



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Pipeline and Hazardous
Materials Safety
Administration**

AUG 03 2018

Mr. Andrei Lazourenko
Atlantic Ro-Ro Carriers, Inc.
95 River Street, 3rd Floor
Hoboken, NJ 07030

Reference No. 17-0119

Dear Mr. Lazourenko:

This letter is in response to your September 28, 2017, October 16, 2017, and October 26, 2017, emails requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the use of enlarged labels in place of placards. You describe the following scenario:

- Your company transports containers of Class 7 (radioactive) material in conformance with the International Maritime Dangerous Goods (IMDG) Code by vessel from international locations to the United States. Enlarged labels on these containers display the applicable radioactive Category Group, activity level, transport index, etc., of the Class 7 material they contain.
- A trucking company that arranges U.S. Territory inland transport of these containers requires the enlarged labels be replaced with Class 7 placards that comply with § 172.556. This placard image does not include a radioactive Category Group or transport index.

Specifically, you ask if enlarged labels that comply with section 5.3.1.1.5.1 in the IMDG Code may remain on containers of Class 7 material transported by vessel to the United States for eventual transportation within the United States by motor vehicle.

The answer is yes. Section 172.519(f) authorizes the use of placards conforming to the specifications in the IMDG Code in place of a corresponding placard conforming to the requirements in 49 CFR Part 172, Subpart F (except for materials poisonous by inhalation).

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

Sincerely,

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

Edmanson
§ 171.25(b)(4)
Placards
17-0119

Dodd, Alice (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Monday, October 30, 2017 3:38 PM
To: Hazmat Interps
Subject: FW: class 7 placards on large freight containers

Hi Alice/ Ikeya,

Please submit this as a letter of interpretation. Mr. Lazourenko spoke with Breanna. Let me know if you have any questions.

Thank you,
Jodi

From: ARRC Andrei Lazourenko [mailto:andrei@arrcm.com]
Sent: Thursday, October 26, 2017 2:08 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: RE: class 7 placards on large freight containers

Dear Madam/Sir,

Add to below mentioned correspondence and to our phone conversation where you pointed out that as per sub para 171.25 (b) (1) of CFR49 the placards should be in accordance with subpart F of part 172 of CFR, please note that this placarding is mentioning in relation to the motor vehicle or rail car but not to the container itself, so, since CFR authorizes transportation of hazmat materials in accordance with international regulations , it seems like the large labels instead of placards could be used on the containers as regulated by international regulations like IMDG and IAEA (SSR-6 [543] states "Instead of using both labels and placards, it is permitted, as an alternative, to use enlarged labels only, where appropriate").

So, just visually here is the label that could be used as placards (just enlarged version to meet size parameters of the placards).



Please confirm that above mentioned placards (the enlarged labels) as shown above could be used on containers while inland transportation within USA. If not, please advise where it is stipulated in CFR so we would inform the clients accordingly.

Thanks in advance,
Regards,

Andrei Lazourenko
1st VP

ATLANTIC RO-RO CARRIERS, INC.

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From: ARRC Andrei Lazourenko
Sent: Monday, October 16, 2017 12:48 PM
To: 'infocntr@dot.gov' <infocntr@dot.gov>
Subject: RE: class 7 placards on large freight containers

Dear Madam/Sir,

In addition to below mentioned request and the follow up phone call from your supporting group, please note that 49CFR 171.22 provides authorization and conditions for use of the international standards and regulations.

49CFR 171.22(a) specifically authorizes IAEA and IMDG Regulations.

IAEA SSR-6 Regulations 543 states: Instead of using both labels and placards, it is permitted, as an alternative, to use enlarged labels only”

IMDG code specifies:

Special provisions for class 7
5.3.1.1.5.1

Large freight containers carrying packages other than excepted packages, and tanks, shall bear four placards which conform with the model No. 7D given in the figure. The placards shall be affixed in a vertical orientation to each side wall and each end wall of the large freight container or tank. Any placards which do not relate to the contents shall be removed. Instead of using both labels and placards, it is permitted as an alternative to use enlarged labels only, as shown in label model Nos. 7A, 7B and 7C, except having the minimum size shown in the figure under **5.3.1.2.2**.

Label models 7A, 7B and 7C are shown in attached PDF file.

Under the circumstances it seems that usage of enlarge labels for cl.7 cargo instead of placards is permitted from CFR stand point.

Please verify.

Thanks in advance,
Regards,

Andrei Lazourenko
1st VP

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From: ARRC Andrei Lazourenko
Sent: Thursday, September 28, 2017 5:02 PM
To: 'infocntr@dot.gov' <infocntr@dot.gov>
Subject: class 7 placards on large freight containers

US DOT Pipeline and Hazardous Materials Safety Administration

Dear Madam/Sir,

Hereby, I would like to get some clarification on placarding provisions for cl.7 cargo transportation.

As per International IMDG CODE there is sub para 5.3.1.1.5.1 which indicates:

Special provisions for class 7

5.3.1.1.5.1

Large freight containers carrying packages other than excepted packages, and tanks, shall bear four placards which conform with the model No. 7D given in the figure. The placards shall be affixed in a vertical orientation to each side wall and each end wall of the large freight container or tank. Any placards which do not relate to the contents shall be removed. Instead of using both labels and placards, it is permitted as an alternative to use enlarged labels only, as shown in label model Nos. 7A, 7B and 7C, except having the minimum size shown in the figure under **5.3.1.2.2**.

Label models 7A, 7B and 7C are shown in attached PDF file.

The problem is that we carry cl.7 containers to USA from abroad by our vessels and these containers are placarded in accordance with international regulations, namely IMDG code, and the placards that are applied on the containers are basically enlarged labels with indication of Category Group, activity, transport index etc... (see attached picture as example)

The local trucking company who arranges inland transportation on US territory requires to change these enlarged labels to comply with CFR49 placard appearance as shown in sub para 172.556, where neither category group nor transport index nor any other info is to be written, but only plain placard (see below).



So, my question is if there is any special provision for placarding of cl.7 cargo provided in CFR 49 where enlarged labels could be used instead of placards similar to IMDG sub para 5.3.1.1.5.1 provision, so we would avoid replacing the placards and use original ones (as shown on the attached picture) and still comply with CFR 49 regulations.

Thanks in advance,
Regards,

Andrei Lazourenko
1st VP

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