



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, D.C. 20590

NOV 02 2016

Mr. Andrei Lazourenko
1st VP
Atlantic Ro-Ro Carriers, Inc.
95 River Street, 3rd Floor
Hoboken, NJ 07030

Ref. No. 16-0112

Dear Mr. Lazourenko:

This responds to your June 23, 2016 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180) applicable to § 176.708. Section 176.708 requires a minimum separation distance between radioactive materials and those spaces regularly occupied by crewmembers and passengers or undeveloped photographic film. As indicated in paragraph (a) Table IV identifies the minimum separation distance as a function of the sum of the transport indexes (TIs) of all packages in a single consignment.

You provide an example of a vessel transporting Class 7 (radioactive) material in 100 20-ft. containers, each having a TI of 2, and placed in different cargo compartments. You ask for clarification on the definition of "consignment" when calculating the minimum separation distance. You also ask if stowage on the weather deck is considered a single consignment.

Although not detailed in Part 176, consignment as specifically defined in § 173.403 of the HMR, means a package or group of packages or load of radioactive material offered by a person for transport in the same shipment. When calculating the minimum separation distance using Table IV in § 176.708, the sum of TIs of the packages should be calculated assuming the consignment is for all the packages transported aboard the vessel. This calculation is regardless of whether the containers are stowed on different decks or separate compartments. For your example, and for the purposes of Table IV in § 176.708, the sum of the TIs of the packages is 200.

Please note that § 176.708(d)(2) provides a secondary method for calculating the minimum separation distances between radioactive materials and crew member and passengers for consignments on board a vessel under the exclusive use conditions of § 176.704(f).

Alternatively, for radioactive materials offered for transportation or transported in accordance with the International Maritime Dangerous Goods (IMDG) Code, § 171.25(b)(2) allows for the substitution of the stowage and segregation requirements of Part 7 of the IMDG Code instead of the stowage and segregation requirements in Part 176 of the HMR.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Dirk Der Kinderen', written in a cursive style.

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division

Geller
8176.708
Vessel
16-012

Dodd, Alice (PHMSA)

From: Rivera, Jordan CTR (PHMSA)
Sent: Friday, June 24, 2016 1:41 PM
To: Hazmat Interps
Subject: FW: Request for interpretation

Hi Shante/Alice,

Please submit this as a letter of interpretation. Mr. Lazourenko spoke with Eamonn in the Info Center.

Please let me know if you have any questions.

Thanks,
Jordan

From: ARRC Andrei Lazourenko [<mailto:andrei@arrcm.com>]
Sent: Thursday, June 23, 2016 3:46 PM
To: INFOCNTR (PHMSA)
Subject: Request for interpretation

US DOT
Pipeline and Hazardous Materials Safety Administration

Hereby, we would like to receive written interpretation of the definition of "consignment" as provided in para 176.708 (a) of CFR 49 to consider the separation distance as sum of TI's in a single **consignment**.

As an example, a vessel has on board 100x20' containers with cl.7 where each container has TI = 2 and the containers are stowed in different cargo compartments (hold nb.1, tweendeck nb.1, hold nb.2, twd. Nb. 2, etc and weather deck). With such stowage, would a "consignment" be defined as the whole number of cl.7 cargo on board or per each compartment and designated deck area in order to consider min distance from living quarters as shown in table IV of para 176.708 of CFR 49?

Also, please clarify if the stowage onto weather deck area to be considered as single consignment or not in terms of defining the safe distance between cl.7 cargo and the living quarters on a vessel. - May be multiple defined deck area
178.704

If you have any questions you can contact me at any time.

If your reply to be mailed, please use address as shown in my signature below.

Thanks in advance,
Regards,

Andrei Lazourenko
1st VP

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