



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

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

MAY 27 2004

Ms. Candace Graf
Logistics Specialist
Cerac, Inc.
407 N 13th Street
Milwaukee, WI 53233

Reference No.: 04-0105

Dear Ms. Graf:

This is in response to your letter dated April 26, 2004, regarding the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to the transportation of thorium nitrate. Specifically, you ask whether a Type A package is required for the transportation of thorium nitrate under new requirements, recently published in a final rule under Docket HM-230 [69 FR 3631], to harmonize requirements of the HMR with international standards for radioactive materials.

Your understanding is correct. Under the new procedures, a shipper must choose the most appropriate proper shipping name and UN identification number from those authorized (e.g., those corresponding to non-fissile radioactive material classified as limited quantity, low specific activity (LSA), a Type A quantity, or a Type B quantity), and choose the corresponding authorized packaging. If the thorium nitrate is classified as LSA-I, UN2912, a Type A packaging would be authorized but not required.

Currently, for domestic shipments a shipper may continue to use the proper shipping name and UN identification number "Thorium nitrate, solid, UN2976" and follow the requirements of § 173.419. Alternatively, the new requirements described in the HM-230 final rule may be used. After the effective date of the final rule (October 1, 2004), the new requirements must be used.

Thorium nitrate is an oxidizing radioactive material, and as a consequence all requirements for both the primary and subsidiary hazard must be satisfied.

I trust this satisfies your request.

Sincerely,

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



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173.421

CERACTM incorporated

407 N. 13th Street, Milwaukee, WI 53233

April 26, 2004

Associate Administrator for Hazardous Materials Safety, RSPA
Attn: DHM-1, U.S. Department of Transportation,
400 7th Street, SW.,
Washington, DC 20590-0001.

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Under HM-230, The RSPA is amending requirements in the Hazardous Materials Regulations (HMR) pertaining to the transportation of radioactive materials based on changes contained in the International Atomic Energy Agency (IAEA) publication, entitled "IAEA Safety Standards Series: Regulations for the Safe Transport of Radioactive Material," 1996 Edition, No. TS-R-1.

I am currently trying to incorporate the TS-R-1 changes for packages containing our Thorium Nitrate. It is my understanding that in this Final Rule Thorium Nitrate, solid UN2976 as a Proper Shipping Name and UN Number will be removed from the CFR. My questions surround new requirements and the packaging requirements that previously existed for this material.

In reviewing my new options, this leaves me with the Radioactive material, Low Specific Activity, (LSA-1) UN2912 or Radioactive material, and Type A Package UN2915. I noticed in the non-bulk packaging section of either shipping name above there is no mention of 173.419 which previously limited this material to Type A packaging only, 11.3 kg for air, and no exceptions or limited quantity provisions. Please confirm that a Type A package will no longer be required for Thorium Nitrate.

Thanks in advance for your assistance. If you have any questions please contact me at 414-289-9800 x302.

Sincerely,


Candice Graf
Logistics Specialist