



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety
Administration**

JUN 20 2013

Mr. Kevin M. Greene
Senior Hazardous Materials Distribution Safety Consultant
DuPont Global Logistics
12650 Highway 43 North
Axis, AL 36505-4360

Reference No.: 13-0102

Dear Mr. Greene:

This is in response to your May 9, 2013 email to the Standards and Rulemaking Division of the Office of Hazardous Materials Safety requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether you may offer hazardous material samples for transport to your lab, via highway, in accordance with § 173.12(b)(1), when it has not been determined that the samples will be disposed of or recovered. Once the samples arrive at your lab they are evaluated for potential recovery or disposal as waste.

The answer is yes. If the samples will ultimately be recovered or disposed of as waste following evaluation by your lab, they may be transported by highway in accordance with §173.12(b).

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

Delmer Billings
Senior Regulatory Advisor
Standards and Rulemaking Division

Babich
§ 173.12(b)
§ 173.22

Drakeford, Carolyn (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Thursday, May 09, 2013 5:13 PM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: Request Interpretation of the requirements provided in 173.12(b)

Hazardous Waste
13-0102

Hi Carolyn,

This caller requested we submit his e-mail as a formal letter of interpretation.

Thanks,
Victoria

From: KEVIN.M.GREENE@dupont.com [mailto:KEVIN.M.GREENE@dupont.com]
Sent: Thursday, May 09, 2013 9:35 AM
To: INFOCNTR (PHMSA)
Subject: Request Interpretation of the requirements provided in 173.12(b)

Mr. Charles Betts
Director, Office of Standards and Rulemakings
U.S. DOT/PHMSA - Attn: (PHH-10)
407th Street S.W.
Washington, DC 20590-0001

Request for interpretation regarding the requirements provided the Hazardous Materials Regulations (HMR; CFR Part 173.12(b))

May I offer hazardous materials samples (i.e., classes 3, 6.1 and 8 in PG II or III) for shipment by road (various field locations in the U.S) in accordance with the Hazardous Materials Regulations in 173.12(b) when it is not determined if the hazardous materials samples will be disposed of or recovered until the Hazardous materials samples arrive at the destination (our lab) noted on the shipping paper? Once the samples reach our lab, we will evaluate the hazardous materials samples for potential recovery or disposed as a waste material.

Please contact me if you require additional information or assistance.

Kind regards,

Kevin.M. Greene
Sr. Hazardous Materials Distribution Safety Consultant
12650 Highway 43 North
Axis, Alabama 36505-4360
DuPont Global Logistics
Phone: 251.679.5330 (o) 251.591.6803(c)