



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S W
Washington, D.C. 20590

JUN 23 1998

Mr. Michael Noland
Assistant Project Manager
Radioactive Waste Acceptance Program
Bechtel Nevada
P.O. Box 98521
Las Vegas, NV 89193-8521

Ref. No.: 98-0112

Dear Mr. Noland:

This in response to your letter dated May 18, 1998, regarding §§ 173.427(b)(3) and 173.410 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-185). Specifically, you wish to verify that the general radioactive package design requirements of § 173.410 apply to strong, tight packages used for Low Specific Activity (LSA) materials in § 173.427(b)(3).

Your understanding is correct. The general radioactive package design requirements of § 173.410 apply to the strong, tight packages specified in § 173.427(b)(3).

I hope this satisfies your request.

Sincerely,



John A. Gale

Transportation Regulations Specialist
Office of Hazardous Materials Standards



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Mailing address: P.O. Box 98521
Las Vegas, NV 89193-8521
Express mail only: 2621 Losee Road
North Las Vegas, NV 89030-4134

2150-MN-98-0009

May 18, 1998

E. Mazzullo, Director
Hazardous Materials Standards
USDOT/RSPA (DHM-10)
400 7th Street
Washington, DC 20590-0001

Subject: Contract No. DE-AC08-96NV11718
**REQUEST FOR DEPARTMENT OF TRANSPORTATION (DOT)
REGULATIONS INTERPRETATION**
Project No. 04009

Per the telephone conversation between Lorena Alvarez (DOT) and James B. Zovi, of my staff, on Wednesday May 13, 1998, I am requesting the DOT interpretation on the following:

The Low Specific Activity (LSA) packaging requirement specified in 49 CFR 173.427(b)(3) states, "... for domestic transportation only in a strong tight package that prevents the leakage of the radioactive contents under normal conditions of transport. In addition to the requirements of paragraph (a) of this section, the following must be met: ..."

~~Our interpretation of 49 CFR 173.427(b)(3) is as follows: The packaging that must be used is a strong tight package that prevents the leakage of the radioactive contents under normal conditions of transport. The package must also meet the general design requirements of 173.410. This is due to the fact 173.427(b)(3) refers you back to 173.427(a). Section 173.427(a) states, "In addition to other applicable requirements specified in this subchapter, ..." which would include 173.410, 173.24, 173.24(a) and 173.24(b). In addition, paragraph (c)(1) (packaging for LSA-1 and Surface Contaminated Objects-1) clearly states the requirements of 173.410 does not apply. However, in 173.427(b)(3) this is not stated.~~

Please clarify if the general design requirements identified in 49 CFR 173.410 apply to strong tight packages referenced in 49 CFR 173.427(b)(3).

BAH

File 173.427

* See accompanying
LA correct.
3

2150-MN-98-0008

E. Mazzullo

Page 1 of 2

May 18, 1998

If you have any questions, please contact James B. Zovi of my staff at (702) 295-0444.



Michael B. Noland, Assistant Project Manager
Radioactive Waste Acceptance Program

JBZ;jm

Subject Code: WMT23

cc: Correspondence Control; NLV008

G. L. Pyles, DOE/NV, 505

K. A. Quintana, BN, NLV022

L. J. Stevens, BN, NLV060

L. S. Sygitowicz, BN, NLV080

J. B. Zovi, BN, NLV083

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Does NOT Apply

Please clarify if the general design requirements identified in 49 CFR 173.410 apply to strong tight packages referenced in 49 CFR 173.427(b)(3).

BAH

File: 173.427

** Not understanding
to correct.
D*

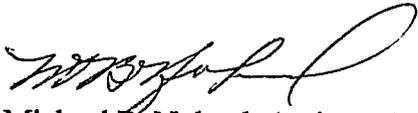
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