



U.S. Department
of Transportation

1200 New Jersey Avenue SE
Washington, DC 20590

**Pipeline and Hazardous
Materials Safety
Administration**

MAR 07 2016

Mark Smith
Hazardous Materials Instructor
Northern Air Cargo, Inc.
3900 Old International Airport Rd
Anchorage, AK 99502

Ref. No. 15-0145

Dear Mr. Smith:

This responds to your July 10, 2015 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) and the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI) applicable to indicating use of an overpack on shipping papers. Specifically, you provide an example of a shipping paper entry and ask whether it conforms to both the HMR and the ICAO TI. Your questions are paraphrased and answered as follows:

- Q1. When shipping under the HMR, are offerors required to add the word "overpack" to the shipping paper?
- A1. No. However, § 172.201(a)(4) states that any additional information concerning the material that is not inconsistent with the basic description may be included on the shipping paper, provided it is placed after the basic description required by § 172.202(a).
- Q2. When shipping under the ICAO TI, are offerors required to add the word "overpack" to the shipping paper?
- A2. Yes. As provided in the ICAO TI Part 5, Chapter 4.1.5.8.1, the dangerous goods transport document must also contain an indication that an overpack has been used, when appropriate.
- Q3. When including an indication of the use of an overpack on a shipping paper in accordance with the ICAO TI, would the following shipping description satisfy both the HMR and ICAO TI requirement to list the number and type of packagings being offered (note: there are 20 fiberboard boxes total)?

"UN1263, Paint, 3, II, 10 fiberboard boxes X 2L, OVERPACK USED x 2 (#1 #2)"

- A3. No. Both the ICAO TI and the HMR require the number and type of packages covered by the shipping description to be indicated on the shipping paper. It is the opinion of this Office that the description you provided does not clearly indicate the total number and type of packages covered under the description.

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Duane A. Pfund". The signature is written in black ink and is positioned above the printed name.

Duane Pfund
International Standards Coordinator
Standards and Rulemaking Division

Goodall, Shante CTR (PHMSA)

*Ciscarone
173.25
Authorized Packaging
15-0145*

From: INFOCNTR (PHMSA)
Sent: Friday, July 10, 2015 5:50 PM
To: Hazmat Interps
Subject: FW: Overpack Description on Shipping Papers
Attachments: Overpack Description on Shipping Papers.pdf

Hi Shante and Alice, please assign to PHH-13 Int'l specialist.

Thanks,
HMIC

From: Mark Smith [<mailto:MSmith@nac.aero>]
Sent: Friday, July 10, 2015 5:12 PM
To: INFOCNTR (PHMSA)
Subject: RE: Overpack Description on Shipping Papers

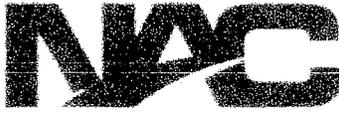
Hello,

Please find attached a corrected copy that will hopefully get it squared away.

Regards,
Mark Smith | Hazardous Materials-Industrial Instructor



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NORTHERN AIR CARGO

July 10, 2015

U.S. Department of Transportation
PHMSA Office of Hazardous Materials Standards
Attn: PHH-10
East Building
1200 New Jersey Avenue, SE
Washington, D.C. 20590-0001

Re: Quantities and overpack descriptions on shipping papers.

Under 49CFR, placing the term "OVERPACK" on a shipping paper is not required, but package must be marked as per 173.25(a)(2)-(4). The ICAO Technical Instructions, 5;4.1.5.8.1(e) do require the word "OVERPACK" be placed onto the shipping paper.

However, the manner in which to describe the overpack on the shipping paper is not discussed clearly in either 49CFR or ICAO, only that a total quantity of packages and net quantity per package for the shipment must be listed for air.

ICAO EXAMPLE: UN1263, Paint, 3, II, 20 fiberboard boxes X 2L, OVERPACK USED

In the second example below, is a description for total quantity of 20 boxes on a shipping paper.

UN1263, Paint, 3, II, 10 fiberboard boxes X 2L, OVERPACK USED X2 (#1 #2)

In this example, the two overpacks are being used to describe the total 20 boxes of the shipment. Is this a permissible method to describe the quantity for the shipment?

Sincerely,

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