



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JAN 31 2001

Mr. Donald J. Trepel
Director, Quality Assurance
Seatex Corporation
6325 Hurst Street
Houston, TX 77008

Ref. No. 00-0340

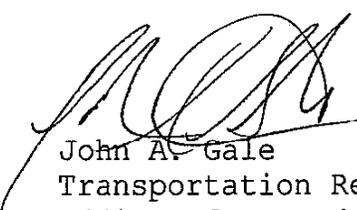
Dear Mr. Trepel:

This is in response to your December 5, 2000, letter requesting clarification of shipping paper and placarding requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if shipping papers and placards are required when empty non-bulk packages, which contain the residue of a hazardous material, are transported via a contract carrier to a drum reconditioner.

Generally, empty packagings containing a residue of a hazardous material must be transported in the same manner as when they previously held a greater quantity of the material, unless the packagings are sufficiently cleaned and purged of vapors to remove any potential hazard, or are refilled with a material which is not subject to the HMR. However, a non-bulk packaging containing only the residue of a hazardous material covered by Table 2 of § 172.504 collected and transported by a contract or private carrier for reconditioning, remanufacture or reuse is excepted from the shipping paper requirements in Part 172, Subpart C. Therefore, if the shipment is made by a private or contract carrier, it is not subject to the shipping paper requirements (§ 173.29(c)(2)). In addition, a non-bulk packaging containing only the residue of a hazardous material covered by Table 2 of § 172.504 is not subject to the placarding requirements in Part 172, Subpart F (§ 173.29(c)(1)).

I hope this satisfies your request.

Sincerely,


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



000340

173.29



BAH
§ 173.29 (c) (2)
Applicability
Residue
00-0340

December 5, 2000

Mr. Edward Mazzullo
Director, Office of Hazardous Materials Standards
US DOT / RSPA (DHM10)
400 Seventh Street SW
Washington D.C. 20590-0001

Dear Mr. Mazzullo:

We will be contracting with a company to collect and transport our empty non-bulk packages to a drum reconditioner. Some of these packages contain the residue of a hazardous material.

My question is, would (49CFR) 173.29 (c) (2) apply in this case? Or, would shipping papers and placarding be required?

Your guidance in this matter would be greatly appreciated.

Sincerely,

Donald J. Trepel
Director, Quality Assurance