



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

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

JUN 18 2002

Ms. Donna Ames-Cassick
Compliance Manger
Waste Management, Inc.
P.O. Box 200
Model City, NY 14107

Ref. No. 02-0123

Dear Ms. Ames-Cassick:

This is in response to your April 24, 2002 letter regarding the packing group for polychlorinated biphenols (PCBs) under the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180). Specifically, you ask if polychlorinated biphenols should be considered a packing group II or III material when transported by highway.

According to Special Provision 140 in appendix A of the Hazardous Materials Table (HMT) in § 172.101, if transporting PCBs by rail or highway, the packing group is changed to PG III instead of PG II as listed in the HMT. Since PCBs can be both a packing group II and III material, depending on mode, if you wish to consider PCBs as a packing group II material when transporting it by highway, you may do so. Please note that we will be removing the "A" and "W" from column one of the HMT for the entry "PCB" in an upcoming corrections notice to be published in the Federal Register.

I hope this satisfies your request.

Sincerely,

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



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Johnsen
§ 172.101
Applicability
02-0123

WASTE MANAGEMENT, INC.
CWM Chemical Services, L.L.C.
1550 Balmer Rd.
P.O. Box 200
Model City, N.Y. 14107
716/754-8231

April 24, 2002

Edward Mazzullo
Director, Office of Hazardous Material Standards
USDOT/RSPA (DHM-10)
400 7th Street, SW
Washington, DC 20590-0001

RE: PG II or III for PCBs

Dear Mr. Mazzullo:

CWM Chemical Services, L.L.C., ships and receives various types of wastes for disposal. We are requesting an interpretation in regard to the proper packing group (PG) for shipping Polychlorinated Biphenyls (PCBs) contaminated waste. The last sentence in 49 CFR 172.101(f)-*Column 5: Packing Group* states "Each reference in this column to a material which is a hazardous waste or a hazardous substance, and whose proper shipping name is preceded in Column 1 of the Table by the letter "A" or "W" is modified to read "III" on those occasions when the material is offered for transportation or transported by a mode in which its transportation is not otherwise subject to requirements of this subchapter". When you look up the proper shipping name of PCB in the Hazardous Materials Table, it refers you to Polychlorinated Biphenyls, PCB is preceded by "A" and "W". When you look up the proper shipping name of Polychlorinated Biphenyls, liquid or solid, in the Table, there is no "A" or "W" indicated and the PG is II.

Please provide written clarification in regard to the following questions.

1. If you are shipping Polychlorinated Biphenyls by highway for disposal, should the shipping papers (waste manifest or bill of lading) used for waste transportation indicate PGII or PGIII?
2. If PGII and PGIII are both acceptable, is one of them preferred over the other?

If you have any questions in regard to this matter, please contact me at (716)754-0354.

Sincerely,
CWM Chemical Services, L.L.C.


Donna Ames-Cassick
Compliance Manager