



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

APR 02 2018

Caroline Myers
Associate
Kennedys CMK
570 Lexington Avenue, 8th Floor
New York, NY 10022

Reference No. 18-0007

Dear Ms. Myers:

This letter is in response to your January 3, 2018, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to limited quantity markings. Specifically, you ask if it is permissible to mark a package with the limited quantity "Y" mark, which is designated for air transportation and authorized in § 172.315(b), if the package is transported by a mode other than aircraft. You also ask about additional requirements for the permissive use of this marking.

The answer is yes, provided the package meets all applicable limited quantity provisions and—in accordance with § 172.315(a)—conforms to the authorized substance and article provisions and the inner and outer package quantity limits detailed in § 173.27(f) of the HMR.

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

Sincerely,

Dirk Der Kinderen
Chief, Standards Development
Standards and Rulemaking Division

Geller
172.315
Marking

January, Ikeya CTR (PHMSA)

18-0007

From: INFOCNTR (PHMSA)
Sent: Thursday, January 11, 2018 4:45 PM
To: Hazmat Interps
Subject: FW: Limited Quantity "Y" mark [KEN-CMK_DOCS.FID1021321]
Attachments: Letter of Interpretation on Marking Requirements under Section 172.315 KEN-CMK_DOCS.FID1021321.txt

Hello All,

Attached is the original e-mail Ms. Myers sent in requesting a formal LOI. In her initial inquiry, I reached out to her and provided her with some interps that address her question.

She would like a letter that addresses what she's looking for directly.

Regards,
-Breanna

From: Caroline Myers [mailto:Caroline.Myers@kennedyscmk.com]
Sent: Tuesday, January 09, 2018 5:11 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Cc: Richard L. Furman <Richard.Furman@kennedyscmk.com>
Subject: RE: Limited Quantity "Y" mark [KEN-CMK_DOCS.FID1021321]

To whom it may concern:

I have spoken with a regulatory specialist, but I would like to request a formal written letter of interpretation/clarification. I have attached the originally submitted inquiry for your convenience.

Thank you in advance for your assistance.

Caroline Myers
Associate
for Kennedys CMK

Kennedys CMK

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From: INFOCNTR (PHMSA) [mailto:INFOCNTR.INFOCNTR@dot.gov]
Sent: Friday, January 05, 2018 3:03 PM
To: Caroline Myers <Caroline.Myers@kennedyscmk.com>
Subject: Limited Quantity "Y" mark

Dear Caroline,

Attached are the documents that you requested. Additionally, you can access the Code of Federal Regulations at www.ecfr.gov. I hope that this information is helpful.

You may contact the Hazardous Materials Information Center, which is staffed with regulatory specialists who can quickly answer your questions by phone, Monday through Friday, 9 AM - 5 PM EST at (800) 467-4922 or (202) 366-4488. Alternatively, if you would like a regulatory specialist to contact you directly, please respond to this e-mail with a telephone number where you can be reached between 9 AM and 5 PM EST.

Sincerely,

Breanna
Hazardous Materials Information Center

An e-mail response from this office is considered informal guidance. Formal guidance may be requested in accordance with 49 CFR 105.20. <http://hazmat.dot.gov/infocent.htm>

This email has been scanned for viruses and malicious content by Kennedys email security service provided by Mimecast. For more information on email security, visit <http://www.mimecast.com>

Letter of Interpretation on Marking Requirements under Section 172.315 KEN-CMK_DOCS.FID1021321

From: Caroline Myers
Sent: Wednesday, January 03, 2018 12:57 PM
To: 'PHMSAHMInfoCenter@dot.gov'
Cc: Richard L. Furman
Subject: Letter of Interpretation on Marking Requirements under Section
172.315
[KEN-CMK_DOCS.FID1021321]

To whom it may concern:

I am writing to request a Letter of Interpretation on marking requirements for Limited Quantity hazardous goods packages being transported by modes other than air transport.

1. Is it permissible for packaging offered for transportation by a mode other than air to display the limited quantity "Y" mark as shown in paragraph (b)(1) of § 172.315 as an alternative to the limited quantity marking shown in paragraph (a)(1) of § 172.315?
2. If the answer to question number 1. is 'yes' - are there additional and/or different requirements that need to be fulfilled to be in compliance with the regulations other than those required for Limited Quantity packages being transported by modes other than air displaying the marking shown in paragraph (a)(1) of §172.315?

Thank you in advance for your assistance.

Caroline Myers

Associate

for Kennedys CMK

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