



U.S. Department
of Transportation

Pipeline and Hazardous Materials
Safety Administration

1200 New Jersey Ave., SE
Washington, DC 20590

JUL 31 2009

Mr. James V. Levitz
PSC Environmental Services, LLC
6405 Thornridge Drive
Avon, IN 46123

Ref. No. 09-0156

Dear Mr. Levitz:

This responds to your July 1, 2009, letter requesting clarification on assigning generic shipping descriptions to specific materials with a fixed description under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether the list of fixed description entries provided in your letter may also be assigned a generic shipping name under the provisions for lab packs in §173.12(b).

In your letter, you reference a previous letter of clarification (Ref. No.07-0144; March 4, 2008) in which we stated that it is permissible to package specific materials with a fixed description, such as aniline and phenol, under the lab pack provisions in §173.12(b), and use a generic shipping description in place of the specific fixed description. You note that there are additional entries, listed in your letter, that may also qualify under the §173.12(b) provisions. You ask whether these additional listed materials qualify for the use of the generic shipping description under the lab pack provisions in §173.12(b).

The answer is yes. The additional materials with fixed shipping descriptions listed in your letter that meet the hazard class/divisions specified in §173.12(b) may be transported using a generic shipping description instead of the fixed description as provided in paragraph (b)(1) of §173.12.

I hope this answers your inquiry.

Sincerely,

Charles E. Betts
Chief, Standards Development
Office of Hazardous Materials Standards

U.S. DOT
PHMSA Office of Hazardous Materials Standards
Attn: PHH-10
East Building
1200 New Jersey Avenue, SE.
Washington, DC 20590-0001

Boothe
§172.101
§173.12
Proper Shipping Name
09-0156

July 1, 2009

Re: Fixed Descriptions/Lab Packs

Dear Director;
I am inquiring about the proper guidance in lab packing materials with a fixed description.

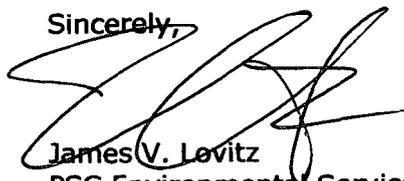
In D.O.T. Interpretation Letter 07-0144 dated March 4, 2008, it explains that it is permissible to package specific materials with a fixed description (Aniline and Phenol) under the lab pack regulations (173.12(b)); and, use a generic shipping description in place of the specific fixed descriptions.

In addition to Aniline and Phenol, there are numerous other hazardous materials that could qualify under this interpretation. Can the following also be packaged in accordance with the lab pack regulations with the utilization of a generic shipping description in place of the fixed description?

Aminophenols (o-, m-, p-)	Dichloroanilines, liquid	Nitrobenzene
Aniline	o-Dichlorobenzene	Nitrophenols (o-; m-; p-)
Benzaldehyde	N,N-Diethylaniline	Phenetidines
Chlorodinitrobenzenes, liquid	Epichlorohydrin	Phenol (Solid)
Chlorodinitrobenzenes, solid	Magnesium arsenate	Phenylenediamines (o-, m-, p-)
Chloronitrobenzenes, liquid (o-)	Mercury sulfates	Toluene diisocyanate
Chloronitrobenzenes, solid (m- or p-)	Nitroanilines (o-; m-; p-)	Toluidines, Liquid

Please note, this list only includes those fixed description materials that would qualify under the lab pack regulations as identified in 173.12(b)(1) and (3).

Sincerely,



James V. Lovitz
PSC Environmental Services, LLC
6405 Thornridge Dr.
Avon, IN 46123
jlovitz@pscnow.com
317-281-5195