



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

APR 13 2000

Mr. William J. Briner  
Regulatory Affairs Manager  
Monsanto Company  
800 North Lindbergh Blvd.  
St. Louis, MO 63167

Ref. No. 00-0107

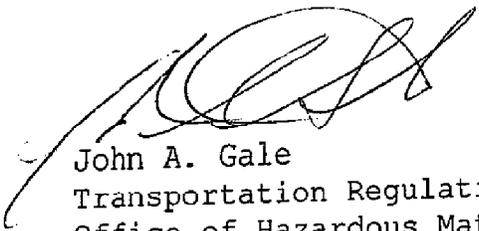
Dear Mr. Briner:

This is in response to your letter dated April 6, 2000, regarding the definition of a hazardous substance under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether a package containing 400 pounds of a D001 waste known to be 100 percent ethanol would meet the definition of a hazardous substance under § 171.8.

The answer is yes. The appropriate RQ for a hazardous waste (e.g., D001) made up entirely of a material not specifically listed under Appendix A to § 172.101 is that which is assigned to the waste (e.g., D001). Therefore, waste ethanol is subject to the RQ for a D001 waste (100 pounds (454 kg)).

I hope this satisfies your request.

Sincerely,



John A. Gale  
Transportation Regulations Specialist  
Office of Hazardous Materials Standards



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S 171.8 Haz  
Sub

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April 6, 2000

00-0107

U.S. Department of Transportation  
Research and Special Programs Administration  
Office of Hazardous Materials Standards (DHM-10)  
400 Seventh Street, S.W.  
Washington, D.C. 20590-0001  
Attn: Mr. Edward Mazzullo  
FAX: (202) 366-3012

Dear Mr. Mazzullo:

I am writing to request a written interpretation concerning 49 CFR 172.203(c) and Appendix A to 172.101 - List of Hazardous Substances and Reportable Quantities.

A 55-gallon drum contains a net weight of 400 lbs. of an EPA RCRA hazardous waste. The composition of the waste is known to be 100% ethanol, a D001 characteristic hazardous waste. Ethanol is not specifically listed as a hazardous substance in Appendix A to 172.101 - List of Hazardous Substances and Reportable, Table 1 - Hazardous Substances Other Than Radionuclides.

Question: Does this drum contain a reportable quantity of the hazardous substance D001?

Thank you in advance for providing this interpretation.

If you have any questions, please call me at (314) 694-2999.

Sincerely,

*William J. Briner*

William J. Briner  
Regulatory Affairs Manager