



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

AUG -6 1999

Mr. Paul Bomgardner  
Director, Hazardous Materials Policy  
American Trucking Associations  
2200 Mill Road  
Alexandria, VA 22314-4677

Ref. No. 99-0096

Dear Mr. Bomgardner:

This is in response to your letter dated April 8, 1999, regarding the placement of an U.S. Environmental Protection Agency (EPA) waste code in shipping descriptions for hazardous wastes. Specifically, you ask if a materials EPA waste code can be placed between the shipping name and hazard class.

Section 172.202(d) authorizes the placement of technical and chemical group names between the proper shipping name and hazard class. It is the opinion of this Office, that the hazardous waste code designated by the EPA for a material may be placed, on shipping papers, between the proper shipping name and hazard class. However, except for a material described as "Hazardous waste, liquid or solid, n.o.s.", an EPA hazardous waste code cannot be used to satisfy the requirement to place the technical name of the hazardous material in association with the basic description. (See § 172.203(k)).

I hope this satisfies your request.

Sincerely,

Thomas G. Allan  
Acting Director  
Office of Hazardous Materials Standards



990096

172.202



AMERICAN TRUCKING ASSOCIATIONS

2200 Mill Road \* Alexandria, VA \* 22314-4677

Gale  
\$ 172.202

99-0096

★ **Driving Trucking's Success**

Safety Policy

April 8, 1999

Mr. Delmar Billings  
Office of Hazardous Materials Standards  
Research and Special Programs Administration  
U. S. Department of Transportation  
400 Seventh Street, SW  
Washington, DC 20590

Re: Request for clarification regarding placement of an alpha-numeric waste code in shipping paper descriptions for hazardous wastes.

*Del*  
Dear Mr. Billings:

Lately, transporters have been running into difficulty in several states regarding the placement of the alpha-numeric waste code in the description of a hazardous waste on hazardous waste manifests. Carriers are being cited for placing the waste code, in lieu of the complete waste stream information, between the proper shipping name and hazard class. States have cited as their reasoning that the waste code is not a technical name, and therefore must be placed after the basic description.

We disagree. Section 172.203(c)(1) permits the use of the waste code in lieu of the technical name for hazardous wastes. Section 172.202(d) states that technical and chemical group names may be entered in parentheses between the proper shipping name and hazard class or following the basic description. Since section 172.203(c)(1) permits the use of the waste code in lieu of the technical name, placement of the waste code should be governed by the provisions of section 172.202(d), and be allowed to be placed, in parentheses, between the proper shipping name and hazard class. Additionally, because the alpha-numeric waste code specifically identifies the waste stream it should be considered to be a technical name by definition. This is affirmed by the fact that section 172.203(c)(1) permits its use in lieu of the full alpha technical name.

We believe that Research and Special Programs Administration (RSPA) should rectify this situation in our favor. The waste code should be allowed to be placed, in parentheses either between the proper shipping name and hazard class or following the basic description.

Thank you for your assistance in this matter. If you have any questions regarding this request, please contact me on 703-838-1849.

Sincerely:  
*Paul Boyard*  
Paul Bomgardner  
Director, Hazardous Materials Policy

*Del Billings  
talked w/ Paul  
Answer letter in item 2  
of the Sp HAZ. waste n.o.s.*