



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

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

OCT 27 2010

Mr. Paul Lezak
Schlumberger Technology Corporation
200 Gillingham Ln.
Sugar Land, Texas 77478

Ref. No.: 10-0187

Dear Mr. Lezak:

This responds to your August 24, 2010 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you request clarification of the marking and labeling requirements for materials regulated as explosives that are transported from Canada into the United States.

As specified in § 171.12(a), a hazardous material transported from Canada to the United States, from the United States to Canada, or transiting the United States to Canada or a foreign destination may be offered for transportation or transported by motor carrier and rail in accordance with the Transport Canada TDG Regulations as authorized in § 171.22, provided the requirements in §§ 171.22 and 171.23, as applicable, are met.

It should be noted that § 171.23(b)(4) requires that, prior to being transported within the United States, explosive materials must be approved by the Associate Administrator in accordance with § 173.56 and that each package containing a Class 1 (explosive) material must conform to the marking requirements in § 172.320.

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Supko".

Ben Supko
Acting Chief, Standards Development
Office of Hazardous Materials Standards

Winter
\$ 173.56
\$ 172.101

Drakeford, Carolyn (PHMSA)

Marking of Explosives
10-0187

From: Betts, Charles (PHMSA)
Sent: Wednesday, August 25, 2010 2:24 PM
To: Drakeford, Carolyn (PHMSA)
Subject: Shipments of explosives from Canada to the US that have different transportation classifications

Carolyn,

Please log in this new request for interpretation and assign for proper handling.

Thanks,
Charles

From: Paul Lezak [mailto:lezak1@slb.com]
Sent: Tuesday, August 24, 2010 10:01 AM
To: Herrera, Jacqueline (PHMSA)
Cc: Singh, Harpreet (PHMSA)
Subject: Shipments of explosives from Canada to the US that have different transportation classifications

Ms. Herrera,

As previously discussed, have you received any feedback within your organization regarding the question below?

The US DOT and Natural Resources Canada both require explosive products to be classified by their agency before the explosive can be transported in the US or Canada. Since we ship explosives from the US to our field locations in Canada, the explosive must be classified by both the DOT and NRCan. It is common for an explosive product to be assigned one classification in the US and a different classification in Canada. Shipping explosives from the US to Canada is not a major problem because the Canadian authorities allow an explosive shipment from the US to enter Canada marked/labeled with the US classifications until it has been received at the initial destination. After being received at the initial location, if the classification is different, before being reoffered for transport, the package must be remarked/labeled/shipped according to the Canadian classification.

However, based on what has been communicated to me, currently there is not any provision in 49CFR that would allow an explosive shipment from Canada to enter the US marked/labeled per the Canadian classification until it has been received at the first stop. Can you offer any guidance on this matter? Please advise. If I should address this question to another party within DOT, please provide me the contact information.

Best regards,
Paul Lezak
(281) 285-5676