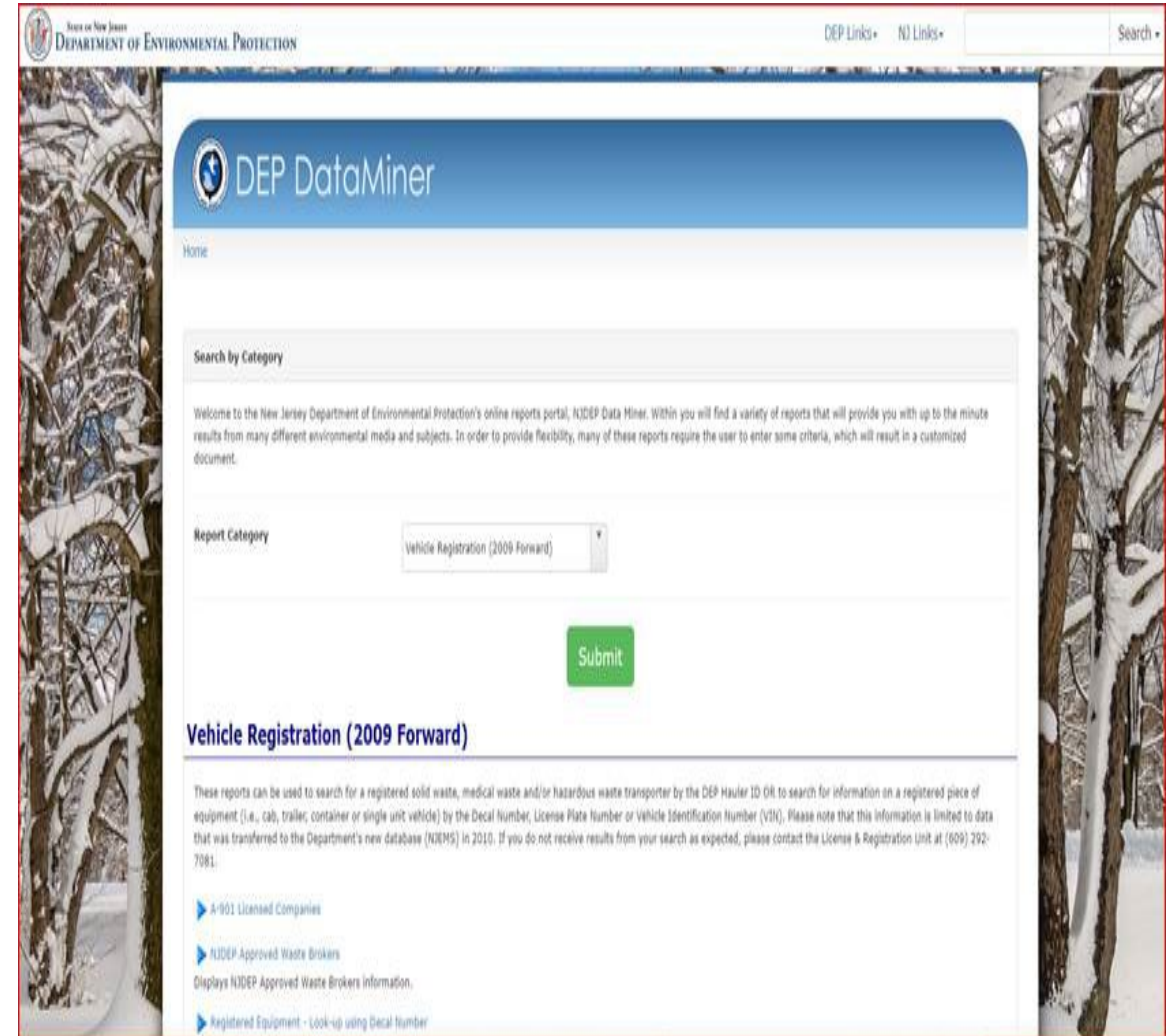
USDOT:

<https://www.fmcsa.dot.gov/registration/do-i-need-usdot-number>

USEPA:

<https://www.epa.gov/hwgenerators/how-hazardous-waste-generators-transporters-and-treatment-storage-and-disposal>

877-WARN-DEP (877-927-6337) for any releases

The screenshot shows the NJDEP Data Miner web application. At the top, there's a header with the NJDEP logo and navigation links like 'DEP Links' and 'NJ Links'. Below the header is a blue banner with the 'DEP DataMiner' logo. The main content area has a 'Search by Category' section with a dropdown menu currently set to 'Vehicle Registration (2009 Forward)'. A green 'Submit' button is located below the dropdown. Further down, there's a section titled 'Vehicle Registration (2009 Forward)' with a paragraph of text explaining the search capabilities and a list of links for 'A-901 Licensed Companies', 'NJDEP Approved Waste Brokers', and 'Registered Equipment - Look-up using Decal Number'.

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DOT/Hazardous Waste Transporter Requirements

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Bureau of Hazardous Waste Compliance & Enforcement

Lawrence Lewis, Supervising Environmental Specialist III

609-209-1762

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