



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

AUG 24 2009

Mr. Cliff Bartley
Horizon Lines, LLC
5800-1 William Mills Street
Jacksonville, FL 32226

Reference No. 09-0020

Dear Mr. Bartley:

This is in response to your e-mail dated January 30, 2009, asking us to consider harmonizing requirements in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to permit "UN 1512, Zinc ammonium nitrite, 5.1 (oxidizer), PG II" with requirements in the International Maritime Dangerous Goods Code (IMDG Code). We apologize for the delay in responding and any inconvenience this may have caused.

As you note in your e-mail, the HMR permit the transportation of zinc ammonium nitrate by vessel while the IMDG Code prohibits such transportation. We are reviewing this issue and may consider addressing the inconsistency in a future rulemaking.

I hope this satisfies your request.

Sincerely,

A handwritten signature in black ink, appearing to read "Hattie L. Mitchell".

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

Drakeford, Carolyn <PHMSA>

Edmonson
§ 172.101
Applicability
09-0020

From: INFOCNTR <PHMSA>
Sent: Friday, January 30, 2009 12:14 PM
To: Drakeford, Carolyn <PHMSA>
Subject: FW: Feedback: Hazardous Materials Table, Special Provisions, Hazardous Materials Communications

Hi Carolyn,

This gentleman is asking for a letter of interp. He wants to know if DOT has considered any rulings on the particular UN number stated below in regards to the harmonization ruling.

Tamikka Scott | PHMSA - BAH | Hazardous Materials Specialist

-----Original Message-----

From: Vines, T'Mia <PHMSA>
Sent: Thursday, January 29, 2009 4:30 PM
To: PHMSA HM InfoCenter
Subject: FW: Feedback: Hazardous Materials Table, Special Provisions, Hazardous Materials Communications

T'Mia Vines
Pipeline and Hazardous Material Safety Administration
United States Department of Transportation
Telephone: (202) 366-9818

I take nothing for granted...I now have only good days or great days.

-----Original Message-----

From: PHMSA-Feedback [mailto:PHMSA-Feedback]
Sent: Thursday, January 29, 2009 4:28 PM
To: PHMSA Webmaster
Subject: Feedback: Hazardous Materials Table, Special Provisions, Hazardous Materials Communications

I have a puzzling question which is creating havoc with my "harmonized" computer data base.

The IMDG list UN1512, Zinc Ammonium Nitrite, 5.1 with special provision #900 which indicate that the cargo is "Prohibited" from shipment. The DOT, on the other hand, in 49CFR list the cargo with no significant restrictions. As a matter of fact, under the recently passed final rule of HM215J, it is listed on the "revise" page where there was a change in the special provisions IBC codes.

Will this be a UN number that will be harmonized with the IMDG at some time? This does not make sense to a domestic water carrier.

Name: Cliff Bartley
Organization: Horizon Lines, LLC
Email: cbartley@horizonlines.com
Address: 5800-1 William Mills Street
City: Jacksonville
Zip Code: 32226
Phone: 904-482-1761
Country: USA
FAX: 904-482-1726