§ 6938. Export of hazardous wastes

(a) In general

Beginning twenty-four months after November 8, 1984, no person shall export any hazardous waste identified or listed under this subchapter unless 1

(1) (A) such person has provided the notification required in subsection (c) of this section,
(B) the government of the receiving country has consented to accept such hazardous waste,
(C) a copy of the receiving country’s written consent is attached to the manifest accompanying each waste shipment, and
(D) the shipment conforms with the terms of the consent of the government of the receiving country required pursuant to subsection (e) of this section, or
(2) the United States and the government of the receiving country have entered into an agreement as provided for in subsection (f) of this section and the shipment conforms with the terms of such agreement.

(b) Regulations

Not later than twelve months after November 8, 1984, the Administrator shall promulgate the regulations necessary to implement this section. Such regulations shall become effective one hundred and eighty days after promulgation.

(c) Notification

Any person who intends to export a hazardous waste identified or listed under this subchapter beginning twelve months after November 8, 1984, shall, before such hazardous waste is scheduled to leave the United States, provide notification to the Administrator. Such notification shall contain the following information:

(1) the name and address of the exporter;
(2) the types and estimated quantities of hazardous waste to be exported;
(3) the estimated frequency or rate at which such waste is to be exported; and the period of time over which such waste is to be exported;
(4) the ports of entry;
(5) a description of the manner in which such hazardous waste will be transported to and treated, stored, or disposed in the receiving country; and
(6) the name and address of the ultimate treatment, storage or disposal facility.

(d) Procedures for requesting consent of receiving country

Within thirty days of the Administrator’s receipt of a complete notification under this section, the Secretary of State, acting on behalf of the Administrator, shall—

(1) forward a copy of the notification to the government of the receiving country;
(2) advise the government that United States law prohibits the export of hazardous waste unless the receiving country consents to accept the hazardous waste;
(3) request the government to provide the Secretary with a written consent or objection to the terms of the notification; and
(4) forward to the government of the receiving country a description of the Federal regulations which would apply to the treatment, storage, and disposal of the hazardous waste in the United States.

(e) Conveyance of written consent to exporter
Within thirty days of receipt by the Secretary of State of the receiving country’s written consent or objection (or any subsequent communication withdrawing a prior consent or objection), the Administrator shall forward such a consent, objection, or other communication to the exporter.

(f) **International agreements**

Where there exists an international agreement between the United States and the government of the receiving country establishing notice, export, and enforcement procedures for the transportation, treatment, storage, and disposal of hazardous wastes, only the requirements of subsections (a)(2) and (g) of this section shall apply.

(g) **Reports**

After November 8, 1984, any person who exports any hazardous waste identified or listed under section 6921 of this title shall file with the Administrator no later than March 1 of each year, a report summarizing the types, quantities, frequency, and ultimate destination of all such hazardous waste exported during the previous calendar year.

(h) **Other standards**

Nothing in this section shall preclude the Administrator from establishing other standards for the export of hazardous wastes under section 6922 of this title or section 6923 of this title.

**Footnotes**

1 So in original. Probably should be followed by a dash.