



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Ave., S.E.
Washington, DC 20590

APR 16 2008

Mr. Morgan Campbell
Environmental Manager/Plant Engineer
Carolina Filters, Inc.
P.O. Box 716
Sumter, SC 29151

Ref. No.: 08-0048

Dear Mr. Campbell:

This responds to your February 26, 2008, letter regarding the security plan requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if the security plan requirements apply to hazardous waste in Class 3 (flammable liquid) offered in quantities of over 1,000 pounds, and to other hazardous materials received and used in a process at the facility.

In accordance with §172.800(b), each person who offers for transportation or transports in commerce one of the listed hazardous materials must develop and implement a security plan. Therefore, hazardous waste in Class 3 (flammable liquid) offered in quantities of over 1,000 pounds requiring placarding is subject to the security plan provisions under the HMR. However, since you are not offering for transportation or transporting the hazardous materials your company only receives and uses at its facility, you are not required to develop and implement a security plan to include such materials.

I hope this information is helpful. If we can be of further assistance, please contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Gale".

John A. Gale
Chief, Standards Development
Office of Hazardous Materials Standards


CAROLINA FILTERS, INC.
Committed to Quality Service

Engram
\$172,800
Security Plans
08-0048

February 26, 2008

To: Infocntr@dot.gov

To Whom It May Concern:

I work for a small company that happens to be a large quantity generator of hazardous waste (flammable, and thus placarded). Currently, our company utilizes a third party to transport this waste at less than 1000 pounds per shipment. In addition, our company receives and stores several hazardous materials; however all of these materials are used in our process and are not shipped.

I am currently in the process of writing a security plan which will allow for shipment of this hazardous waste at intervals greater than 1000 pounds. My interpretation of 172.800 is that only the hazardous materials offered for shipment (i.e. our hazardous waste) needs to be covered by this security plan. All other hazardous materials which we receive (and use in process), need not be covered. Is this a correct interpretation?

A formal interpretation would be appreciated.

Regards,



Morgan Campbell
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