

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460**

JANUARY 10, 1984

Robert R. Staab  
Chairman  
Baltimore County Delegation  
House of Delegates  
2 North Dundalk Avenue  
Dundalk, Maryland 21222

Dear Delegate Staab:

Mr. Don Clay referred your November 23, 1983, letter regarding Federal regulations on labeling hazardous wastes to my office.

Under Section 262 of the Environmental Protection Agency's (EPA) hazardous waste management regulations, a generator is required to place certain information on each container of 110 gallons or less used in transportation. EPA's regulations further require that this information be displayed in accordance with the Department of Transportation's (DOT) requirements of 49 CFR 172.304 which specify that the marking must be durable.

A member of my staff has called DOT regarding your concerns and was advised that under normal handling conditions, a typed label would be considered durable. DOT cautioned, however, that if the typing were applied to a vinyl label, the typing would most likely smear and would not, therefore, be considered durable. The labels used at the firm where your constituent worked, were probably vinyl. Unfortunately, while most manufacturers of vinyl labels do not inform consumers of problems resulting from typing, they do recommend the use of a special non-smear pen to mark the required information.

If you would like to discuss this issue in greater detail, I would suggest that you contact Mr. Alan I. Roberts, Associate Director for Hazardous Materials Regulation, Department of Transportation, 8100 Nassif Building, 400 Seventh Street, SW, Washington, DC 20590.

Faxback 11031

I trust that I have been responsive to your concerns. If I can be of further help, please do not hesitate to contact me.

Sincerely yours,

Bruce R. Weddle  
Acting Director  
Permits and State Programs Division

cc: Alan I. Roberts, DOT