



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

MAR 15 2011

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

Mr. Roy H. Swartz
Manager of Regulatory Compliance
Clean Venture, Inc.
138 Leland Street
Framingham, MA 01702

Ref. No. 11-0022

Dear Mr. Swartz:

This responds to your January 29, 2011 letter regarding shipping papers under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). According to your letter, generators of waste commonly ship a waste using drums of different material of construction (e.g., fiber, metal). You note that in such shipping situations, when only one line of the Uniform Hazardous Waste Manifest (manifest) remains for a hazardous materials description, your company has indicated the container abbreviation for both types of drums (e.g., DF and DM) in Item 10 and noted the number of each in Item 14 of the manifest in order to save time and manifest forms. You provide a copy of a manifest illustrating this practice with your letter. Previous guidance by your state authority and by the DOT Hazardous Materials Information Center has indicated this practice to be acceptable. In light of the new Federal Motor Carrier Safety Administration compliance, safety, and accountability program, you request clarification whether this practice of entering both container abbreviations on a single line (i.e., in Item 10) remains acceptable.

The practice you describe is not prohibited by the HMR. Section 172.202(a)(7) of the HMR requires the number and type of packages used to transport a hazardous material to be included on the shipping paper (the manifest in your case) in association with a hazardous material description. Additionally, instructions for completing a manifest provided by the U.S. Environmental Protection Agency (EPA) state that the number of containers and the appropriate abbreviation (e.g., DF) for the container type are to be entered in Item 10 of the manifest. Thus, based on the example manifest you provided, and for circumstances when only one line remains on a manifest, it is the opinion of this Office that it is acceptable for both container types to be entered in Item 10 of the manifest. The EPA *Instructions for Completing the Hazardous Waste Manifest* is available at: <http://www.epa.gov/osw/hazard/transportation/manifest/>.

I hope this information is helpful. If you have further questions, please contact this office.

Sincerely,

Ben Supko
Acting Chief, Standards Development Branch
Standards and Rulemaking Division

Der Kinderen
\$172.101
Applicability
11-0022

November 19, 2010 (Resent 1/21/11)

Mr. Edward T. Mazzullo
Director, Office of Hazardous Materials Standards
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590

Re: Hazardous Waste Manifest Question – CSA 2010

Dear Mr. Mazzullo

On behalf of Clean Venture, Inc. (US DOT 200827), I would like to ask you what DOT's current position is relative to container type entries on the Uniform Hazardous Waste Manifest (box 10). Specifically, may two types of containers be referenced on a single line?

The situation which commonly occurs in our business involves a generator having several drums of the same type of material, but using both metal and fiber drums (DM and DF). We have been putting "DM/DF" in box 10 (and noting in box 14 how many of each) in order to save time and manifest forms (when only one line remains on a manifest). This practice was deemed acceptable by our state environmental agency (MassDEP) and by the US DOT Hotline a couple of years ago. With the advent of the new CSA rules, we are requesting assurance that this practice would not be considered a violation in the cargo related category of the CSA 2010 system.

Sincerely,



Roy H. Swartz
Manager of Regulatory Compliance

138 Leland Street • Framingham, MA 01702
508-872-5000 • FAX: 508-875-5271
www.cyclechem.com

Corporate Office:
201 South First Street
Elizabeth, NJ 07206
908-354-0210
FAX: 908-354-9731

New Jersey TSDF:
217 South First Street
Elizabeth, NJ 07206
908-355-5800
FAX: 908-355-0562

South Jersey Office:
600 Cenco Boulevard
Clayton, NJ 08312
856-863-8778
FAX: 856-863-3725

Maryland Office:
2031 Inverness Avenue
Baltimore, MD 21230
410-368-9170
Fax: 410-368-9171

Massachusetts TSDF:
General Chemical
138 Leland Street
Framingham, MA 01702
508-872-5000
FAX: 508-875-5271

Connecticut Office:
One Dock Street
Stamford CT 06902
203-969-2800
FAX: 203-969-2264

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number		2. Page 1 of		3. Emergency Response Phone		4. Manifest Tracking Number 005882000 JJK								
		5. Generator's Name and Mailing Address						Generator's Site Address (if different than mailing address)								
Generator's Phone:		6. Transporter 1 Company Name						U.S. EPA ID Number								
		7. Transporter 2 Company Name						U.S. EPA ID Number								
Facility's Phone:		8. Designated Facility Name and Site Address						U.S. EPA ID Number								
		9a. HM						9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))		10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes		
				No.		Type										
GENERATOR		1.														
		2.														
		3.														
		X		12Q, Waste Trichloroethylene, 6.1, UN 1710, PG III		6		DM DF		300	G	FOO!				
14. Special Handling Instructions and Additional Information																
Line 4 - 4 DM, 2 DF																
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.																
Generator's/Offeror's Printed/Typed Name						Signature						Month	Day	Year		
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: _____ Date leaving U.S.: _____																
17. Transporter Acknowledgment of Receipt of Materials																
Transporter 1 Printed/Typed Name						Signature						Month	Day	Year		
Transporter 2 Printed/Typed Name						Signature						Month	Day	Year		
18. Discrepancy																
18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection																
Manifest Reference Number: _____																
18b. Alternate Facility (or Generator)						U.S. EPA ID Number										
Facility's Phone: _____																
18c. Signature of Alternate Facility (or Generator)						Signature						Month	Day	Year		
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)																
1.		2.		3.		4.										
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a																
Printed/Typed Name						Signature						Month	Day	Year		