



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

FEB 8 2000

400 Seventh Street, S.W.
Washington, D.C. 20590

Mr. David J. Passuite
Waste Technology Services Inc.
6 Forest Park Drive
Farmington, CT 06032

Ref. No. 00-0014

Dear Mr. Passuite:

This is in response to your letter concerning the requirements for lab pack shipments under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you requested clarification on the marking requirements when a lab pack contains a material listed in the hazardous materials table (HMT) in § 172.101 with a plus (+) sign in column one (e.g., Benzaldehyde) and whether these materials may be lab packed with other hazardous materials. You also ask about the proper method of describing this material on a uniform hazardous waste manifest and hazardous waste labels required by the Environmental Protection Agency (EPA).

The lab pack exception in § 173.12(b) provides relief from specification packaging if packaged in accordance with the section and allows the shipper to use a generic name to represent compatible materials in the same hazard class in place of specific chemical names when packaged in the same outer packaging. Since Benzaldehyde has a "+" sign in column one, that name is fixed and cannot be replaced with a generic shipping name. In this case, the material may be packaged with the other compatible hazardous materials. However, the specific shipping name must be marked on the outside packaging in addition to the generic description for the other hazardous materials in the lab pack and listed separately on the shipping paper. Further requirements for lab packs are found in § 173.12(b).

Since the hazardous waste manifest serves as the shipping paper, the requirement to describe Benzaldehyde separately applies when using a hazardous waste manifest. Your question concerning the EPA requirement for hazardous waste labels would best be answered by the EPA. You can contact the RCRA, EPCRA, and Superfund hotline at 1-800-424-9346.

I hope this satisfies your request.

Sincerely,

Delmer F. Billings

Chief, Standards Development
Office of Hazardous Materials Standards



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173.12



WASTE TECHNOLOGY SERVICES INC.

Johnsen
§173.12
00-0014

January 10, 2000

Mr. Edward T. Mazzullo
Director of Hazardous Materials Standards
United States Department of Transportation
Research and Special Programs Administration
Fax (202)366-3012

Dear Mr. Mazzullo:

I would like to get a written response from your office on the following DOT issue.

According to a response letter from Thomas G. Allan to Bradford A. Gagton on 6/28/99, Ref. No. 99-0145 (attached), a material with a fixed shipping name "may be lab packed with other materials, as permitted by 173.12(b), but the name of the material must appear separately on the shipping paper and package markings".

To clarify, does this mean that Benzaldehyde may be lab packed with other *non-regulated* materials only? If not, can this material be lab packed with other compatible class 9 materials? This would result in two distinct shipping descriptions for the same container, so do we attach two different hazardous waste labels, and if so, how do we prepare the manifest ("the name of the material must appear separately on the shipping paper")?

Thank you in advance for your help on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'David J. Passuite', written in a cursive style.

David J. Passuite
WASTE TECHNOLOGY SERVICES, INC.