



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

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

JUN 28 2002

Mr. Randolph Martin
Hazardous Materials Distribution Consultant
DuPont Company
1007 Market Street, Room D-5100
Wilmington, DE 19898

Ref No: 02-0147

Dear Mr. Martin:

This is in response to your April 19, 2002 email requesting clarification of the shipping paper requirements in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you asked if you are required to use only UN specification packaging type names in meeting the requirements for identifying the type packages on shipping papers. The examples you referred to were pails, cans, cartons.

In accordance with § 172.202 (5)(c), the total quantity of the material covered by one description must appear before or after, or both before and after, the description required and authorized by this subpart. The type of packaging and destination marks may be entered in any appropriate manner before or after the basic description. Abbreviations may be used to express units of measurement and types of packagings.

In the International Maritime Dangerous Goods (IMDG) Code paragraph 5.4.1.1.1.5 requires the dangerous goods transport document contain information on the number and kind of packages and the total quantity of dangerous goods covered by the description (by volume or mass, and in the case of goods of class 1 by the net explosives mass of the contents).

Although both the HMR and IMDG Code use the terms "type" and "kind" to describe packagings, no specific terminology or criteria is identified. Therefore, any appropriate terminology for packagings, such as pails, barrels, cans or cartons are acceptable.

I hope this information is helpful. Please contact us if you require additional assistance

Sincerely,

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



020147

172.202

Billings, Delmer

From: Randolph Martin [Randolph.Martin@USA.dupont.com]
Sent: Wednesday, April 17, 2002 4:21 PM
To: Pfersich, Emmanuel<USCG>
Subject: Package Descriptions

Message Flag: Follow up
Due By: Friday, April 19, 2002 5:00 PM
Flag Status: Flagged

Manny, appreciate all your help in getting an interpretation letter from RSPA.

Our basic question: Are we required to use only UN specification packaging type names in meeting the requirements for identifying the "kinds of packages" on a transport document, or can we use other names, such as pails, cans, cartons, etc.?

Here is my complete name and address:

Randolph Martin
Hazardous Materials Distribution Consultant
DuPont Company
1007 Market Street, Room D-5100
Wilmington, DE 19898

----- Forwarded by Randolph Martin/AE/DuPont on 04/17/2002
04:04 PM -----

Randolph Martin
01/24/2002 01:53 PM

To: epfersich@comdt.uscg.mil
cc:
Subject: FW: Package Descriptions

Manny, several months ago we got the attached e-mail from you indicating that package names are NOT limited to the use of UN packaging type names. We have passed this on to our carriers yet we continue to have several of them question our use of "pails, cans, boxes, etc". Do you have an interpretation letter on this subject that you can share with us, or absent that, could you prepare one that would address this subject? The carriers are hesitant to accept your e-mail but have indicated that a letter on USCG letterhead would have more weight. We would greatly appreciate any help you can provide. Please contact me on e-mail or call on 302-773-4248 if you have any questions. Thanks.

----- Forwarded by Randolph Martin/AE/DuPont on 01/24/2002
01:44 PM -----

Randolph Martin
11/29/2001 02:55 PM

To: Stephanie T Gaines/AE/DuPont@DuPont, Kimberly Horgan/AE/DuPont@DuPont, Al Schyman/AE/DuPont@DuPont, Joe Lavery/AE/DuPont@DuPont, mstevenson@bdpnet.com @ DuPont, Al Lipscomb/AE/DuPont@DuPont, Thomas C Reese/AE/DuPont@DuPont,

Myoung@us.cattrans.com, William P Vanvliet/AE/DuPont@DuPont
cc: Mildred C Ruglass/AE/DuPont@DuPont, Kevin M Greene/HO/DuPont@DuPont
Subject: FW: Package Descriptions

This clearly answers our question around use of various packaging names such as pails, cans, cartons ,etc. The position of the USCG is that they are allowed.

Thanks to Dawn at Hamburg for contacting the USCG, although our path forward from the conf. call gave that responsibility to us. I had in fact called the USCG on 11/27 and they mentioned just today that they got the exact same question from someone else (Dawn).

----- Forwarded by Randolph Martin/AE/DuPont on 11/29/2001
02:39 PM -----

"Robinson, Brian" <BRobinson@comdt.uscg.mil> on 11/29/2001 02:24:37 PM

To: Randolph Martin/AE/DuPont@DuPont
cc:
Subject: FW: Package Descriptions

Here you go.

-----Original Message-----

From: Pfersich, Emmanuel
Sent: Thursday, November 29, 2001 12:34 PM
To: 'Abbatichio, Dawn'
Cc: Robinson, Brian
Subject: RE: Package Descriptions

Dawn,

Your understanding is correct. It has not been our position, nor that of DOT RSPA, that only UN packaging type names be permitted in meeting the requirements for identifying "kind of packages" on a transport document. Terms such as you mention, pails, cans, cartons, etc., are acceptable.

Manny

-----Original Message-----

From: Abbatichio, Dawn [mailto:dabbatic@us.hsaclog.com]
Sent: Wednesday, November 28, 2001 9:00 AM
To: Pfersich, Emmanuel
Subject: Package Descriptions
Importance: High

Good Morning Mr. Pfersich,

We have been in discussions with one of our big shippers as well as our partner lines with regard to package descriptions. Some of the shipper have been using descriptions that do not specifically appear in the IMDG Code, (pails, cans, cartons, etc...) for years with no problem from carriers, NCB

inspectors or U.S Coast Guard. We now have a partner that will not accept any

description, not specifically spelled out in the IMDG - my question to you is:

Is it the interpretation of DOT that only the package descriptions recommended in the IMDG Code be the description used? For example: metal receptacles instead of cans, boxes instead of cartons? Your guidance in this

matter is appreciated.

Dawn M. Abbaticchio
Hazardous Materials Specialist
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