



U.S. Department of Transportation
**Pipeline and Hazardous Materials
Safety Administration**

1200 New Jersey Ave, S.E.
Washington, D.C. 20590

MAY 13 2013

Mr. Dwayne McNally
North American Logistics Manager
Cytec Industries Inc.
P.O. Box 425
South Cherry Street
Wallingford, CT 06492

Reference No.: 13-0020

Dear Mr. McNally:

This is in response to your January 21, 2013 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You present a scenario involving an export shipment of combustible liquids in IBC's and ask about the ability to remove placards from the cargo transport unit in the port. You ask if it is permissible to remove placards from your export transport vehicle containing combustible liquids at the port of departure, and to offer the shipment in accordance with the International Maritime Dangerous Goods Code (IMDG) Code as not regulated even though the IBC's inside the cargo transport unit would be placarded NA 1993. You state it is your opinion that § 171.25(d) provides relief in port areas that would allow you to remove the NA 1993 placards from the container and the shipment would continue on to the ship and its final international destination using documentation showing the materials as non-dangerous goods.

Your understanding of the HMR requirements regarding placarding requirements for export of combustible liquid shipments is incorrect. Under § 171.22(c), a material designated as a hazardous material under the HMR, which is not subject to the requirements of the IMDG Code may not be transported under the IMDG Code within the United States and must be transported in accordance with all applicable requirements of the HMR while in the United States.

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

Delmer Billings
Senior Regulatory Advisor
Standards and Rulemaking Division

Webb
§ 172.401(d)(2)
§ 171.25
§ 171.22
Applicability
13-0020

Office of Hazardous Materials Standards
Pipeline and Hazardous Materials Safety Administration
Attn: PHH-10, U.S. Department of Transportation
400 7th Street SW.
Washington, DC 20590-0001

Dear Sir or Madam:

We are requesting clarification of the Hazardous materials Regulations (HMR) for the following scenario:

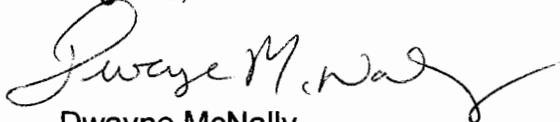
The shipment is an intermodal container load of IBCs containing a NA 1993 Combustible Liquid n.o.s. We understand that it must be shipped from the point of origin within the United States to the US port of departure according to the HMR as stated in 172.22(c).

The material is not regulated according to the IMDG Code.

49 CFR 171.25(d) seems to provide relief in the port which leads us to believe that once the container is in the port we would be able to remove the NA1993 placards. The shipment would continue onto the ship and on to the final international destination using documentation showing the material as non-dangerous goods as allowed by the IMDG Code. We believe 172.401(d)(2) allows the markings to remain on the IBC's.

So to summarize we would like to know if would be permissible by PHMSA to remove the placards from the export container, at the port of departure, and ship via IMDG as not regulated even though the IBC's inside the container would be placarded NA1993?

Regards,


Dwayne McNally

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North American Logistics Manager

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