



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

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

JUL 13 2004

Mr. Kevin Duncan
Global Packaged and Export Leader
NOVA Chemicals Corporation
1000 Seventh Avenue S.W.
P.O. Box 2518, Station M
Calgary, Alberta, Canada, T2P 5C6

Ref. No. 04-0069

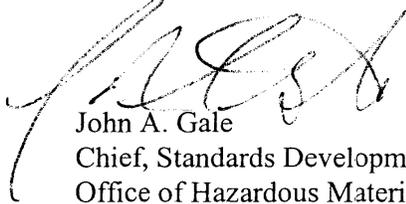
Dear Mr. Duncan:

This is in response to your April 28, 2004 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to labels. Specifically, your inquiry concerns whether an identification number and a hazard warning label affixed to a flexible intermediate bulk container are required by the HMR to face outwards (i.e., towards the door) when loaded into an enclosed transport vehicle or freight container.

The HMR do not specifically address the visibility of package markings and labels when loaded into an enclosed transport vehicle or freight container. However, placing packages in a transport vehicle in a manner that makes it difficult for carrier personnel or enforcement personnel to determine whether the package conforms to marking and labeling provisions may result in delays or frustration of shipments.

I hope this information is helpful.

Sincerely,



John A. Gale
Chief, Standards Development
Office of Hazardous Materials Standards



040069

172.406



1000 Seventh Avenue S.W., P.O. Box 2518, Station M
Calgary, Alberta, Canada T2P 5C6
Ph# 403-750-3882
Fax 403-750-3941

28th April 2004

RE: Request for Interpretation HMR 49 CFR Parts 171-180

To Mr. Edward T Mazzullo
Director, Office of Hazardous Materials Standards
U.S. DOT/RSPA (DHM-10)
400 7th Street S.W.
Washington, D.C. 20590-001

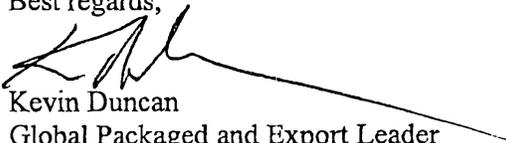
Dear Ed:

I am writing to you to request a formal interpretation under HMR 49 Parts 171-180

Does the UN# and Triangle on the FIBC package need to be facing outwards when loaded on a truck or ocean container. In this I mean that when the doors are opened from the truck or container that the labels would be visible on the packages. The truck and or container would still be correctly placarded. In a recent e mail to your department I received a voice mail from one of your representatives named Harry that it was not a requirement to have the labels on the packages facing outwards towards the doors on the van or container. We would like a formal response so that we can maintain this on file and ensure we are in compliance. Due to the FIBC design we would like to load the bags in the containers or vans facing sideways and your formal decision is required for us to proceed in this.

Thank you for your consideration of this matter. A fax response to me at 403-750-3941 is all that is required.

Best regards,


Kevin Duncan
Global Packaged and Export Leader
NOVA Chemicals Corporation

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Labeling
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