



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

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

AUG 10 2006

Mr. Herb Giles  
Manager, Hazardous Materials  
Hyundai America Shipping Agency  
1425 Greenway Drive, Suite 600  
Irving, TX 75038

Reference No.: 06-0074

Dear Mr. Giles:

This is in response to your March 3, 2006 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) regarding placarding requirements for hazardous material shipments that are being offered for transportation and transported in accordance with the provisions of the International Maritime Dangerous Goods (IMDG) Code. Specifically, you asked if a shipment prepared in accordance with the IMDG Code must meet the requirements in § 172.516. You also enclosed a copy of a letter (Ref. No. 05-0276) that asked for clarification of the placarding requirements under the HMR. I apologize for the delay in responding and hope it has not caused any inconvenience.

As provided by § 171.12(b), a hazardous material that is packaged, marked, classed, labeled, placarded, described, stowed and segregated, and certified in accordance with the IMDG Code may be offered and accepted for transportation and transported within the United States subject to the conditions and limitations specified in § 171.12 (b)(1) - (22). The IMDG Code does not specifically prohibit wrapping placards over corrugated surfaces. Thus, a shipment prepared in accordance with the IMDG Code need not meet the requirements in § 172.516. Our response to the above referenced letter is based on the placarding requirements in Subpart F of the HMR, not the IMDG Code.

I trust this satisfies your request.

Sincerely,

  
Edward T. Mazzullo  
Director, Office of Hazardous  
Materials Standards



060074

171.12(b)  
172.516



**HYUNDAI**

AMERICA SHIPPING AGENCY, INC.

Corbin  
§172.516  
§171.12(b)  
Placarding  
06-0074

16 March 2006

Office of Hazardous Materials Standards  
Pipeline and Hazardous Materials Safety  
Attn: DHM-10, US Department of Transportation  
400 7<sup>th</sup> Street SW  
Washington, DC 20590-0001

Hyundai America Shipping Agency  
1425 Greenway Drive, Ste 600  
Irving, Texas 75038

Re: PHMSA Interpretation Letter 05-0276 (Visibility of  
Markings and Placarding) (Attached)

1. The subject letter was written in response to a Long Beach Police Department letter requesting PHMSA's interpretation of the proper display of marking and placarding, specifically being visible from the direction the markings and placarding face. This is addressed in Section 172.516.

2. Section 172.12 specifically states containers placarded in accordance with the International Maritime Dangerous Goods (IMDG) Code, may be transported within the United States. Nothing in the IMDG code requires the dangerous goods markings or placards to be visible from the direction they face. Based on the above, I have the following question:

a. If the container laden with dangerous goods is being transported internationally, does 172.516 apply or will containers placarded in accordance with the IMDG Code and moving internationally comply with section 171.12?

3. This is a very serious situation as it is absolutely impossible to apply placards and/or marking to any freight container without part of the placards, marking or orange panel used for the display of the ID number being obscured by the corrugated sides of a freight container. If this interpretation remains valid, the tens of thousands of container moving internationally will be in violation. Worse yet, no remedy is possible.

Best Regards,

Herb Giles  
Manager, Hazardous Materials  
Hyundai America Shipping Agency  
972-550-2645