



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

MAR 15 2017

Mr. Mark B. Hawk
Hazardous Materials Consultant
49 Palisades Parkway
Oak Ridge, TN 37830

Reference No. 16-0133

Dear Mr. Hawk:

This letter is in response to your August 11, 2016, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the proper shipping name for radioactive materials. You indicate that you are shipping a Type A quantity of non-excepted fissile radioactive material that is not in special form in a Type B(F) packaging. Specifically, you ask whether the proper shipping name is determined by the material being shipped or by the packaging selected to transport the material.

The proper shipping name should be selected based on the package type being transported. The description of contents should reflect the hazard level of the material being transported. Specific to your case, you may prepare the shipment as follows:

1. Transport using a Type B(U)F package: Select the proper shipping name indicating the material is contained in a Type B(U)F package. The content description on a shipping paper should indicate that the Type B(U)F package contains a Type A quantity of fissile material.
2. Transport using a Type AF package: Once you have received a new certificate of compliance stating the Type B(U)F package meets the requirements of a Type AF package, you select the proper shipping name indicating that the material is contained in a Type AF package. Offering for transport under the proper shipping name for a Type AF package requires you to remove all marking, including the nameplate, indicating that the package is a Type B(U)F package and apply all markings, including the nameplate, indicating that the package is a Type AF package.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

Dodd, Alice (PHMSA)

Stevens
§ 173.415(c)
Packaging Specs
16-0133

From: Rivera, Jordan CTR (PHMSA)
Sent: Monday, August 15, 2016 11:34 AM
To: Hazmat Interps
Subject: FW: Request for Clarification
Attachments: DOT Request for Clarification Aug 11, 2016.pdf

Hi Shante/Alice,

Please submit this as a formal letter of interpretation. Mr. Hawk has spoken to Mike Conroy and myself.

Please let me know if you have any questions.

Thanks,
Jordan

From: Mark Hawk [<mailto:hawkn14@gmail.com>]
Sent: Thursday, August 11, 2016 11:43 AM
To: INFOCNTR (PHMSA)
Subject: Request for Clarification

To Whom It May Concern:

Attached is a request for clarification concerning the selection of a proper shipping name for a shipment of a Type A quantity of fissile materials to be transported in a certified Type B(F) packaging.

If you have any questions, please contact me.

Best Regards,

Mark B. Hawk
Hazardous Materials Consultant
49 Palisades Parkway
Oak Ridge, TN 37830
Phone: 865-250-3300
E-mail: hawkn14@gmail.com

August 11, 2016

Standards and Rulemaking Division
Pipeline and Hazardous Materials Safety Administration
Attn: PHH-10,
U. S. Department of Transportation
East Building
1200 New Jersey Avenue, SE
Washington, DC 20590-0001

Subject: Request for Clarification for the Selection of a Proper Shipping Name for Type A Fissile Material being transported in a Type B(F) packaging.

To Whom It May Concern:

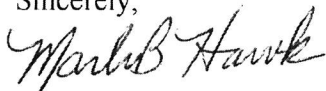
It is requested that a clarification be provided concerning the selection of a proper shipping name for a Type A quantity of fissile materials that is to be transported in a certified Type B(F) packaging in accordance with 49 CFR 173.415(c). The Type A material is not in special form and does not qualify as fissile excepted. It should also be assumed that the Type A quantity of fissile materials is an authorized content per the Type B(F)'s Certificate of Compliance.

More specifically, is the selection of proper shipping name determined by the material being shipped, as described in 49 CFR 172.101(c)(12)(ii), or the packaging selected to transport the material?

Your clarification concerning this matter will be greatly appreciated!

If you have any questions or concerns regarding this request, please contact me.

Sincerely,



Mark B. Hawk
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Oak Ridge, TN 37830
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E-mail: hawkn14@gmail.com