



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

MAR 13 2017

Mr. William Rogers
Environmental Program Manager
USARC ARIMD
ARIMD Facility Operations
4710 Knox Street
Fort Bragg, NV 28310

Reference No. 16-0163

Dear Mr. Rogers:

This letter is in response to your October 11, 2016, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to hazardous waste manifests. Specifically, you ask whether a hazardous waste manifest may be used as a shipping paper if it provides a "reasonably accurate estimate" of the quantity of hazardous material in accordance with Item 11 of the Appendix to 40 CFR Part 262.

The answer is no. The HMR permit an Environmental Protection Agency (EPA) Uniform Hazardous Waste Manifest, such as EPA Form 8700-22 or 8700-22A when necessary, to be used as an appropriate shipping paper for hazardous waste when it contains the information required for a shipping paper in accordance with Subpart C of 49 CFR Part 172. See §§ 171.8 and 172.205(h). Section 172.202(a)(5) requires shipping papers to indicate "the total quantity of hazardous materials covered by the description." This section further permits total quantity estimates to be used for the following: 1) hazardous materials in salvage packagings, 2) bulk packages and cylinders through indication by total quantity, 3) packages that contain only residue, and 4) individual total quantities for dangerous goods in machinery or apparatus contained in the article. See § 172.202(a)(5)(ii) and (iii), as well as (a)(6)(iii), (iv), and (v). Therefore, a "reasonably accurate estimate" of the quantity of each hazardous material may only be used for those materials where estimates of quantity are permitted in Subpart C of 49 CFR Part 172. All other materials require the exact quantity of hazardous materials covered by the description.

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

Sincerely,

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