

Bruce Natske
RSB Logistic
219 Cardinal Crescent
Saskatoon, SK S7L 7K8
Canada

Reference No. 17-0131

Dear Mr. Natske:

This letter is in response to your November 28, 2017, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the labeling and placarding requirements for radioactive materials. Specifically, you ask whether the transport index (TI) of the flat-rack container in the photograph (considered an overpack for purposes of the HMR) you provided can be measured by taking the sum of the TI of the packages contained therein.

The answer is yes. In accordance with § 172.403(h)(3) and Section 5, Paragraph 524 of the International Atomic Energy Agency (IAEA) Regulations, the measurement of the TI for the flat-rack container may be done by either using the TI sum of each package, or by direct measurement. With regards to the hazard communication requirements, in accordance with § 171.26, a Class 7 (radioactive) material being imported into or exported from the United States or passing through the United States in the course of being shipped between places outside the United States may be offered for transportation or transported in accordance with the IAEA Regulations. Furthermore, Section V, Paragraph 543 of the IAEA Regulations states that, instead of using both labels and placards, it is permitted, as an alternative, to use enlarged labels only, where appropriate, as shown in Figures 2-4, except having the minimum size shown in Figure 6. Therefore, the flat-rack container shown in the photograph provided may display an enlarged "RADIOACTIVE YELLOW-III" label.

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

Sincerely,

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division

CONCUR:
ROUTING PHA-11
INITIALS MX
DATE 3/26/19
ROUTING PHA-11
INITIALS MPC
DATE 3/26/19
ROUTING PHA-10
INITIALS m6N
DATE 3/27/2019
ROUTING PHA-23
INITIALS MB
DATE 4/2/19
ROUTING PHC-10
INITIALS MBS w/ comments
DATE 4/19/19
ROUTING PHC10
INITIALS DHL
DATE 4/24/2019
ROUTING
INITIALS
DATE



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

MAY 01 2019

Bruce Natske
RSB Logistic
219 Cardinal Crescent
Saskatoon, SK S7L 7K8
Canada

Reference No. 17-0131

Dear Mr. Natske:

This letter is in response to your November 28, 2017, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the labeling and placarding requirements for radioactive materials. Specifically, you ask whether the transport index (TI) of the flat-rack container in the photograph (considered an overpack for purposes of the HMR) you provided can be measured by taking the sum of the TI of the packages contained therein.

The answer is yes. In accordance with § 172.403(h)(3) and Section 5, Paragraph 524 of the International Atomic Energy Agency (IAEA) Regulations, the measurement of the TI for the flat-rack container may be done by either using the TI sum of each package, or by direct measurement. With regards to the hazard communication requirements, in accordance with §171.26, a Class 7 (radioactive) material being imported into or exported from the United States or passing through the United States in the course of being shipped between places outside the United States may be offered for transportation or transported in accordance with the IAEA Regulations. Furthermore, Section V, Paragraph 543 of the IAEA Regulations states that, instead of using both labels and placards, it is permitted, as an alternative, to use enlarged labels only, where appropriate, as shown in Figures 2-4, except having the minimum size shown in Figure 6. Therefore, the flat-rack container shown in the photograph provided may display an enlarged "RADIOACTIVE YELLOW-III" label.

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

Sincerely,

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division

*recarried
\$173.
Packaging General
17-0131*

Dodd, Alice (PHMSA)

From: Jones, Breanna CTR (PHMSA)
Sent: Friday, December 01, 2017 3:45 PM
To: Hazmat Interps
Subject: FW: Class 7 Transportation Index (TI) Class 7, UN 2977, UF6 Marine shipment (RSB Logistic. DOT 266723)
Attachments: 2977SIDE.JPG

Hello,

Please see the interp request below and attached.

Regards,

-Breanna

From: Bruce Natske [mailto:Bruce.Natske@rsblogistic.com]
Sent: Tuesday, November 28, 2017 12:15 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: RE: Class 7 Transportation Index (TI) Class 7, UN 2977, UF6 Marine shipment (RSB Logistic. DOT 266723)

We at RSB Logistic have reviewed the interpretation document (05-0052) that RSB was referred to in our initial request, because it is not an exact comparison, RSB would still request an interpretation of the actual findings to the TI question below.

Any clarification you can offer would be appreciated, we are eager to solve this discrepancy and avoid further label violations on our Hazmat basic.

BRUCE NATSKE
Safety & Maintenance Manager

RSB LOGISTIC

RSB LOGISTIC Inc. · 219 Cardinal Crescent · Saskatoon SK S7L 7K8/Canada
Phone.: 306-242-8300 · Fax: 306-242-2311 · safety@rsblogistic.com · www.rsblogistic.com
RSB LOGISTIC is a member of Compass Logistics International AG · www.compasslog.com
Disclaimer: This message may contain confidential information and is intended solely for the addressee. Any use by third parties is prohibited.

From: Bruce Natske
Sent: Tuesday, November 07, 2017 2:58 PM
To: 'infocntr@dot.gov'
Subject: Class 7 Transportation Index (TI) Class 7, UN 2977, UF6 Marine shipment

To whom it may concern

Recently RSB has run into an issue where we have been issued violations for inconsistent yellow I, II, III labels. Sometimes when a flat rack marine shipment comes in from Europe, (each flat rack contains 4 cylinders contained in 4 overpacks, picture attached) each Overpack is labeled and indeed meet the requirements for radioactive II label, no issues there. Under some circumstances the sum of the 4 Over packs Transportation Index contained in one flat rack would meet the requirement for Radioactive III label, which is the way it is currently labeled. We have had 2 inspections where RSB received violations for having the 2 different radioactive labels, II on Overpacks and III on flat rack. In these cases If we were to label both the Flat rack package and each individual overpack package the same, would be intentionally misrepresenting the Transportation Index on one of the packages.

Please clarify so we can make sure we make necessary changes if required to meet the regulations.

Sincerely

BRUCE NATSKE
Safety & Maintenance Manager

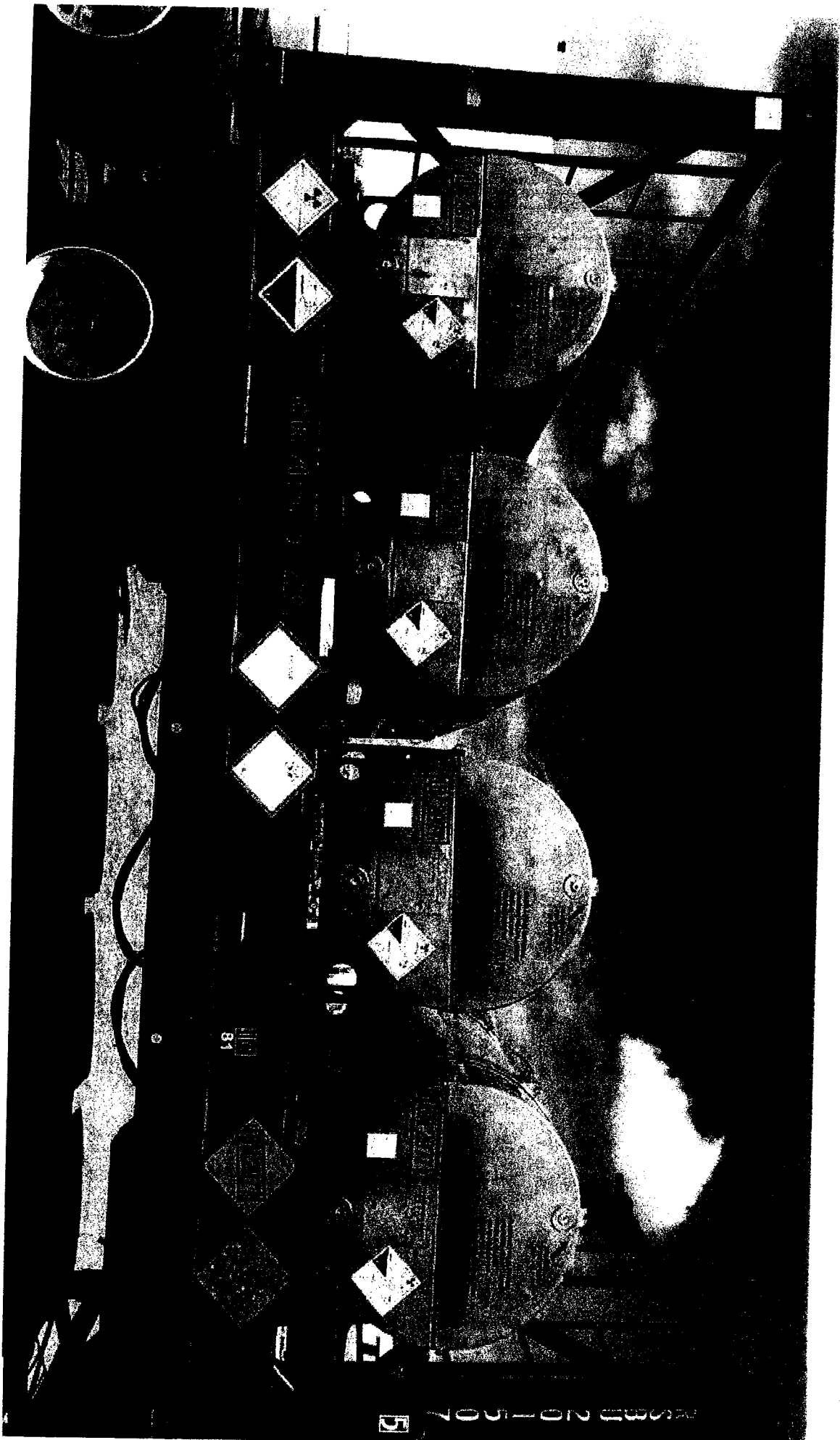
RSB LOGISTIC

RSB LOGISTIC Inc. · 219 Cardinal Crescent · Saskatoon SK S7L 7K8/Canada

Phone.: 306-242-8300 · Fax: 306-242-2311 · safety@rsblogistic.com · www.rsblogistic.com

RSB LOGISTIC is a member of Compass Logistics International AG · www.compasslog.com

Disclaimer: This message may contain confidential information and is intended solely for the addressee. Any use by third parties is prohibited.



ESBD NOT-50N

81

5