



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

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

DEC 20 2012

Mr. E. A. Altemos  
HMT Associates, L.L.C.  
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Ref. No. 12-0173

This responds to your August 8, 2012 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the display of limited quantity package marking. Specifically, you describe and provide photographs of the following two scenarios and ask whether they conform to the marking display requirements as prescribed in § 172.315 of the HMR:

Scenario 1: A reduced-size limited quantity marking of at least 50 mm but less than 100 mm on each side is displayed in a square-on-point configuration as authorized by § 172.315. The marking is durable, legible, and readily visible. Is this scenario in accordance with the HMR?

Answer 1: The answer is yes. As authorized in § 172.315, a reduced-size marking between 50 mm and 100 mm may be used in place of a corresponding marking that otherwise conforms to the requirements of the HMR, which permit use of a reduced-size hazard marking when a package surface is too small or of an irregular shape for a full size marking.

Scenario 2: A limited quantity marking of 100 mm on each side is displayed in a square-on-side configuration. The marking is durable, legible, and readily visible. Is this scenario in accordance with the HMR?

Answer 2: The answer is yes. The HMR do not prohibit the placement of a limited quantity marking in an orientation where the square-on-point is located with its flat sides parallel to the sides of the packages. A limited quantity marking that otherwise conforms to the requirements of the HMR may be

placed square-on-side when the square-on-point is not practicable if the package surface is too small or of an irregular shape for a full size marking. However, the square-on-point configuration is the preferred (recommended) method for displaying the limited quantity marking required by the HMR.

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 "T. Glenn Foster". The signature is written in black ink and has a fluid, connected style.

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

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§172.315  
Marking/HM-215K  
12-0173

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PATRICIA A. QUINN

August 8, 2012

Mr. Shane Kelley  
International Standards (PHH-13)  
Pipeline and Hazardous Materials  
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Department of Transportation  
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East Building, 2<sup>nd</sup> Floor  
Washington, D.C. 20590-0001

Dear Mr. Kelley,

This is to request clarification of the provisions of Section 172.315 of the Hazardous Materials Regulations (“HMR”), as revised in final rules issued under Docket No. HM-215K, relating to the display of the limited quantities (“LQ”) mark on packages. Specifically, I seek clarification of the conditions for display of the LQ mark on packages which, owing to their configuration, cannot readily accept a mark with dimensions of 100 mm by 100 mm when that mark is placed in a square-on-point orientation.

The packages concerned are of a “shoebox” configuration – that is, a fibreboard box packaging closed by means of placing a top section or “cover” over a bottom section, and then securing the top to the bottom (this as opposed, for example, to the more common configuration where closure is effected by means of “flaps” at the top of the box). A photograph illustrating the configuration of a sample package (approximate overall dimensions 16 inches long by 12 inches wide by 7.5 inches high) is provided in Attachment 1. The vertical dimension (“height”) of the “cover” and the distance that the sides of the cover extend over the sides of the bottom section, are such that there is insufficient space on either the side of the cover or on the exposed (when the cover is in place) side of the bottom section to display a 100 mm by 100 mm LQ mark in a square-on-point orientation. Significantly altering the configuration of the box is impracticable owing to costs associated with modifying or replacing equipment on packaging lines. Displaying the LQ mark in such a manner that part is on the side of the cover and part on the exposed side of the bottom section is also considered impracticable because the junction between the two parts of the mark on each section of the package would

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preclude the mark from appearing exactly in the manner prescribed in §172.315 of the HMR (owing to, for example, imperfect alignment, the seam between the top and bottom, etc.).

Section 172.315 of the HMR provides that the minimum 100 mm by 100 mm dimensions of the mark may be reduced to not less than 50 mm by 50 mm when “the packaging size requires a reduced size marking.” For the packages configured as described above, please confirm whether either or both of the following approaches to applying the LQ marking would be acceptable under § 172.315 of the HMR:

- 1) An LQ mark of at least 50 mm, but less than 100 mm minimum dimensions on each side is displayed in the area on the side or end of the bottom section left exposed when the cover is applied (the dimensions of the mark would be the greatest that allow the mark to fit in the area without being obstructed by the cover, see example in Attachment 2); or
- 2) An LQ mark with dimensions of 100 mm on each side is displayed in the area on the side of the bottom section left exposed when the cover is applied, but in other than a “square-on-point” orientation (i.e., with the sides of the mark parallel to the edges of the package).

In both instances, the LQ mark would be durable, legible, and readily visible and the aim of putting all parties on notice of the LQ nature of the contents would appear to be achieved.

Regarding the first of the above options, I note that a prior interpretation (Ref. No. 11-0051) may have some relevance to this subject as that interpretation – albeit addressing a different package configuration – concerned a package with overall dimensions sufficient to accommodate a full size LQ mark, but on which such display was considered impracticable owing to the configuration of the package.

Thank you for your consideration of this matter, and please do not hesitate to contact me if you have questions concerning this request.

Sincerely,



E. A. Altemos

Attachments

Cc: Michael Stevens (PHH-12)



