



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

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

Michael Lesser
Shore Side Safety
and Hazardous Material Reviews
9487 Regency Square Blvd
Jacksonville, Florida 32225

APR 17 2013

Ref. No. 13-0025

Dear Mr. Lesser:

This responds to your January 23, 2013 e-mail requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to use of the DANGEROUS placard. Your questions are paraphrased and answered as follows:

Q1. Recently, there have been a number of rulemaking actions resulting in further alignment (harmonization) of the HMR with the various international standards. Does the Pipeline and Hazardous Materials Safety Administration (PHMSA) intend to phase-out the DANGEROUS placard as a result of it not being recognized in international transportation?

A1. The answer is no.

Q2. If vessel transportation of a cargo transport unit (CTU) containing hazardous materials is routed through a foreign port but originates and terminates within the United States, is the DANGEROUS placard authorized display in accordance with the HMR?

A2. The answer is no. The DANGEROUS placard is not recognized by the International Dangerous Goods Code (IMDG Code). However, the display of both the DANGEROUS placard and placard(s) corresponding to the actual hazardous material contained in the CTU is authorized.

Q3. Is display of the DANGEROUS placard authorized in domestic transportation by vessel?

A3. The answer is yes.

I hope this information is helpful. Please contact this office should you have additional questions.

Sincerely,

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

Drakeford, Carolyn (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Wednesday, January 23, 2013 2:20 PM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: PHMSA Interpretations

Hi Carolyn,

We received the following request for a formal letter of interpretation.

Thanks,
Victoria

From: Lesser, Michael [<mailto:Michael.Lesser@crowley.com>]
Sent: Tuesday, January 22, 2013 2:48 PM
To: INFOCNTR (PHMSA)
Subject: PHMSA Interpretations

Please advise answers to the following questions. These points were raised in a USCG inspection

- a. Is there a date after which the "Dangerous" placard may not be used? Is it being phased out during the harmonization process?
- b. If a shipment is labeled "Dangerous" and leaves a domestic port – but the vessel calls on an international port before the container is discharged at the next domestic port – is the container marked properly? Or does IMDG regulations prevail since they do not recognize the "Dangerous" marking?
- c. Is the "Dangerous" marking permissible on vessels serving domestic ports?

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"If you really want to do something, you will find a way; if you don't, you will find an excuse."