



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

MAR 17 2008

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

Mr. Mark Smith  
Hazardous Materials Instructor  
Northern Air Cargo  
3900 Old International Airport Rd.  
Anchorage, AK 99502  
Ref. No. 07-0233

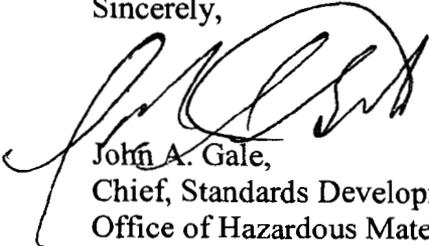
Dear Mr. Smith:

This is in response to your December 18, 2007 letter regarding the Hazardous Materials Regulations (HMR; 49 CFR 171-180) applicable to marking packages of limited quantities of hazardous materials. Specifically, you ask whether it is permissible to add the proper shipping name to a package containing a limited quantity of hazardous materials and transported domestically by air.

As specified by § 172.301, each person who offers a hazardous material for transportation in a non-bulk packaging must mark the package with the proper shipping and identification number preceded by the letters "UN" or "NA," as applicable, for the entry as shown in the § 172.101 Table. As specified in § 172.315, except for transportation by air, a package containing a limited quantity of hazardous materials is not required to be marked with the proper shipping name provided it is marked with the identification (ID) number, preceded by the letters "UN" or "NA," as applicable, for the entry as shown in the § 172.101 Table, and placed within a square-on-point border. However, for transportation by air, a package containing a limited quantity of hazardous materials is required to be marked with the proper shipping name. Therefore, it is not only permissible, it is required to add the proper shipping name to a package containing a limited quantity of hazardous materials and transported domestically by air.

I hope this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,



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



Foster  
§ 171.11  
§ 172.315  
Marking  
07-0233

18 Dec 07

Office of Hazardous Materials Standards  
Pipeline and Hazardous Materials Safety Administration Attn: PHH-10  
U.S. Department of Transportation East Building  
1200 New Jersey Avenue, SE.  
Washington DC 20590-0001.

Re: Limited quantity markings for air transport

Is it permissible to use the ICAO Technical Instructions method of marking a package of limited quantities with the requirement of adding the proper shipping name to this marking? There is no restriction of its use referenced in 49CFR 171.22, 171.23 and 171.24. There is a question arising from this because in 49CFR 172.315 there is an 'and' inserted in the paragraph to make it include the square-on-point border that does not appear or is referenced in the Federal Register HM-215I.

Is this rendition of a limited quantity marking permissible for a domestic air transport shipment under 49 CFR?



Paint Related Material

In the 2007-2008 ICAO Technical Instructions, 5;2.4.1 states:

- + "For packages containing limited quantities of dangerous goods, the UN number (preceded by the letters "UN") may be placed within a diamond. If the diamond marking is applied, the following requirements must be met. The width of the line forming the diamond must be at least 2mm; the number must be at least 6mm high. When more than one substance is included in the package and the substances are assigned to different UN numbers, then the diamond must be large enough to include each relevant UN number."

+ *"Note.--- It is anticipated that displaying the UN number within a diamond for packages containing limited quantities of dangerous goods will become mandatory as of 1 January 2009."*

HM-215I page FR 78598 dated 29 December 2006 states:

*"Marking of Limited Quantity shipments.*

The ICAO Technical Instructions include a marking requirement for packages containing a limited quantity of hazardous material. The mark consists of the identification number of the material placed within a square-on-point border. The marking is anticipated to become effective January 1, 2009. Except for transportation by aircraft, this marking is currently authorized under the HMR as an alternative to marking the proper shipping name on the package; we are allowing continued use of this marking to minimize transportation costs and provide flexibility."

49CFR 172.315

"Except for transportation by aircraft or as otherwise provided in this subchapter, a package containing a limited quantity of hazardous materials is not required to be marked with the proper shipping name provided it is marked with the identification (ID) number, preceded by the letters "UN" or "NA," as applicable, for the entry as shown in the §172.101 Table, and placed within a square-on-point border in accordance with the following:"

Sincerely,

Mark Smith  
Northern Air Cargo  
Hazardous Materials Instructor  
907-249-5186