



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

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

FEB 22 2002

Mr. William F. Connors
Clean Harbors Environmental Services, Inc.
1501 Washington Street
Brantree, MA 02185-9048

Ref. No. 02-0014

Dear Mr. Connors:

This responds to your January 9, 2002 letter requesting clarification on the proper shipping description for lab packs under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask the proper shipping description for lab packed materials of items with a "+" symbol in column one of the Hazardous Materials Table (HMT) in § 172.101 of the HMR.

You reference previous clarifications on this subject issued by this Office (letter ref. no. 99-0145) and discussions with Hazardous Materials Information Center staff, advising you to use multiple shipping descriptions for each hazardous material identified with a "+" and a generic shipping description for the other materials in the lab pack. You were also advised to mark each shipping name separately on the package. It is your understanding that the correct shipping descriptions on a shipping paper for the lab pack are:

- "Waste Aniline, 6.1, UN 1547, II"
- "Waste Phenol, solid, 6.1, UN 1671, II"
- "Toxic solid, organic, n.o.s., 6.1, UN 2811, II"

It also your understanding that all three shipping names are required to be marked on the package in addition to a POISON label.

Your understanding is correct. 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 aniline and phenol have a "+" symbol in column one of the HMT, these names are fixed and cannot be replaced with a generic shipping name. In this case, aniline and phenol may be packaged with other compatible hazardous materials in the same hazard class. However, each specific



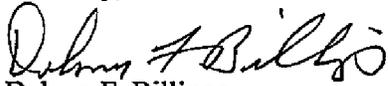
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173.12(b)

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. Additional requirements for lab packs are found in § 173.12(b).

I hope this answers your inquiry.

Sincerely,



Delmer F. Billings

Chief, Standards Development

Office of Hazardous Materials Standards



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Boothe
§ 173.12 (b)

§ 172.101

Proper Shipping
Name

02-0014

Via Facsimile: 202-366-3012

January 9, 2002

Director of Hazardous Materials Standards
Safety, Research and Special Programs Administration
U.S. Department of Transportation
400 Seventh Street, S.W.
Washington, D.C. 20590-0001
Attention: Hazardous Materials Information Center

Re: Request for Clarification

Dear Director:

Clean Harbors Environmental Services, Inc. ("Clean Harbors") is a hazardous waste transporter permitted in forty-six States. I am seeking clarification from an interpretation I received from the DOT Hotline with respects to proper shipping name for lab packed materials of items with a "+" symbol in column one of the Hazardous Materials Table (HMT).

In a guidance letter issued by the DOT to Mr. Bradford A. Gagnon of PWN Environmental on June 28, 1999 (Ref. No. 99-0145), the response to question one acknowledged that materials with a "+" in column one of the HMT may be lab packed. However, the response also indicated that the shipping name for such materials had to appear separately on the shipping paper and package markings.

In discussions with the DOT Hotline today, I asked what description should be used for a lab pack with both materials with a "+" symbol in column one of the HMT and other compatible materials. Taking into consideration both 49 CFR 172.101(b)(1) and 49 CFR 173.12(b), I was advised to use multiple shipping names on the shipping paper and have multiple markings on the container. The shipping names would consist of one name for each item identified with a "+" in column one of the HMT per 49 CFR 172.101(b)(1) and a generic shipping name to describe all other materials in the lab pack per 49 CFR 173.12(b).

I have never heard of multiple shipping names being used to describe one container. Am I correct in interpreting that guidance to mean a lab pack consisting of phenol, aniline and 10 other organic 6.1 materials would have a manifest shipping description as follows: Waste Aniline 6.1 UN1547 II, Waste Phenol, solid 6.1 UN1671 II, and Waste Toxic solid, organic, n.o.s. 6.1 UN2811 II? Also, would three separate hazardous waste

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markings (one for each shipping name) be needed in addition to the one 6.1 label on the container?

If you need any further information to answer these questions please call me at 781-849-1800 ext. 1278. Thank you for your assistance with this matter.

Sincerely,



William F. Connors
Director of Regulatory Affairs