

**University of Connecticut Health Center**  
**Policy for Transporting, Shipping, Importing / Exporting Hazardous Materials**

## **Policy**

The University of Connecticut Health Center requires that all materials classified as “hazardous materials” by the U.S. Department of Transportation and/or the State of Connecticut be transported in approved containers and in compliance with all transportation regulations. Hazardous materials being transported by air must comply with the International Air Transport Regulations. Certain infectious agents must meet additional requirements of the Public Health Service. Radioactive materials may only be transported/shipped by the Office of Radiation Safety due to Nuclear Regulatory Commission requirements. Hazardous materials being exported or imported may require a permit prior to shipping. This policy also applies in instances where hazardous materials are to be shipped to off-campus locations via Fed-Ex, etc. Individuals are discouraged from transporting hazardous materials in their private vehicles when traveling on a public highway. It is preferable, from a personal liability and insurance consideration, to transport hazardous materials using a State vehicle or an authorized courier service. This policy is subdivided into two sections. Part (1) “General Procedure for Transporting/Shipping Hazardous Materials” is intended for shipments within the United States. Part (2) “Import / Export Procedures for Hazardous Materials and Commodities” is in addition to Part (1) and must be complied with for shipments leaving or entering the United States.

## **Definitions**

**Hazardous Material** - a material, including its mixtures and solutions, that is listed in the Department of Transportation regulations as requiring specialized packaging in order to be transported safely or that has been identified as capable of posing an unreasonable risk to health, safety and property when transported.

**Hazmat Employer**- a person, organization, State, etc. who uses one or more of its employees in connection with transporting hazardous materials, causing hazardous materials to be shipped or preparing hazardous materials for transportation.

**Hazmat Employee**- A person employed by a hazmat employer and who in the course of their employment directly affects hazardous materials transportation safety.

**Materials of Trade**- A special shipment category that reduces the regulatory requirements associated with the transportation of hazardous materials.

**Hazmat Training**- Hazmat employees are required to obtain this training. It consists of general familiarization with the applicable DOT regulations and identification of hazardous materials. This training also includes function specific training for the employee as well as emergency response, safety and training as required by OSHA and the DOT.

**Transportation**- As used in this context means movement of a properly packaged and labeled hazardous material by motor vehicle to another location within a reasonable driving distance and not across State boundaries.

**Shipping**-As used in this context means movement of a properly packaged and labeled hazardous material over significant distances, usually by air and using a qualified courier such as Federal Express.

### **1) General Procedure for Transporting/Shipping Hazardous Materials**

The following guidelines should be followed prior to packaging and/or transporting a hazardous material from the UCHC.

1. Contact the Office of Research Safety at extension 2723. If not on campus, call 860-679-2723.
2. A full training session is required by Department of Transportation (DOT) regulations and retraining is required every three years. Satisfactory completion of an exam is also required.
3. As a general rule, keep quantities of materials to a minimum. As the quantity of material increases the requirements increase.
4. In most instances transportation of hazardous materials will fall under a Materials of Trade exception. In such an instance the regulatory requirements and consequences are lessened. If a package containing a hazardous material can be transported under the Materials of Trade exception it is recommended that a State vehicle be used for transportation no matter what the quantity is to be shipped. Transporting hazardous materials in a private vehicle could pose a problem with insurance coverage should an accident occur. Check with your insurance agent.
5. An appropriate carrier, such as Federal Express, must be used to ship hazardous materials that do not fall within the Materials of Trade exception. Contact the Office of Research Safety for information concerning approved carriers.
6. Hazardous materials must be transported in packaging that is approved by the DOT for the type and quantity of material to be shipped. Be advised that dry ice is a hazardous material.
7. Plan ahead, as the quantity and type of material you are planning to transport may require specialized packaging that is not immediately available.
8. The shipper is responsible for the cost of specialized packaging and all shipping costs. The Office of Research Safety does not provide specialized packaging free of charge.
9. Any questions regarding training, packaging, couriers and classification of your hazardous materials should be directed to the UCHC Office of Research Safety.

## 2) - Import / Export Procedures for Hazardous Materials and Commodities

Please, first read and follow the previous section titled "Hazardous Material Shipment Procedures".

Various federal agencies may require permits to be obtained prior to import/export of hazardous materials or certain commodities. This is in addition to the packaging, labeling and manifesting requirements for hazardous material shipments.

**In general, if you importing into the United States (US) a hazardous or non-hazardous item you will probably, at a minimum, need to complete a "Toxic Substance Control Act (TSCA) Import Certification" form. This form is required by the US Customs Service in conjunction with the Environmental Protection Agency (EPA).** Instructions on applicability and completion of this import form and on EPA's export notification form for certain hazardous materials can be found in the next section titled "TSCA Import Certification / Export Notification Procedures for Chemical Substances, Chemical Mixtures and Articles".

Imported animal products, animal infectious agents or plant products may require a permit from the US Department of Agriculture's (USDA) – Animal and Plant Health Inspection Service (APHIS).

The US Department of Health and Human Service's – Centers for Disease Control and Prevention (CDC) will generally require an import permit for any infectious agent known or suspected to cause disease in man. This includes vectors such as, animals, bats, insects, arthropods and snails. (If you are importing/exporting an infectious agent on dry ice, you will probably need the services of a custom's broker, such as World Courier<sup>R</sup>, so the package will arrive at its destination with dry ice in a timely manner.)

The US Department of Interior, Fish and Wildlife Service requires a permit to import live bats and endangered species. The import or domestic shipment of, for example, cells from an endangered species requires a permit.

The Food and Drug Administration (FDA) requires an entry notice be filed with the US Customs Service for the importation of food, drugs, cosmetics, medical devices and electronic products that emit radiation.

All commodities, technology or software are subject to the US Department of Commerce's – Bureau of Export Administration (BXA) licensing authority. The BXA's Commodity Control List must be referenced to determine if the item can be exported and if so, any additional requirements that need to be addressed prior to export.

The rules and regulations regarding imports/exports of hazardous materials and commodities is complex. As a result, we strongly recommend that you obtain assistance from the Office of Research Safety, x2723

### **3) - TSCA Import Certification / Export Notification Procedure for Chemical Substances, Chemical Mixtures and Articles**

The Toxic Substance Control Act (TSCA) enacted by Congress in 1976 gives the Environmental Protection Agency (EPA) broad authority to issue regulations designed to gather health/safety and exposure information on, require testing of, control exposure to individual chemical substances, chemical mixtures and articles.

This procedure addresses the import certification and export notification requirement components of TSCA that are applicable to the University of Connecticut Health Center (UCHC) community. This procedure provides compliance information to UCHC personnel who import/export chemical substances, chemical mixtures and articles as defined in Appendix A. It is important that ALL constituents of a sample/material be identified. Contact the Office of Research Safety unless you have been trained regularly on these and other transport requirements.

#### **Import Certification**

The U.S. Customs Service in conjunction with EPA, implement the TSCA import requirements. For that reason, Customs can refuse entry of any shipment that does not have a TSCA certification. If the import item is tobacco, a tobacco product or an article (see definition in Appendix A), then **NO** certification is required.

If the import item is a pesticide (but no pesticide intermediates), radioactive (nuclear) material, food, food additive, drug, cosmetic, non-genetically modified microorganism (contact the Office of Research Safety, x2723, prior to importing any microorganisms) or medical device, then complete the "TSCA Import Certification Form". Mark the following statement on this form. "All chemical substances in this shipment are not subject to TSCA (Negative Certification)". A description of the item(s) should be indicated on the form. If the import item is a chemical substance or a mixture, then contact the Office of Research Safety, x2723. A representative from the Office of Research Safety will search EPA's TSCA inventory database and determine if the item(s) can be imported.

If the chemical substance or mixture can be imported, then complete the TSCA Import Certification Form. Mark the following statement on this form. "All chemical substances in this shipment comply with all applicable rules and orders under TSCA and that I am not offering a chemical substance for entry in violation of TSCA or any applicable rule or order there under. (Positive Certification)".

- List the chemical name, CAS number and import date on the form.
- Provide this form to the Mail delivery service or Customs Broker prior to the import date.
- Maintain a copy of this form and any associated shipping paperwork for three years after shipment

## **Export Notification**

If the export item is tobacco, a tobacco product, pesticide (but not pesticide intermediates), radioactive material, food, food additive, drug, cosmetic, non-genetically modified microorganisms (contact the Office of Research Safety, x2723 prior to exporting any micro-organisms), medical device or article (unless it contains a hazardous chemical), then **NO** export notification is required. Other agencies, such as the U.S. Department of Commerce, may have additional restrictions on the export of certain equipment, devices, software and commodities. The Office of Research Safety can provide regulatory assistance regarding these exports.

Otherwise, if the export item is a chemical substance, mixture or article not exempted above, then contact the Office of Research Safety, x2723. A representative from the Office of Research Safety will search EPA's TSCA inventory database and determine if the item(s) require EPA export notification.

If the item requires export notification, then complete the "TSCA Export Notification Form" with assistance from Office of Research Safety personnel.

## Appendix A

### TSCA Definitions

#### Chemical Substance:

Any organic or inorganic substance of a particular molecular identify, including – (i) any combination of such substances occurring in whole or in part as a result of a chemical reaction or occurring in nature and (ii) any element or uncombined radical. It also includes certain genetically modified microorganisms.

A chemical substance does **NOT** include:

- Tobacco or any tobacco product
- A “pesticide” as defined under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) when produced, imported, processed or distributed in commerce for use as a pesticide
- A “source material”, “special nuclear material”, or “byproduct material” as these terms are defined in the Atomic Energy Act of 1954 and regulations issued under that act
- An article (i.e., firearms and ammunition) the sale of which is subject to the tax imposed by section 4181 of the IRS code of 1954.
- A “food”, “food additive”, “drug”, “cosmetic”, or “device” as those terms are defined in section 201 of the Federal Food, Drug and Cosmetic Act (FFDCA) when produced, imported, processed or distributed in commerce for use as a food, food additive, drug, cosmetic or device.

#### Chemical Mixture:

Any combination of two or more chemical substances if the combination does not occur in nature and is not, in whole or in part, the result of chemical reaction; except that such term does not include any combination which occurs, in whole or in part, as a result of a chemical reaction if none of the chemical substances comprising the mixture is a new chemical substance and if the combination could have been manufactured (including imported) for commercial purposes without a chemical reaction at the time the chemical substances comprising the combination were combined.

#### Article:

- (1) means a manufactured item which – (i) is formed to a specific shape or design during manufacture, (ii) has end use function dependent in whole or in part upon its shape or design during the end use, and (iii) has either no change of chemical composition during its end use or only those changes of composition which have no commercial purpose separate from that of the article.
- (2) the allowable changes of composition are those which result from a chemical reaction that occurs upon the end use of other chemical substances, mixtures, or articles such as adhesives, paints, miscellaneous cleaners or other household products, fuel and fuel additives, water softening treatment agents, photographic films, batteries, matches and safety flares in which the chemical substance manufactured upon end use of the article is not itself manufactured for distribution in commerce or for use as an intermediate.

Chemical substances and mixtures are considered to be imported as part of an article **ONLY** if the substances or mixtures are not intended to be removed/released from the article and they have no end use or commercial purpose separate from the article of which they are a part.



**TSCA IMPORT CERTIFICATION FORM**

1. Refer to the TSCA Import Certification / Export Notification Procedure for instructions on completing this form.
2. Provide this form to the Mail delivery service or Customs Broker prior to the import date. In some cases a chemical supply vendor or Customs Broker will provide you with their own TSCA Import Certification paperwork. You may use this certification paperwork, however, it is recommended that you also complete this form.
3. Maintain a copy of this form and any associated shipping paperwork for three years after shipment.

The chemicals listed on this form are imported into the US Customs territory via:

- Mail or express service
- Customs Broker

In accordance with the Toxic Substance Control Act (TSCA) Section 13, Import Certification, and 40 CFR 707, I hereby certify that:

- All chemical substances in this shipment are not subject to TSCA. (**NEGATIVE CERTIFICATION**) Description:

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- All chemical substances in this shipment comply with all applicable rules and others under TSCA and that I am not offering a chemical substance for entry in violation of TSCA or any applicable rule or order thereunder. (**POSITIVE CERTIFICATION**)

Chemical Name	CAS Number	Import Date

Importer Information		Exporter Information	
Name		Name	
Facility		Facility	
Address		Address	
Phone Number		Phone Number	

Importer Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**TSCA EXPORT NOTIFICATION FORM**

1. Refer to the TSCA Import Certification / Export Notification Procedure for instructions on completing this form.
2. Mail this completed form to the address shown below. This notice must be postmarked within seven days after accepting a definite contractual obligation or reaching a final decision to export. Where the actual export occurs less than seven days after the export obligation or agreement has been executed, the notice must be submitted to EPA no later than the same day as the export.
3. Maintain a copy of this export notification for 3 years after shipment.

Document Control Office (7407)  
 Office of Pollution Prevention and Toxics  
 U.S. Environmental Protection Agency, Room G-099  
 401 M St., SW., Washington, DC 20460  
**RE: TSCA Section 12(b) Notice**

Dear Sir or Madam:

In accordance with the requirements of 40 CFR 707, Subpart D, notice is hereby given that the University of Connecticut Health Center is exporting the following chemical(s) which is regulated under the Toxic Substances Control Act. The section of TSCA requiring export notification for this chemical has also been indicated.

Chemical Name	CAS Number	TSCA Section 4 (x)	TSCA Section 5, 6 or 7 (x)

Name and Address of Exporter: \_\_\_\_\_

Country of Import: \_\_\_\_\_

Name and Address of Recipient: \_\_\_\_\_

Date of Export or Intended Export: \_\_\_\_\_

Please contact me at \_\_\_\_\_ if you any questions concerning this export notification or require any additional information. Thank you for your attention to this matter.

Respectfully,

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_