



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

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

SEP 10 2001

Reference No.: 01-0153

Mr. J. Kent Hancock  
Acting Director, Office of Transportation  
Office of Environmental Management  
United States Department of Energy  
Washington, DC 20590-0001

Dear Mr. Hancock:

This is in response to your June 14, 2001, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) regarding the marking requirements for shipments of DOT 7A Type A specification packaging and to Department of Energy (DOE) or Nuclear Regulatory Commission (NRC) certified Type B packagings used to transport radioactive materials and wastes. Specifically, you ask whether DOE sites must apply the general bulk package markings required by 49 CFR 172.302 (i.e. identification numbers on orange panels or placards, etc.) to Type A or Type B packages of radioactive material when these packages: (a) are marked to meet 49 CFR 172.301, 172.310 and other relevant sections of Subpart D.

The marking and labeling requirements for these packages depend on whether they are construed to be bulk or non-bulk packagings. Currently, the HMR is silent in regards to how these packages are defined. It has been this office position to define these packages as meeting the definition of a non-bulk packaging. Accordingly, § 172.301 states that a non-bulk packaging containing a hazardous material shall be marked with the proper shipping name and the identification number. However, we would accept a package marked as prescribed for a bulk package.

I trust this information is helpful.

Sincerely,

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



010153

172.302



Department of Energy  
Washington, DC 20585

June 14, 2001

Edmonson  
§ 172.302  
Marking  
01-0153

Associate Administrator for Hazardous Materials Safety  
Research and Special Programs Administration  
U.S. Department of Transportation  
400 7<sup>th</sup> Street SW  
Washington, DC 20590-0001

**SUBJECT:** Request for Department of Transportation (DOT) clarification of the applicability of Title 49 CFR 172.302 ("General marking requirements for bulk packagings") for certain types of radioactive material packagings.

The Department of Energy (DOE) would like clarification of the applicability of 49 CFR 172.302, "General marking requirements for bulk packagings" to DOT 7A Type A specification packagings and to DOE or NRC certified Type B packagings used to transport radioactive materials and wastes.

Specifically, we would like to know if DOE sites must apply the general bulk package markings required by 49 CFR 172.302 (identification numbers on orange panels or placards) to Type A or Type B packages of radioactive material when these packages: (a) are marked to meet 49 CFR 172.301, 49 CFR 172.310 and other relevant sections of Subpart D, and (b) also meet the dimensional and/or weight thresholds specified for bulk packagings in 49 CFR §171.8. It is our understanding that the bulk package marking requirements do not apply to DOT 7A Type A specification packagings and DOE and NRC certified packagings, except for the LSA requirements of 49 CFR .

Please provide clarification of these bulk packaging marking requirements. If you have any questions concerning this request please contact Mr. Larry Blalock , DOE at (301) 903-7273 or Mr. Dennis Claussen, DOE-RL Transportation Manager at (509) 372-0938.

Sincerely,

J. Kent Hancock, Acting Director  
Office of Transportation  
Office of Environmental Management

