



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

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

JAN 23 2003

Capt. Sam Rogers  
Chief, Liner Activities  
National Cargo Bureau, Inc.  
17 Battery Place, Suite 1232  
New York, NY 10004

Reference No. 02-0324

Dear Capt. Rogers:

This responds to your letter requesting clarification of the Dangerous cargo manifest requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if the requirements for preparation of a dangerous cargo manifest, list or stowage plan in § 176.30 apply to all vessels carrying hazardous materials, or if there are any exceptions from this requirement in § 176.11.

Part 176 prescribes requirements for the transportation of hazardous materials by vessel in addition to those contained in parts 171, 172 and 173. Therefore, a carrier must comply with § 176.30 and prepare a dangerous cargo manifest, list, or stowage plan. There are no exceptions from this requirement in §176.11. A hazardous material packaged in accordance with the International Maritime Dangerous Goods (IMDG) Code may be offered and transported in and through the United States if all or part of the transportation is by vessel (see § 171.12(b)). The IMDG Code also requires each vessel carrying dangerous good to have a special list or manifest. For details, please refer to Volume 1, Chapter 5.4 of the IMDG Code.

I hope this satisfies your request.

Sincerely,

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



020324

176.30



Corbin.  
§176.30  
Dangerous cargo Manifest  
02-0324  
Sent via Facsimile

MAIN (212) 785-8300  
FAX (212) 785-8333  
ncbnyc@natcargo.org

Mr. John A. Gale  
Transportation Regulations Specialist  
Research and Special Programs Administration, D.O.T.  
Office of Hazardous Materials Standards, DHM-10  
400 Seventh Street, S.W.  
Washington, D.C. 20590

December 10, 2002

Dear Mr. Gale,

We have a pressing question for which we solicit your input. Contained within Subchapter C of the HMR we find that §171.12(b) makes some allowances for import/export of hazardous materials under the IMDG Code when shipped in conformance with specific conditions and limitations therein.

These are again referenced in §176.11 in Part 176 for carriage by vessel. Also contained within Part 176 we have additional general operating requirements, one of these is the Dangerous Cargo Manifest (DCM). These general operating requirements, as many other requirements contained within Part 176, are not referenced within the exceptions or conditions and limitations of either §§176.11, or 171.12(b).

Are we correct in opining that the requirements of §176.30 for the DCM mandate apply to all vessels carrying Hazardous Materials, as incorporated by §176.5, or are there any exception noted in §176.11 applicable?

Please feel free to contact me with any question or concern you may have. Thank you in advance for your assistance with this matter.

Best regards,

A handwritten signature in cursive script, appearing to read "Sam Rogers".

Capt. Sam Rogers  
Chief, Liner Activities  
National Cargo Bureau, Inc.