



U.S. Department of Transportation  
**Pipeline and Hazardous Materials  
Safety Administration**

1200 New Jersey Ave, SE  
Washington, D.C. 20590

MAR 15 2010

Mr. Michael Coletta  
444 Lakeview Avenue  
Rockville Centre, NY 11570

Ref. No. 10-0011

Dear Mr. Coletta:

This responds to your December 18, 2009 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if you may use a flexible intermediate bulk container (FIBC) to transport non-hazardous household municipal solid waste (MSW).

The answer is yes. Non-hazardous MSW is not regulated as a hazardous material under the HMR; thus, the packaging requirements in the HMR do not apply to shipments of non-hazardous MSW. You may wish to check with your state or municipal authorities to ascertain if state or local requirements apply to such shipments.

I hope this answers your inquiry. If you need additional assistance, please contact this Office on 202-366-8553.

Sincerely,

A handwritten signature in black ink, appearing to read 'Charles E. Betts', written over a large, stylized, handwritten 'C' that loops around the text.

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

December 18, 2009

Michael Coletta  
444 Lakeview Avenue  
Rockville Centre, New York 11570

Office of Hazardous Materials Standards  
Pipeline and Hazardous Materials Safety Administration  
Attn: PHH-10, U.S. Department of Transportation  
East Building, 1200 New Jersey Avenue, SE  
Washington, DC 200590-0001

Boothe  
§ 171.1  
§ 172.101  
Applicability  
10-0011

RE: Transportation of Municipal Solid Waste (MSW)  
Non-Hazardous Household.  
Packaged in a Flexible Intermediate Bulk Container (FIBC)

I recently had a telephone conversation with a gentleman at your office who responded to my inquiry I had made to the D.O.T. website. I explained to the gentleman that I wanted to propose and seek D.O.T. approval for the shipping by truck, rail and barge non-hazardous MSW in a FIBC. The FIBC was going to be designed to be leak proof, would contain odor and would be permanently sealed on 5 corners and the 6<sup>th</sup> side which is the top will be wire tied closed. The FIBC's would be newly manufactured for the proposed use and would not be reused and would be disposed with the waste at the final legal disposal site.

The gentleman I spoke to explained that MSW was presently considered non-hazardous and was not regulated by D.O.T., as long as it was handled properly and did not cause and environmental or safety concerns. I was directed to "interpretations" on the D.O.T. web site files which I could read and confirm, what was stated to me.

The proposed use of the FIBC for containment of MSW will provide an acceptable alternative way of shipping from what is presently being used. The FIBC will provide a container that will be leak proof, contain odor and prevent lose debris from causing a potential litter problem. The present method of shipping MSW is by placing bales on a trailer and covering the bales with a thin mesh tarp, which does not prevent the escape of odor and leaking fluids. The other alternative is the transportation of MSW in a lose form in a large steel container and is cost prohibitive. The FIBC would allow the safe and environmentally friendly transportation of MSW in FIBC's by Truck, Rail and Barge.

I would like to request a letter of authorization allowing the proposed as described.

Your cooperation would be most appreciated.

Very truly,

  
Michael Coletta

Day Time Telephone 1-516-779-4702