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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

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Gary Smith  
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50 Milk Street  
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Dear Mr. Smith:

This is in response to your letter of November 2, 1987,  
regarding labeling of steel drums.

The hazardous waste regulations under EPA's Resource Conservation and Recovery Act do not require a shipper to provide documentation listing all previous contents of a steel drum used for transportation of used automotive parts. EPA's regulations for preparation of hazardous waste for transport, found in 40 CFR Part 262, subpart C, require only that the generator comply with the applicable packaging, labeling, marking, and placarding requirements under Department of Transportation (DOT) regulation (49 CFR Parts 172-179). In addition, there is no EPA requirement to list all previously contained materials on the Uniform Hazardous Waste Manifest. Furthermore, if the used automobile cores sent for remanufacture are not hazardous wastes, EPA would not regulate their transportation at all.

In summary, nothing in EPA's hazardous waste regulations supports the claims in the flyers concerning documentation of past materials held in steel drums. If such a documentation requirement exists, it may be the result of a state or local ordinance.

Sincerely,

Original Document signed

Marcia E. Williams  
Director  
Office of Solid Waste

RO 11303