



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

JAN 28 2003

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

Mr. Bill Ledsham
Cameco Corporation
2121 11th Street West
Saskatoon, Saskatchewan S7M 1J3

Reference No.: 02-0296

Dear Mr. Ledsham:

This is in response to your November 4, 2002 letter requesting a clarification of the marking and labeling requirements for low specific activity (LSA) material shipped as exclusive use under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether the Canadian exclusive use labeling exemption of Section 16(5)(c) of The Canadian Nuclear Safety Commission Packaging and Transport of Nuclear Substances Regulations, which closely mirrors that of 49 CFR 173.427(a)(6)(vi), is accepted in the United States or must each package in the shipment be labeled with appropriate category labels in accordance with the International Atomic Energy Agency (IAEA) Safety Series 6 paragraphs 440 - 442, or IAEA TS-R-1 paragraphs 541-545.

As you correctly stated in your letter, § 171.12a(a) and (b) provides for hazardous material shipments originating in Canada, packaged and labeled in accordance with Canadian Transport Dangerous Goods (TDG) Regulations, to be offered for transport into the United States, if the relevant conditions and limitations from § 171.12a(b)(1) through (b)(18) are met. The condition prescribed in § 171.12a(b)(8) states that a Class 7 (Radioactive) material must conform to the provisions of § 171.12(d), which require conformance with the IAEA Safety Series 6 or TS-R-1.

TS-R-1, in paragraph 540, authorizes the packages to be marked "RADIOACTIVE LSA-I" or "RADIOACTIVE SCO-I," as appropriate. Therefore, in your scenario, your packages marked "RADIOACTIVE-LSA-I: EXCLUSIVE USE" are acceptable. Your wording "EXCLUSIVE USE" is considered to be additional information.

I hope this information is helpful.

Sincerely,

Hattie L. Mitchell
Chief, Regulatory Review and Reinvention
Office of Hazardous Materials Standards



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Bells
§ 173.427(a)(6)(i)
RAM
02-0296

November 4, 2002

Research and Special Programs Administration
Office of Hazardous Materials Standards (DHM-50)
U.S. Department of Transportation
400 Seventh Street, SW
Washington DC 20590-0001

Dear Sir(s):

Labeling requirement for Canadian Class 7 UN2912 Material

Cameco Corporation is a Canadian producer and exporter of Class 7 UN 2912 **RADIOACTIVE MATERIAL, LOW SPECIFIC ACTIVITY (LSA-I)**. During a recent inspection by Transport Canada, a question arose concerning labeling requirements on shipments for export to the U.S. Transport Canada suggested we contact you for an interpretation.

CFR49 §173.427(a)(6)(vi) exempts domestic (U.S.) exclusive use shipments of LSA-I Class 7 material from the labeling requirements of §172.403 if (among other limitations) the exterior of each of the packages is marked "RADIOACTIVE-LSA".

The Canadian Nuclear Safety Commission (CNSC) *Packaging and Transport of Nuclear Substances Regulations* (PTNSR) Section 16(5)(c) exempts a Canadian consignor of an exclusive use shipment of LSA-I Class 7 material from the labeling requirements of IAEA Safety Series 6 Paragraphs 440 to 442 if each of the packages is marked "RADIOACTIVE-LSA-I: EXCLUSIVE USE".

Corporate Office

CFR49 §173.12a(a) and (b) provides for shipments originating in Canada, packaged and labeled in accordance with Canadian TDG Regulations, to be offered for transport into the United States, if the relevant conditions and limitations from §173.12a(b)(1) through §173.12a(b)(17) are met. §173.12a(b)(8) states Class 7 material must conform to provisions of §171.12(d) – which in turn states material may be labeled in accordance with the *IAEA* Safety Series 6 or TS-R-1 if the country of origin has adopted either Safety Series 6 or TS-R-1.

When exclusive use shipments of Class 7 UN 2912 **RADIOACTIVE MATERIAL, LOW SPECIFIC ACTIVITY (LSA-I)** of Canadian origin are exported into the U.S., is the Canadian exclusive use labeling exemption of Section 16(5)(c) of the *CNSC PTNSR* (which closely mirrors the domestic U.S. labeling exemption available under CFR49 §173.427(a)(6)(vi)) accepted in the U.S.? Or must each package in the shipment be labeled with appropriate category labels as per *IAEA* Safety Series 6 Paragraphs 440 to 442, or *IAEA* TS-R-1 paragraphs 541 to 545?

Your assistance in answering our question is greatly appreciated.

Sincerely,



Bill Ledsham
Transportation/Logistics Administrator