



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

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

MAY 3 2005

Mr. Dennis Ashworth  
Office of Environmental Management  
U.S. Department of Energy  
1000 Independence Ave., S.W.  
Washington, DC 20585

Ref. No. 05-0074

Dear Mr. Ashworth:

This responds to your letter regarding specification packaging marking requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you state that you purchase "off-the-shelf" packagings that are tested to various Type A and UN standard performance requirements for Class 7 (radioactive material). You express concern that the fabricators of the packagings cannot ensure conformance to the additional design requirements in §§ 173.412 and 178.350 for Specification 7A, Type A packagings because they do not know the specific material that will be contained in each packaging. You ask which persons may certify packagings if they have not been tested in the configuration to be shipped and whether the manufacturer's name and address or symbol must be placed in a specific sequence on Specification 7A, Type A packagings.

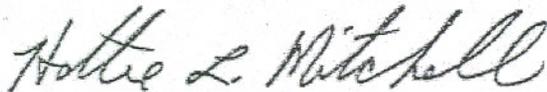
If a packaging has not been tested in the configuration to which it will be used to transport a hazardous material, testing is required prior to shipment and may be performed by either the manufacturer or the user. If the user performs the required testing, the user must mark the packaging to indicate that it conforms to all applicable specification requirements. The user must have a copy of all documentation required to support the packaging's compliance with the marked specification. The mark represents the person who certifies, by marking the name and address or symbol, that the packaging is in full compliance with all applicable requirements in Parts 173 and 178 for the marked specification.

With respect to the correct sequence of the manufacturer's name and address or symbol on the packaging, the HMR (§ 173.2) do not specify a requirement for the sequence on a

Specification 7A, Type A packaging. A UN performance standard packaging, however, must be marked with the manufacturer's name and address or symbol following the country of manufacture, as specified in § 178.503(a) and (a)(8).

I hope this information is helpful. If you need additional assistance, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Hattie L. Mitchell". The signature is written in dark ink and is positioned below the word "Sincerely,".

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