



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

MAY 01 2012

Mr. Robinson E. Fillmore
Transportation and Packaging Lead
Washington Closure Hanford, LLC
2620 Fermi Avenue
Richland, WA 99354

Ref. No. 11-0296

Dear Mr. Fillmore:

This responds to your letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the marking and labeling requirements of Class 7 (Radioactive) material packages. Specifically, you ask whether a dedicated-use transport vehicle and its designed-for and securely attached 18 cubic yard roll-on/roll-off industrial packaging may be considered as one "package" as defined in § 173.403 of the HMR for the purposes of marking and labeling.

The answer is no. As defined in § 173.410:

- *Package* means the packaging together with its radioactive contents as presented for transport, and
- *Packaging* means, for Class 7 (radioactive) materials, the assembly of components necessary to ensure compliance with the packaging requirements of this subpart. It may consist of one or more receptacles, absorbent materials, spacing structures, thermal insulation, radiation shielding, service equipment for filling, emptying, venting and pressure relief, and devices for cooling or absorbing mechanical shocks. The conveyance, tie-down system, and auxiliary equipment may sometimes be designated as part of the packaging.

If consideration of the conveyance as part of the package is not "necessary to ensure compliance with the packaging requirements," the conveyance should not be considered as part of the packaging. If the roll-on/roll-off industrial packaging meets the packaging requirements without including the conveyance, it would not be acceptable to consider the

conveyance as part of the package. It is unlikely that you would need to take credit for the conveyance to meet the requirements for an industrial package. Therefore, the answer to your question is no, it is not acceptable to call the vehicle part of the packaging.

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

Sincerely,

A handwritten signature in black ink, reading "T. Glenn Foster". The signature is written in a cursive style with a long horizontal flourish extending to the right.

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

06/04/2010

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

Stevens
§ 173.403
RAM
11-0296

SUBJECT: Clarification of Radioactive Material Packaging

Washington Closure Hanford, LLC (WCH) is performing remediation and demolition activities of radioactive waste burial grounds and radioactive contaminated buildings. The remediation activities involve excavating contaminated soil and miscellaneous debris from burial grounds, underground pipes and concrete building foundations. Demolition activities involve decontamination and demolition of above ground facilities. This waste material is then packaged and shipped to a local disposal facility which is being managed by WCH for the government. The waste consists of soil and building debris that has been contaminated with radioactive material. The shipment method used to transport the radioactive contaminated material occurs in 18-yd³ roll-on/roll-off industrial packagings on vehicles specifically designed for these containers and dedicated for these shipments. When offered for transportation the roll-on/roll-off industrial packagings and vehicle lock together and become a single unit.

49 CFR 173.403 defines a radioactive material package as the packaging together with its radioactive contents as presented for transport.

Radioactive material packaging is defined as the assembly of components necessary to ensure compliance with the packaging requirements of this subpart. It may consist of one or more receptacles, absorbent materials, spacing structures, thermal insulation, radiation shielding, and service equipment for filling, emptying, venting and pressure relief, and devices for cooling or absorbing mechanical shocks. The conveyance, tie-down system, and auxiliary equipment may sometimes be designated as part of the packaging. WCH would like DOT clarification regarding the following question:

1. When being offered for transportation, is it acceptable to call this a single radioactive material packaging?

If you have any questions regarding this inquiry, please feel free to contact me at (509) 420-6581.

Sincerely,

Robinson E Fillmore
Transportation and Packaging Lead
Washington Closure Hanford, LLC.
2620 Fermi Avenue
Richland, WA 99354