



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

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

JUL 18 2001

Mr. Andrew N. Romach  
Regulatory Manager  
URS Corporation  
P.O. Box 13000  
Research Triangle Park, NC 27709

Ref. No. 01-0158

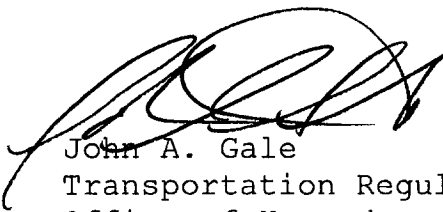
Dear Mr. Romach:

This is in response to your letter dated June 25, 2001, requesting clarification on registration requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether a shipper is required to register if the transporter decides to placard a shipment that does not require a placard (e.g., a Class 9 shipment).

The answer is no. A domestic shipment of Class 9 material in non-bulk packagings does not require a Class 9 placard (see § 172.504(f)(9)). Thus the shipper is not required to register.

I hope this satisfies your request.

Sincerely,



John A. Gale  
Transportation Regulations Specialist  
Office of Hazardous Materials Standards

**URS**

June 25, 2001

BAAH  
~~§ 172.504(f)(9)~~ 107.601  
Placarding BAAH JAC  
01-0158

Mr. Ed Mazzullo, Director  
Office of Hazardous Material Standards  
Research and Special Programs Administration  
U.S. Department of Transportation  
400 7th Street, SW  
Washington, DC 20590-0001  
FAX: (202) 366-3012

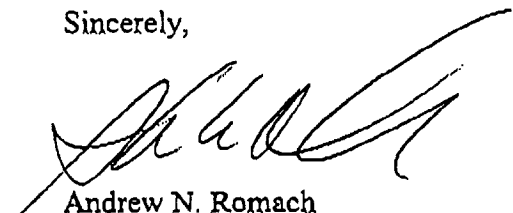
Dear Mr. Mazzullo:

I am writing to you to request a written regulatory interpretation concerning activities requiring registration as described in 49 CFR 107.601(6). Last week, I spoke with Mr. David Donaldson, Registration Program Manager for DOT's registration program. I asked him whether a placardable quantity of a Class 9 material taking advantage of the domestic exception from placarding [as allowed in 49 CFR 172.504(f)(9)] would be a material that "requires placarding", as specified in paragraph (6). Mr. Donaldson responded that because this domestic exception exists, placarding of Class 9 materials within the U.S. would be considered "permissible" rather than "required." The actual regulatory text of 49 CFR 172.504(f) states: "For domestic transportation, a Class 9 placard is not required" which further confirms his response.

Mr. Donaldson further explained that placarding would be considered "permissible" rather than "required" in the above-described instance, even if the shipper offered placards to the driver and the driver placarded the truck. Because the shipper/driver had the option of taking advantage of the exception if the shipper/driver wanted to, placards would not be "required" even if they were used.

I appreciate your clarification of this matter. If you have questions please call me directly at (919) 461-1220 or fax to me at (919) 461-1371.

Sincerely,



Andrew N. Romach  
Regulatory Manager  
URS Corporation

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