



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

June 23, 2026

Mr. Gregorio Rosado
Project Lead, Low-Level Radioactive Waste Program
Washington State Department of Health
Office of Radiation Detection
101 Israel Rd., SE
P.O. Box 47827
Olympia, WA 98504-7827

Reference No. 26-0031

Dear Mr. Rosado:

This is in response to your March 4, 2026 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the placarding of bulk packagings containing Class 7 low specific activity (LSA) material transported under exclusive use. Specifically, you seek clarification on whether the HM-250 final rule superseded previous guidance regarding the placarding of bulk packages.¹

We have paraphrased and answered your questions as follows:

- Q1. You ask if § 172.514 requires a bulk package containing an LSA material consigned to exclusive use under § 173.427(b)(4) to be placarded if the transport vehicle is already properly placarded.
- A1. Placards on the transport vehicle do not except the bulk package described in your letter from the hazard communication requirements of Part 172, subparts D, E, and F. Under § 172.514(a), each person who offers for transportation a bulk packaging containing a hazardous material must affix the placards specified for the material in accordance with §§ 172.504 and 172.505. Section 172.504(e), Table 1, Footnote 1 requires Class 7 RADIOACTIVE placards for all shipments required by § 173.427 to be operated under exclusive use. In addition, § 173.427(a)(6)(v) specifies that the shipment must be placarded in accordance with subpart F of Part 172. Alternatively, a bulk packaging other than a portable tank, cargo tank, flexible bulk container, or tank car with a volumetric capacity of less than 18 cubic meters (640 cubic feet) may be placarded on two opposing

¹ HM-250 Final Rule, 79 FR 40590 (Jul. 11, 2014) available at:
<https://www.federalregister.gov/documents/2014/07/11/2014-15514/hazardous-materials-compatibility-with-the-regulations-of-the-international-atomic-energy-agency-rrr>

sides or, alternatively, may be labeled instead of placarded in accordance with Part 172, subpart E. See § 172.514(c).

- Q2. You ask if Letter of Interpretation (LOI) Reference Number 10-0032 remains valid after the publication of the HM-250 final rule. You further ask that if not, to please identify the specific regulatory amendment that superseded that interpretation.
- A2. Yes. The amendments adopted under the HM-250 final rule clarified the placarding requirements and did not supersede this letter of interpretation. By revising § 173.427(a)(6) to replace the phrase “transport vehicle” with “shipment,” PHMSA corrected the misconception that only the vehicle requires placarding. As noted in the preamble to the HM-250 final rule, this change ensures that LSA material shipments meet all applicable subpart F placarding requirements, including those for bulk packaging in § 172.514.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in blue ink that reads "Alexander Wolcott". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Alexander Wolcott
Acting Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division



STATE OF WASHINGTON

DEPARTMENT OF HEALTH

OFFICE OF RADIATION PROTECTION

101 Israel Road SE • PO Box 47827 • Olympia, Washington 98504-7827

711 Washington Relay Service

March 4, 2026

Mr. Shane Kelley
Director, Standards and Rulemaking Division
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590

Subject: Request for Interpretation – Placarding of Bulk LSA Packages Transported Under Exclusive Use

Dear Mr. Kelley,

The Washington State Department of Health (department), Office of Radiation Protection, requests a written interpretation of the Hazardous Materials Regulations (49 CFR Parts 171–180) regarding placarding requirements for bulk packages containing Class 7 low specific activity (LSA) material transported under exclusive-use provisions.

The department seeks clarification as to whether a bulk packaging (e.g., B-25 box) containing LSA material and consigned to exclusive use must be placarded in accordance with 49 CFR § 172.514, or whether placarding of the conveyance alone satisfies the requirements of Subpart F of Part 172.

PHMSA Letter of Interpretation Ref. No. 10-0032, dated April 2, 2010, addressed this issue in Scenario 3 and concluded that bulk packages transported under exclusive use must be placarded in addition to the transport vehicle.

Since issuance of LOI 10-0032, PHMSA adopted amendments to the Hazardous Materials Regulations in the July 11, 2014, final rule (79 Fed. Reg. 40624). Certain stakeholders have asserted that these amendments modified the placarding requirements such that bulk packages containing LSA material transported under exclusive use are no longer required to display placards if the conveyance is properly placarded.

Accordingly, the department requests clarification of the following:

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1. Under the current regulations, does 49 CFR § 172.514 require a bulk package containing LSA material and consigned to exclusive use under § 173.427(b)(4) to be placarded with Class 7 RADIOACTIVE placards?
2. Does PHMSA consider LOI Ref. No. 10-0032 (April 2, 2010) to remain valid under the post-2014 regulatory framework? If not, please identify the specific regulatory amendment that superseded that interpretation.

The department seeks this clarification to ensure consistent and accurate application of federal transportation requirements.

Sincerely,



Gregorio Rosado,
Project Lead, Low-Level Radioactive Waste Program
Office of Radiation Protection
Washington State Department of Health
Email: gregorio.rosado@doh.wa.gov