



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

October 17, 2024

Randy Turnell
Hazardous Materials Program Manager
Seattle Children's Hospital
6901 Sand Point Way NE
Seattle, WA 98115

Reference No. 24-0059

Dear Mr. Turnell:

This letter is in response to your June 25, 2024, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the Environmental Protection Agency's (EPA) hazardous waste manifest requirements. Specifically, you explain that Seattle Children's Hospital (e.g., the hospital) had a vendor (e.g., contractor) package waste and sign off on a hazardous waste manifest on its behalf. You further explain that the hospital was audited by a third-party healthcare accreditation agency, which informed you that it was not permissible for a contractor to package waste and sign a hazardous waste manifest on the hospital's behalf based on their understanding that it violates the requirements of the HMR. You do not agree with the third-party healthcare accreditation agency as it is your understanding that if a person has been contracted or otherwise provided written authorization to package waste and sign a hazardous waste manifest on the hospital's behalf, then this would be permissible. Therefore, you request confirmation that a contracted vendor who is permitted to package and sign a hazardous waste manifest on the hospital's behalf is allowed.

For purposes of using the hazardous waste manifest as a shipping paper in accordance with the HMR, your understanding is correct. In accordance with § 172.205(a), no person may offer, transport, transfer, or deliver a hazardous waste unless an EPA hazardous waste manifest is prepared in accordance with 40 CFR 262.20 and is signed, carried, and given as required of that person. Furthermore, the shipper (i.e., generator) shall prepare the manifest in accordance with

40 CFR part 262. A manifest prepared by a person other than the generator can be signed by the generator, by the agent (e.g., a contractor) of the generator, or by an offeror (i.e., when the carrier is serving as that shipper and carrier).

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dirk Der Kinderen". The signature is fluid and cursive, with a prominent initial "D".

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division

From: [INFOCNTR \(PHMSA\)](#)
To: [Dodd, Alice \(PHMSA\)](#)
Cc: [Hazmat Interps](#)
Subject: FW: Letter of Request
Date: Monday, July 8, 2024 3:17:43 PM

Hi Alice,

Please see the below interpretation request.

Let us know if you need anything,

Janaye

From: Turnell, Randy <Randy.Turnell@seattlechildrens.org>
Sent: Tuesday, June 25, 2024 10:17 AM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Letter of Request

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I am writing to request a letter of request regarding a third party signing a hazardous waste manifest on a company/persons behalf. My hospital was having our vendor come and package and sign the manifest on our behalf. We had an audit from DNV, a healthcare accreditation agency and they stated it was not legal. I have always been told it was if that person was properly trained and we either had contract or a written letter giving them permission. I called your hotline and spoke to someone and they confirmed I was correct. I would like to have something in writing from your agency to show it is in fact legal to do. We have since changed that process but, we received a non conformity from the DNV and I also want to show that we were incorrectly cited. If you need additional information from me please let me know. I appreciate you assistance with this matter.

Thank you

Randy Turnell
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