



U.S. Department of Transportation

**Pipeline and Hazardous Materials
Safety Administration**

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

APR 11 2011

Mr. Anthony Cellucci
Vice President, Transportation Compliance
Clean Harbors Environmental Services, Inc.
42 Longwater Drive
P.O. Box 9149
Norwell, MA 02061-9149

Reference No. 10-0146

Dear Mr. Cellucci:

This is in response to your letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) regarding a requirement adopted in the HM-206F final rule, "Revision of Requirements for Emergency Response Telephone Numbers" published on October 19, 2009 in the *Federal Register* [74 FR 53413] and effective on October 1, 2010 (as corrected in the *Federal Register* published on October 22, 2010 [74 FR 54489]). You state that Clean Harbors Environmental Services (Clean Harbors) is a motor carrier that functions as the offeror and generator for transporting wastes for disposal. Additionally, Clean Harbors provides and mans their own emergency response telephone number. Specifically, you ask us whether your Uniform Hazardous Waste Manifest (UHW) conforms to § 172.604 as revised in the HM-206F final rule.

The answer is yes. When the number of the person offering the hazardous material is also the emergency response information (ERI) provider, the name of the person identified with the emergency response telephone number must be entered on the shipping paper immediately before, after, above, or below the ER phone number unless the name is entered elsewhere on the shipping paper in a prominent, readily identifiable, and clearly visible manner that allows the information to be easily and quickly found. In the example you submitted, the offeror and generator, Clean Harbors, is prominently entered on the shipping paper, as well as being clearly entered in association with their emergency response telephone number and, therefore, meets the ERI provider identification requirements in § 172.604(b)(1) as adopted in the HM-206F final rule.

I hope this information is helpful. Please contact this office should you have additional questions.

Sincerely,

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division



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McIntyre
§ 172.604
Emergency Response
Telephone Number
10-0146

July 9, 2010

Office of Hazardous Materials Safety
Pipeline and Hazardous Materials Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
East Building, 2nd Floor
Washington, DC 20590

RE: Request for Written Confirmation – 49 CFR 172.604

Dear Sir or Madam:

Clean Harbors Environmental Services, Inc. (Clean Harbors) is a licensed interstate motor carrier engaged in the transportation and disposal of hazardous and solid wastes from a very diverse customer base. Each shipment of hazardous waste is accompanied by a Uniform Hazardous Waste Manifest (UHW) that identifies the name, address and phone number of the generator (offeror) of the consignment. In addition, the UHW includes a 24 hour emergency response phone number that is monitored and answered by a Clean Harbor's representative. Each waste stream accepted for transportation and disposal by Clean Harbors is pre approved before acceptance and this information is readily available to the emergency response representatives monitoring the 24 hour service. It is for this reason that Clean Harbors offers the use of this 24 hour emergency response phone service to our customer base.

I have attached an example of a completed UHW that identifies the 24 hour emergency response phone number in section 3 and the generator (offeror) information in section 5. It is my understanding that a shipping paper prepared in this fashion satisfies the requirement outlined in 49 CFR 172.604 that becomes effective October 1, 2010. If my understanding is correct, I would respectfully request a written confirmation that I can share with my organization as we continue to communicate this new requirement to both our internal and external customer.

Thank you for your attention to this request. If any additional information is required, please do not hesitate to contact me at (781) 792-5760.

Sincerely,

Anthony P. Cellucci
Vice President, Transportation Compliance

Encl/