



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

APR 3 1988

400 Seventh Street, S.W.  
Washington, D.C. 20590

Ms. Jeanne Hourani  
Plant Manager  
Cleanlites Recycling, Inc.  
P.O. Box 212  
Mason, MI 48854

Dear Ms. Hourani:

This is in response to your letter regarding reportable quantities and hazardous wastes under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether one fluorescent lamp containing less mercury than the reportable quantity would include "RQ" in association with the proper shipping name. You also ask whether hazardous materials, which are not hazardous wastes, must be transported with the proper shipping names, labels and markings.

Section 171.8 defines a hazardous substance as a material that is listed in the Appendix A to § 172.101 and in a quantity, in one package, which equals or exceeds the reportable quantity (RQ) listed in Appendix A. A package is a packaging plus its contents. The fluorescent lamps are the contents in the packaging and not the package itself. Therefore, the amount of mercury contained in a package (i.e., all the bulbs in a single packaging) and not the amount of mercury contained in each fluorescent lamp determines the RQ. The letters RQ are included only when the material meets the definition of a hazardous substance.

During a phone conversation with Jodi George of my staff, you stated that one package would contain 250 fluorescent lamps and each lamp would contain approximately 15 mg of mercury. Each package would contain about 3,750 mg. Based on this information, your material would not be a hazardous substance because each package would not contain a reportable quantity of mercury (0.454 kg or 1 lb.).

The term hazardous material is any material which meets one or more hazardous class criteria and includes hazardous substances, hazardous wastes, marine pollutants, and elevated temperature materials. A hazardous waste is any material that is subject to the Hazardous Waste Manifest Requirements of the U.S. Environmental Protection Agency specified in 40 CFR Part 262. A hazardous material, including a hazardous waste or hazardous substance, must be shipped in compliance with the HMR (e.g., proper shipping name, markings, labels and placards).

I hope this information is helpful. If you need further assistance, please do not hesitate to contact us.

Sincerely,

Delmer F. Billings  
Chief, Regulations Development  
Office of Hazardous Materials Standards

# CLEANLITES RECYCLING, INC.

Formerly "Greenlites Lamp Recycling, Inc."

George  
File: 172, App A  
SC 159,

August 1, 1997

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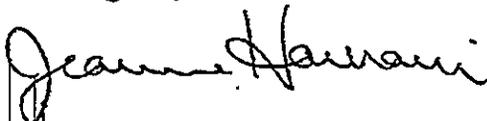
Dear Ms. George:

Confirming our conversation of today's date, Reportable Quantities, for the purposes of properly shipping hazardous substances, are based on the amount of hazardous substance contained in a package. One is able to determine this amount by actually knowing the amount of the hazardous substance per container or the percentage of hazardous substance per container. In regards to fluorescent lamp transportation, you indicated that the lamp itself would be considered the package. The hazardous substance in the lamp is mercury and the reportable quantity for mercury is 1.0 pound. As one (1) fluorescent lamp contains significantly less mercury than the reportable quantity, when shipping fluorescent lamps "RQ" would not need to be included in the proper shipping name.

As also discussed, when transporting hazardous materials, whether or not they are considered "Universal Waste", they **MUST** be transported with all proper shipping names, labels and markings. For example, when transporting an "environmentally hazardous substance", it makes no difference if it is transported as a hazardous waste on a manifest or as a hazardous material on a bill of lading, it **MUST** have the proper shipping names, labels and markings.

We appreciate your help in this matter.

Best regards,



Jeanne Hourani  
Plant Manager