



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

MAR 27 2007

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

Ms. Kia Trace  
Public Works Department Jacksonville  
Box 5, Building 27  
Naval Air Station  
Jacksonville, FL 32212

Ref. No.: 07-0040

Dear Ms. Trace:

This is in response to your February 6, 2007 letter, regarding the use of the proper shipping description, "Environmentally hazardous substances, (liquid or solid), n.o.s." under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask when shipping a hazardous waste, whether the word "waste" is authorized to be used in association with this proper shipping description.

In accordance with § 172.101(c)(9), if the word "waste" is not included in the hazardous material description in Column 2 of the Hazardous Material Table, the proper shipping description for a hazardous waste (as defined in § 171.8), must include the word "waste" preceding the proper shipping name of the material, for example "Waste environmentally hazardous substances, (liquid or solid), n.o.s." Additionally, Special Provision 8 authorizes a shipper to ship a hazardous substance that is **not** a hazardous waste under the proper shipping description "Other regulated substances, (liquid or solid), n.o.s." Based on the information provided, Special Provision 8 does not apply to you.

Please be advised that the proper shipping description "Environmentally hazardous substance, (liquid or solid), n.o.s." may also be used for a material not specifically listed in the § 172.101 hazardous materials table and which meets the definition of a Class 9 material. A material need not meet the definition of a hazardous substance in § 171.8 to be associated with this proper shipping description.

I hope this information is helpful. Please contact us if you require additional assistance.

Sincerely,

Charles E. Betts  
Senior Transportation Specialist  
Office of Hazardous Materials Standards



070040

172.101(c)(9)

Herrera  
§172.101(c)(9)  
Proper Shipping Name  
07-0040

Jarman, Erin <PHMSA>

**From:** Trace, Kia E CIV NAVFAC SE [kia.trace@navy.mil]  
**Sent:** Tuesday, February 06, 2007 10:01 AM  
**To:** INFOCNTR <PHMSA>  
**Cc:** Trace, Kia E CIV NAVFAC SE  
**Subject:** Special Provision 8/ 49 CFR  
**Importance:** High

I received a call this morning with the answer to my question below. I need to get clarification "in writing" please.

Thank you,

Kia Trace

I am trying to get clarification concerning the "proper" use of the shipping name "Environmentally Hazardous Substances". When shipping HAZARDOUS WASTE is this shipping name allowed if you place the word waste in front of the description? Or is that what special provision 8 is for? I have been under the impression that if you use the "EHS" shipping name you would use it for items other than waste but IS IT allowed for shipping hazardous waste?

Thank you,

*Kia Trace*

**PWD JACKSONVILLE**  
**NAVFAC SE ENVIRONMENTAL DIVISION**  
**(904) 542-3358 EXT. 4565**  
**(904)542-5979/2916**  
**FAX (904) 542-8153**  
**ALT FAX (904)542-4315**

2/6/2007