



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

October 15, 2020

Ronald B. Natali
President
R.B. Natali Consulting, Inc.
75 North 200 East
Richmond, UT 84333

Reference No. 20-0046

Dear Mr. Natali:

This letter is in response to your June 23, 2020, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to packaging for Class 7 (radioactive) materials. Specifically, you ask about the term “packaging manufacturer” as it is referenced in § 178.350.

We have paraphrased and answered your questions as follows:

- Q1. Section 178.350(c) states that “In § 178.3(a)(2) the term “packaging manufacturer” means the person certifying that the package meets all requirements of this section.” It is your understanding that the phrase “this section” refers to § 178.350, and the packaging manufacturer is certifying that the package meets all applicable requirements of subpart B of part 173 and §§ 173.403, 174.410, 173.412, 173.415 and 173.465 for Type A packaging. You ask whether your understanding is correct.
- A1. The packaging manufacturer is the person certifying that the package meets all requirements of § 178.350 including the applicable requirements of subpart B of part 173, §§ 173.403, 173.410, 173.412, 173.415, and 173.465, as well as §§ 178.2 and 178.3.
- Q2. You ask whether it is the “packaging manufacturers” [sic] responsibility to apply the “USA DOT 7A Type A” marking required by § 178.350(b) to the package, thereby certifying that the package meets all applicable requirements of § 178.350.

A2. The function of placing the required specification markings on the packaging can be performed by the packaging manufacturer or by the offeror. Placing the required DOT specification markings identified in § 178.350; that is, “USA DOT 7 A Type A” on the packaging certifies that the packaging was designed and constructed in full conformance with the requirements referenced in Part 173.

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

From: [INFOCNTR \(PHMSA\)](#)
To: [Hazmat Interps](#)
Subject: FW: Request For Clarification
Date: Friday, June 26, 2020 10:45:22 AM
Attachments: [Ron's Packaging Manufacturer LOI 6-23-2020 RBN.pdf](#)
[20_6_Natali.docx](#)

Hello Alice and Ikeya,

Please see attached for Letter of Interpretation request.

Have a great weekend.

Best,

Kathryn (HMIC)

From: Ronald Natali [mailto:rbnatali@gmail.com]
Sent: Tuesday, June 23, 2020 10:45 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Cc: R. B. Natali Consulting <rbnatali@gmail.com>
Subject: Request For Clarification

To Whom It May Concern:

Attached is a request for clarification concerning the Packaging Manufacturer defined in 49 CFR 178.350(c).

If you have any questions, please contact me.

Best Regards,

Ronald B. Natali, President
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