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

MAY 9 1996

Mr. Don E. Barclay  
Chief, Safety, QA/QC & Environmental Division  
U.S. Department of the Army  
Office of the Systems Manager for  
Chemical Agent Munitions Disposal System Activity  
Tooele Army Depot South Area  
Tooele, Utah 84074-5017

Dear Mr. Barclay:

This is in response to your letter dated February 1, 1996, requesting clarification on the proper shipping description for Block 11 of the Uniform Hazardous Waste Manifest (UHWM) Document for State of Utah designated waste codes P999/F999.

A "hazardous waste", as defined under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180), is any material subject to the UHWM requirements of the U.S. Environmental Protection Agency (EPA) specified in 40 CFR Part 262. If the Utah regulated waste meets any of the DOT hazard class definitions in Part 173, it is subject to the HMR, and, the complete shipping description from the HMR must be used on the shipping document. Shipping descriptions from the HMR may not be used to describe a non-EPA waste material on a State UHWM Document. However, a shipping name from the HMR may be used following the word "waste" as long as the hazard class number, UN or NA identification number, and packing group numbers are not included in the description of the waste material.

For your information, the word "waste" may not precede the basic description for a DOT regulated hazardous material when the material is not an EPA hazardous waste. Although the UHWM form was designed to allow the listing of both federally regulated wastes and wastes solely regulated by a State, use of the word "waste" preceding the basic description indicates that the material is a federally regulated waste.



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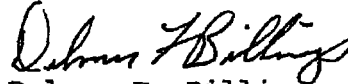
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If the material is not subject to the HMR as a hazardous material or a federally regulated hazardous waste, "Utah Regulated Only", "non-RCRA waste" or "Utah only waste" may be entered in "block 11" of the UHWM Document following the name used to identify State only regulated waste. "Utah Hazardous waste, liquid or solid, n.o.s." is also an acceptable shipping name for a Utah regulated waste.

I hope this answers your inquiry. If we can be of further assistance, do not hesitate to contact us.

Sincerely,



Delmer F. Billings  
Chief, Regulations Development  
Office of Hazardous Materials  
Standards