



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

FEB 13 2003

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

Mr. Cliff Bartley
Corporate Manager Hazardous
Materials/Maintenance
CSX Lines LLC
5800-1 William Mills Street
Jacksonville, FL 32226

Ref. No. 02-0329

Dear Mr. Bartley:

This is in response to your October 11, 2002 letter to Commandant (G-MSO-3), U. S. Coast Guard, concerning the dangerous cargo manifest provision contained in § 176.30(a)(6) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

Specifically, you asked whether the dangerous cargo manifest must include the name of the shipper as set forth in 172.203(i)(4) as additional description information. The answer is yes. Under § 172.203(i)(4) of the HMR, the name of the shipper, although not an additional description of the cargo itself, is an additional description element that must be included for vessel shipments.

Also, as you are probably aware, §171.12(b) of the HMR allows a hazardous material shipment to be offered and transported in accordance with the International Maritime Dangerous Goods (IMDG) Code as an alternative to the HMR, with certain exceptions. For shipments prepared in accordance with Amendment 30 to the IMDG Code (2000 edition), the dangerous cargo manifest need not contain the name of the shipper since that information is not required in chapter 5.4 of Volume I. The situation with regard to Amendment 31 (2002 edition) to the IMDG Code is less clear. The revised text of Chapter 5.4 in Amendment 31 appears to require inclusion of the name and address of the consignor and the consignee on the dangerous cargo manifest (see 5.4.1.3 and 5.4.3.1); however, the intent of those provisions is under review by the International Maritime Organization and we anticipate that it will be clarified later this year. Shipments may be prepared in accordance with Amendment 30 or Amendment 31 until January 1, 2004, at which time all shipments must conform to Amendment 31.

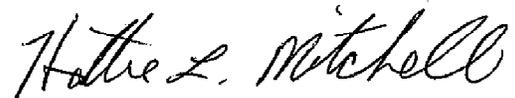


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172.203G)(4)

I hope you find this information responsive and helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Hattie L. Mitchell". The signature is written in dark ink and is positioned above the typed name.

Hattie L. Mitchell, Chief
Regulatory Review and Reinvention
Office of Hazardous Materials Standards



CSX Lines, LLC
5800-1 William Mills Street
Jacksonville, FL 32226
October 11, 2002

Commandant (G-MSO-3)
U.S. Coast Guard
2100 2nd Street S.W.
Room 1210
Washington, DC 20593-0001
Fax 202-267-4570

Stevens
§ 176.30(6)
§ 172.203(i)(4)
Shipping Papers
02-0329

Subject: 49CFR176.30(6) - DCM & 172.203(i)(4) Shipper

Dear Sir:

CSX Lines recently faced an issue which pertained to the Dangerous Cargo Manifest that I need direction on. The reference in 49CFR176.30 lists the items required on the DCM and notes that any additional description required by 172.203 must also be included. CSX Lines, LLC is a domestic water carrier and so I reviewed the requirements of 172.203(i) for additional description requirements and I wasn't sure of the requirement in number (4) which required the name of the shipper.

Section 172.203(i) covers "additional shipping paper entries". Does the reference in 176.30 to 172.203 require that the name of the shipper be included on the Dangerous Cargo Manifest? The name of the shipper is not an additional description.

I need an interpretation on this issue to ensure full compliance with the regulations. Thank you for your consideration of my inquiry.

Respectfully yours,


Cliff Bartley
Corporate Manager Hazardous Materials/ Maintenance
CSX Lines, LLC
Cb

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