



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

1200 New Jersey Avenue, SE
Washington, DC 20590

July 20, 2021

Mr. Aaron Hayward
ACTenviro
Account Manager
24602 Pacific Hwy S
Kent, WA 98032

Reference No. 21-0027

Dear Mr. Hayward:

This letter is in response to your March 10, 2021, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the description of limited quantities of waste materials on a waste manifest. In your email, you note that § 173.12(h)(1) states that the word “waste”—in association with the proper shipping name—is not required on individual packages and that § 173.12(h)(3) specifies that the outside of the shrink-wrap or stretch-wrap must be marked on opposite sides with “Waste, Limited Quantity.” Specifically, you ask what the preferred method is to identify the number of packages on a pallet when preparing your Uniform Hazardous Waste Manifest (UHWM).

As provided by § 172.205(h), a hazardous waste manifest (i.e., a UHWM) required by 40 CFR Part 262, and containing the information required by Subpart C of Part 172, may be used as a shipping paper. In addition, § 172.202(a)(7) requires that the number and type of packages must be indicated, if not listed, on a shipping paper. Consistent with this requirement, the instructions for the UHWM require that the number and type of containers for each waste be entered in Block 10 “Containers (Number and Type)” of the UHWM. Therefore, the number of packages shrink-wrapped on the pallet(s) must be included in Block 10 of the UHWM.

You may also choose to provide an additional notation of the number of pallet(s) in your shipment in Block 14 “Special Handling Instructions and Additional Information” of the UHWM—thereby communicating the number of shrink-wrapped waste pallet(s) that are being transported.

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

Sincerely,

 for

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

Andrews

21-0027

From: [INFOCNTR \(PHMSA\)](#)
To: [Hazmat Interps](#)
Subject: FW: request for interpretation
Date: Thursday, March 11, 2021 1:19:48 PM
Attachments: [image002.png](#)

See below for request for interpretation

Thanks,

Jonathon, HMIC

From: Aaron Hayward [mailto:AHayward@ACTEnviro.com]
Sent: Thursday, March 11, 2021 12:45 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: RE: request for interpretation

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.

Aaron Hayward
24602 Pacific Hwy S
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253-227-0819

Aaron Hayward | Account Manager
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From: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Sent: Thursday, March 11, 2021 8:45 AM
To: Aaron Hayward <AHayward@ACTEnviro.com>

Subject: RE: request for interpretation

Dear Aaron,

We have received your request for a written letter of interpretation regarding the hazardous materials regulations (49 CFR Parts 171-180). The hazardous materials regulations are available at the following URL:

<https://www.phmsa.dot.gov/phmsa-regulations>

However, before we can submit your request for processing, please respond to this email with:

- Full Name
- Physical Mailing Address
- Telephone Number

Sincerely,

Jonathon, Hazardous Materials Specialist

An e-mail response from this office is considered informal guidance. Formal guidance may be requested in accordance with 49 CFR 105.20. <https://www.phmsa.dot.gov/standards-rulemaking/hazmat/hazardous-materials-information-center>

From: Aaron Hayward [<mailto:AHayward@ACTEnviro.com>]
Sent: Wednesday, March 10, 2021 7:51 PM
To: PHMSA HM InfoCenter <PHMSAHMInfoCenter@dot.gov>
Subject: request for interpretation

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.

Good afternoon –

I am in need of help with an interpretation of 49 CFR 173.12(h) for limited quantities and how it applies to preparing a waste manifest.

- Paragraph (1) states that the word “waste” is not required on individual packages as long as the contents are in the original, undamaged limited quantity packaging
- Paragraph (3) states that the shrink/stretch-wrap is marked with “Waste, Limited Quantity”

Based on that, is the manifested quantity directed towards the total piece count of the limited quantity containers, or the number of pallets shipped, since the marking is applied to the wrapped

pallet?

Thanks so much in advance.

Aaron Hayward | Account Manager

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