



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

MAY 7 2003

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

Mr. Paul R. Counterman, P.E.  
Director, Bureau of Hazardous Waste Management  
New York State Department of Environmental Conservation  
Division of Solid and Hazardous Materials  
625 Broadway  
Albany, NY 12233-7251

Ref No. 03-0072

Dear Mr. Counterman:

This is in response to your February 18, 2002 letter, requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) on the proper shipping name and appropriate packaging for industrial rags. Specifically, you request written confirmation that the proper shipping name should be "Solids containing corrosive liquid, n.o.s.", "Solids containing flammable liquid, n.o.s." or "Solids containing toxic liquid, n.o.s." if any amount of corrosive, flammable or toxic liquids are present in the rags.

In accordance with § 173.22, it is the responsibility of the shipper to select the shipping name that most accurately reflects the material being shipped. The shipper must also determine the packaging or container in an authorized packaging, including part 173 requirements, and that it has been manufactured, assembled, and marked in accordance with the HMR.

The proper shipping names you listed can be used for the shipment and transportation of industrial rags containing various hazardous materials. The Hazardous Materials Table (HMT), § 172.101, provides Special Provisions for each of the proper shipping names: Special Provision 49 for corrosive liquids; Special Provision 47 for flammable liquids; and Special Provision 48 for toxic liquids. These Special Provisions state that this material may be transported under the above proper shipping names without first applying the classification criteria, provided there is no free liquid visible at the time the material is loaded or at the time the packaging or transport unit is closed. Authorized packagings are identified in §§ 173.212 and 173.240 for non-bulk and bulk packaging, respectively. Packaging exceptions are identified in §§ 173.154 and 173.151 for corrosive liquids and flammable liquids, respectively.

I hope this information is helpful. If we can be of further assistance, do not hesitate to contact us.

Sincerely,

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



030072

172.101

**New York State Department of Environmental Conservation**

**Division of Solid and Hazardous Materials**

**Bureau of Hazardous Waste Management, 8<sup>th</sup> Floor**

625 Broadway, Albany, New York 12233-7251

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Erin M. Crotty  
Commissioner

Foster  
§ 173.101  
Proper Shipping Name  
03-0072

February 18, 2003

Mr. Edward T. Mazzullo  
Director  
Office of Hazardous Materials Standards  
U.S. DOT/RSPA (DHM-10)  
400 7th Street S.W.  
Washington, D.C. 20590-0001

Dear Mr. Mazullo:

We would like to request written confirmation of some verbal guidance recently received from staff at the Hazardous Materials Information Center (HMIC) regarding industrial rags/wipers picked up for laundering by commercial laundries from various businesses.

During use, these cloth rags often absorb varying amounts of toxic, flammable, and/or corrosive liquids, but generally no free liquids are visible in the containers holding these rags at the time the material is loaded onto laundry trucks for transport back to the industrial laundry.

Staff at HMIC have indicated that these rags would have proper shipping names of

- o Solids containing corrosive liquid, n.o.s,
- o Solids containing flammable liquid, n.o.s., or
- o Solids containing toxic liquid, n.o.s,

if **any amount** of corrosive/flammable/toxic liquids are present in the rags.

We are requesting written confirmation that this correct. Some commercial laundries operating in New York are transporting cloth rags (and soiled clothing) containing varying amounts of corrosive, flammable, and toxic liquids in bags, and we need to know if these rags must be assigned one of the above proper shipping names.

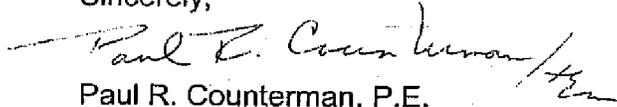
Mr. Edward T. Mazzullo

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In addition, please advise what the appropriate shipping container would be for these rags. At this time, the cloth rags are being transported in bags.

Thank you very much for your assistance. Please call me or William Yeman, of my staff, at (518) 402-8633 if you need further information from us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Paul R. Counterman".

Paul R. Counterman, P.E.

Director

Bureau of Hazardous Waste Management  
Division of Solid & Hazardous Materials