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be based on an examination by the Bureau of Explosives (or any other test facility recognized by PHMSA), it is the responsibility of the applicant to submit the results of the examination to the Associate Administrator.

(b) Applications for approval submitted under paragraph (a) of this section, must be submitted to the Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Washington, DC 20590–0001.

(c) Any applicant for an approval aggrieved by an action taken by the Associate Administrator, under this subpart may file an appeal with the Administrator, PHMSA within 30 days of service of notification of a denial.

[Amdt. 171–54, 45 FR 32692, May 19, 1980, as amended by Amdt. 171–66, 47 FR 43064, Sept. 30, 1982; Amdt. 171–109, 55 FR 39978, Oct. 1, 1990; Amdt. 171–111, 56 FR 66162, Dec. 20, 1991; 66 FR 45378, Aug. 28, 2001]

§ 171.21 Assistance in investigations and special studies.

(a) A shipper, carrier, package owner, package manufacturer or certifier, repair facility, or person reporting an incident under the provisions of § 171.16 must:

(1) Make all records and information pertaining to the incident available to an authorized representative or special agent of the Department of Transportation upon request; and

(2) Give an authorized representative or special agent of the Department of Transportation reasonable assistance in the investigation of the incident.

(b) If an authorized representative or special agent of the Department of Transportation makes an inquiry of a person required to complete an incident report in connection with a study of incidents, the person shall:

(1) Respond to the inquiry within 30 days after its receipt or within such other time as the inquiry may specify; and

(2) Provide true and complete answers to any questions included in the inquiry.

[68 FR 67760, Dec. 3, 2003]

Subpart C—Authorization and Requirements for the Use of International Transport Standards and Regulations

SOURCE: 72 FR 25172, May 3, 2007, unless otherwise noted.

§ 171.22 Authorization and conditions for the use of international standards and regulations.

(a) *Authorized international standards and regulations.* This subpart authorizes, with certain conditions and limitations, the offering for transportation and the transportation in commerce of hazardous materials in accordance with the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Technical Instructions), the International Maritime Dangerous Goods Code (IMDG Code), Transport Canada's Transportation of Dangerous Goods Regulations (Transport Canada TDG Regulations), and the International Atomic Energy Agency Regulations for the Safe Transport of Radioactive Material (IAEA Regulations) (IBR, see § 171.7).

(b) *Limitations on the use of international standards and regulations.* A hazardous material that is offered for transportation or transported in accordance with the international standards and regulations authorized in paragraph (a) of this section—

(1) Is subject to the requirements of the applicable international standard or regulation and must be offered for transportation or transported in conformance with the applicable standard or regulation; and

(2) Must conform to all applicable requirements of this subpart.

(c) *Materials excepted from regulation under international standards and regulations.* A material designated as a hazardous material under this subchapter, but excepted from or not subject to the international transport standards and regulations authorized in paragraph (a) of this section (e.g., paragraph 1.16 of the Transport Canada TDG Regulations excepts from regulation quantities of hazardous materials less than or equal to 500 kg gross transported by rail) must be transported in accordance

with all applicable requirements of this subchapter.

(d) *Materials not regulated under this subchapter.* Materials not designated as hazardous materials under this subchapter but regulated by an international transport standard or regulation authorized in paragraph (a) of this section may be offered for transportation and transported in the United States in full compliance (i.e., packaged, marked, labeled, classed, described, stowed, segregated, secured) with the applicable international transport standard or regulation.

(e) *Forbidden materials.* No person may offer for transportation or transport a hazardous material that is a forbidden material or package as designated in—

(1) Section 173.21 of this subchapter;

(2) Column (3) of the §172.101 Table of this subchapter;

(3) Column (9A) of the §172.101 Table of this subchapter when offered for transportation or transported on passenger aircraft or passenger railcar; or

(4) Column (9B) of the §172.101 Table of this subchapter when offered for transportation or transported by cargo aircraft.

(f) *Complete information and certification.* (1) Except for shipments into the United States from Canada conforming to §171.12, each person importing a hazardous material into the United States must provide the forwarding agent at the place of entry into the United States timely and complete written information as to the requirements of this subchapter applicable to the particular shipment.

(2) The shipper, directly or through the forwarding agent at the place of entry, must provide the initial U.S. carrier with the shipper's certification required by §172.204 of this subchapter, unless the shipment is otherwise excepted from the certification requirement. Except for shipments for which the certification requirement does not apply, a carrier may not accept a hazardous material for transportation unless provided a shipper's certification.

(3) All shipping paper information and package markings required in accordance with this subchapter must be in English. The use of shipping papers and a package marked with both English and a language other than English, in order to dually comply with this subchapter and the regulations of a foreign entity, is permitted under this subchapter.

(4) Each person who provides for transportation or receives for transportation (see §§174.24, 175.30, 176.24 and 177.817 of this subchapter) a shipping paper must retain a copy of the shipping paper or an electronic image thereof that is accessible at or through its principal place of business in accordance with §172.201(e) of this part.

(g) *Additional requirements for the use of international standards and regulations.* All shipments offered for transportation or transported in the United States in accordance with this subpart must conform to the following requirements of this subchapter, as applicable:

(1) The emergency response information requirements in subpart G of part 172 of this subchapter;

(2) The training requirements in subpart H of part 172 of this subchapter, including function-specific training in the use of the international transport standards and regulations authorized in paragraph (a) of this section, as applicable;

(3) The security requirements in subpart I of part 172 of this subchapter;

(4) The incident reporting requirements in §§171.15 and 171.16 of this part for incidents occurring within the jurisdiction of the United States including on board vessels in the navigable waters of the United States and aboard aircraft of United States registry anywhere in air commerce;

(5) For export shipments, the general packaging requirements in §§173.24 and 173.24a of this subchapter;

(6) For export shipments, the requirements for the reuse, reconditioning, and remanufacture of packagings in §173.28 of this subchapter; and

(7) The registration requirements in subpart G of part 107 of this chapter.

[72 FR 25172, May 3, 2007, as amended at 72 FR 55091 Sept. 28, 2007; 74 FR 53186, Oct. 16, 2009; 76 FR 56311, Sept. 13, 2011]

§ 171.23 Requirements for specific materials and packagings transported under the ICAO Technical Instructions, IMDG Code, Transport Canada TDG Regulations, or the IAEA Regulations.

All shipments offered for transportation or transported in the United States under the ICAO Technical Instructions, IMDG Code, Transport Canada TDG Regulations, or the IAEA Regulations (IBR, see §171.7) must conform to the requirements of this section, as applicable.

(a) *Conditions and requirements for cylinders*—(1) Except as provided in this paragraph, a filled cylinder (pressure receptacle) manufactured to other than a DOT specification or a UN standard in accordance with part 178 of this subchapter, or a DOT exemption or special permit cylinder or a cylinder used as a fire extinguisher in conformance with §173.309(a) of this subchapter, may not be transported to, from, or within the United States.

(2) Cylinders (including UN pressure receptacles) transported to, from, or within the United States must conform to the applicable requirements of this subchapter. Unless otherwise excepted in this subchapter, a cylinder must not be transported unless—

(i) The cylinder is manufactured, inspected and tested in accordance with a DOT specification or a UN standard prescribed in part 178 of this subchapter, except that cylinders not conforming to these requirements must meet the requirements in paragraphs (a)(3), (a)(4) or (a)(5) of this section;

(ii) The cylinder is equipped with a pressure relief device in accordance with §173.301(f) of this subchapter and conforms to the applicable requirements in part 173 of this subchapter for the hazardous material involved;

(iii) The openings on an aluminum cylinder in oxygen service conform to the requirements of this paragraph, except when the cylinder is used for aircraft parts or used aboard an aircraft in accordance with the applicable airworthiness requirements and operating regulations. An aluminum DOT specification cylinder must have an opening configured with straight (parallel) threads. A UN pressure receptacle may have straight (parallel) or tapered threads provided the UN pressure receptacle is marked with the thread type, e.g. ''17E, 25E, 18P, or 25P'' and fitted with the properly marked valve; and

(iv) A UN pressure receptacle is marked with ''USA'' as a country of approval in conformance with §§178.69 and 178.70 of this subchapter.

(3) Importation of cylinders for discharge within a single port area: A cylinder manufactured to other than a DOT specification or UN standard in accordance with part 178 of this subchapter and certified as being in conformance with the transportation regulations of another country may be authorized, upon written request to and approval by the Associate Administrator, for transportation within a single port area, provided—

(i) The cylinder is transported in a closed freight container;

(ii) The cylinder is certified by the importer to provide a level of safety at least equivalent to that required by the regulations in this subchapter for a comparable DOT specification or UN cylinder; and

(iii) The cylinder is not refilled for export unless in compliance with paragraph (a)(4) of this section.

(4) Filling of cylinders for export or for use on board a vessel: A cylinder not manufactured, inspected, tested and marked in accordance with part 178 of this subchapter, or a cylinder manufactured to other than a UN standard, DOT specification, exemption or special permit, may be filled with a gas in the United States and offered for transportation and transported for export or alternatively, for use on board a vessel, if the following conditions are met:

(i) The cylinder has been requalified and marked with the month and year of requalification in accordance with subpart C of part 180 of this subchapter, or has been requalified as authorized by the Associate Administrator;

(ii) In addition to other requirements of this subchapter, the maximum filling density, service pressure, and pressure relief drive for each cylinder conform to the requirements of this part for the gas involved; and

(5) Cylinders not equipped with pressure relief devices: A DOT specification

or a UN cylinder manufactured, inspected, tested and marked in accordance with part 178 of this subchapter and otherwise conforms to the requirements of part 173 for the gas involved, except that the cylinder is not equipped with a pressure relief device may be filled with a gas and offered for transportation and transported for export if the following conditions are met:

(i) Each DOT specification cylinder or UN pressure receptacle must be plainly and durably marked ''For Export Only'';

(ii) The shipping paper must carry the following certification: ''This cylinder has (These cylinders have) been retested and refilled in accordance with the DOT requirements for export.''; and

(iii) The emergency response information provided with the shipment and available from the emergency response telephone contact person must indicate that the pressure receptacles are not fitted with pressure relief devices and provide appropriate guidance for exposure to fire.

(b) *Conditions and requirements specific to certain materials*—(1) *Aerosols.* Except for a limited quantity of a compressed gas in a container of not more than 4 fluid ounces capacity meeting the requirements in §173.306(a)(1) of this subchapter, the proper shipping name ''Aerosol,'' UN1950, may be used only for a non-refillable receptacle containing a gas compressed, liquefied, or dissolved under pressure the sole purpose of which is to expel a nonpoisonous (other than Division 6.1, Packing Group III material) liquid, paste, or powder and fitted with a self-closing release device (see §171.8). In addition, an aerosol must be in a metal packaging when the packaging exceeds 7.22 cubic inches.

(2) *Air bag inflator, air bag module and seat-belt pretensioner.* For each approved air bag inflator, air bag module and seat-belt pretensioner, the shipping paper description must conform to the requirements in §173.166(c) of this subchapter.

(i) The EX number or product code must be included in association with the basic shipping description. When a product code is used, it must be traceable to the specific EX number assigned to the inflator, module or seatbelt pretensioner by the Associate Administrator. The EX number or product code is not required to be marked on the outside package.

(ii) The proper shipping name ''Articles, pyrotechnic *for technical purposes*, UN0431'' must be used for all air bag inflators, air bag modules, and seat-belt pretensioners meeting the criteria for a Division 1.4G material.

(3) *Chemical oxygen generators.* Chemical oxygen generators must be approved, classed, described, packaged, and transported in accordance with the requirements of this subchapter.

(4) *Class 1 (explosive) materials.* Prior to being transported, Class 1 (explosive) materials must be approved by the Associate Administrator in accordance with §173.56 of this subchapter. Each package containing a Class 1 (explosive) material must conform to the marking requirements in §172.320 of this subchapter.

(5) *Hazardous substances.* A material meeting the definition of a hazardous substance as defined in §171.8, must conform to the shipping paper requirements in §172.203(c) of this subchapter and the marking requirements in §172.324 of this subchapter:

(i) The proper shipping name must identify the hazardous substance by name, or the name of the substance must be entered in parentheses in association with the basic description and marked on the package in association with the proper shipping name. If the hazardous substance meets the definition for a hazardous waste, the waste code (for example, D001), may be used to identify the hazardous substance;

(ii) The shipping paper and the package markings must identify at least two hazardous substances with the lowest reportable quantities (RQs) when the material contains two or more hazardous substances; and

(iii) The letters ''RQ'' must be entered on the shipping paper either before or after the basic description, and marked on the package in association with the proper shipping name for each hazardous substance listed.

(6) *Hazardous wastes.* A material meeting the definition of a hazardous

waste (see §171.8) must conform to the following:

(i) The shipping paper and the package markings must include the word ''Waste'' immediately preceding the proper shipping name;

(ii) The shipping paper must be retained by the shipper and by each carrier for three years after the material is accepted by the initial carrier (see §172.205(e)(5)); and

(iii) A hazardous waste manifest must be completed in accordance with §172.205 of this subchapter.

(7) *Marine pollutants.* Except for marine pollutants (see §171.8) transported in accordance with the IMDG Code, marine pollutants transported in bulk packages must meet the shipping paper requirements in §172.203(l) of this subchapter and the package marking requirements in §172.322 of this subchapter.

(8) *Organic peroxides.* Organic peroxides not identified by technical name in the Organic Peroxide Table in §173.225(b) of this subchapter must be approved by the Associate Administrator in accordance with §173.128(d) of this subchapter.

(9) [Reserved]

(10) *Poisonous by inhalation materials.* A material poisonous by inhalation (see §171.8) must conform to the following requirements:

(i) The words ''Poison-Inhalation Hazard'' or ''Toxic-Inhalation Hazard'' and the words ''Zone A,'' ''Zone B,'' ''Zone C,'' or ''Zone D'' for gases, or ''Zone A'' or ''Zone B'' for liquids, as appropriate, must be entered on the shipping paper immediately following the basic shipping description. The word ''Poison'' or ''Toxic'' or the phrase ''Poison-Inhalation Hazard'' or ''Toxic-Inhalation Hazard'' need not be repeated if it otherwise appears in the shipping description;

(ii) The material must be packaged in accordance with the requirements of this subchapter;

(iii) The package must be marked in accordance with §172.313 of this subchapter; and

(iv) Except as provided in subparagraph (B) of this paragraph (b)(10)(iv) and for a package containing anhydrous ammonia prepared in accordance with the Transport Canada TDG Regulations, the package must be labeled or placarded with POISON INHALATION HAZARD or POISON GAS, as appropriate, in accordance with Subparts E and F of part 172 of this subchapter.

(A) For a package transported in accordance with the IMDG Code in a closed transport vehicle or freight container, a label or placard conforming to the IMDG Code specifications for a ''Class 2.3'' or ''Class 6.1'' label or placard may be substituted for the POISON GAS or POISON INHALATION HAZARD label or placard, as appropriate. The transport vehicle or freight container must be marked with the identification numbers for the hazardous material, regardless of the total quantity contained in the transport vehicle or freight container, in the manner specified in §172.313(c) of this subchapter and placarded as required by subpart F of part 172 of this subchapter.

(B) For a package transported in accordance with the Transport Canada TDG Regulations in a closed transport vehicle or freight container, a label or placard conforming to the TDG Regulations specifications for a ''Class 2.3'' or ''Class 6.1'' label or placard may be substituted for the POISON GAS or POISON INHALATION HAZARD label or placard, as appropriate. The transport vehicle or freight container must be marked with the identification numbers for the hazardous material, regardless of the total quantity contained in the transport vehicle or freight container, in the manner specified in §172.313(c) of this subchapter and placarded as required by subpart F of part 172 of this subchapter. While in transportation in the United States, the transport vehicle or freight container may also be placarded in accordance with the appropriate Transport Canada TDG Regulations in addition to being placarded with the POISON GAS or POISON INHALATION HAZARD placards.

(11) *Class 7 (radioactive) materials.* (i) Highway route controlled quantities (see §173.403 of this subchapter) must be shipped in accordance with §§172.203(d)(4) and (d)(10); 172.507, and 173.22(c) of this subchapter;

(ii) For fissile materials and Type B, Type B(U), and Type B(M) packagings,

the competent authority certification and any necessary revalidation must be obtained from the appropriate competent authorities as specified in §§173.471, 173.472, and 173.473 of this subchapter, and all requirements of the certificates and revalidations must be met;

(iii) Type A package contents are limited in accordance with §173.431 of this subchapter;

(iv) The country of origin for the shipment must have adopted the edition of TS–R–1 of the IAEA Regulations referenced in §171.7;

(v) The shipment must conform to the requirements of §173.448, when applicable;

(vi) The definition for ''radioactive material'' in §173.403 of this subchapter must be applied to radioactive materials transported under the provisions of this subpart;

(vii) Except for limited quantities, the shipment must conform to the requirements of §172.204(c)(4) of this subchapter; and

(viii) Excepted packages of radioactive material, instruments or articles, or articles containing natural uranium or thorium must conform to the requirements of §§173.421, 173.424, or 173.426 of this subchapter, as appropriate.

(12) *Self-reactive materials.* Self-reactive materials not identified by technical name in the Self-reactive Materials Table in §173.224(b) of this subchapter must be approved by the Associate Administrator in accordance with §173.124(a)(2)(iii) of this subchapter.

[72 FR 25172, May 3, 2007, as amended at 72 FR 55684, Oct. 1, 2007; 73 FR 57004, Oct. 1, 2008; 76 FR 3345, Jan. 19, 2011; 76 FR 56311, Sept. 13, 2011]

§171.24 Additional requirements for the use of the ICAO Technical Instructions.

(a) A hazardous material that is offered for transportation or transported within the United States by aircraft, and by motor vehicle or rail either before or after being transported by aircraft in accordance with the ICAO Technical Instructions (IBR, see §171.7), as authorized in paragraph (a) of §171.22, must conform to the requirements in §171.22, as applicable, and this section.

(b) Any person who offers for transportation or transports a hazardous material in accordance with the ICAO Technical Instructions must comply with the following additional conditions and requirements:

(1) All applicable requirements in parts 171 and 175 of this subchapter (also see 14 CFR 121.135, 121.401, 121.433a, 135.323, 135.327 and 135.333);

(2) The quantity limits prescribed in the ICAO Technical Instructions for transportation by passenger-carrying or cargo aircraft, as applicable;

(3) The conditions or requirements of a United States variation, when specified in the ICAO Technical Instructions.

(c) *Highway transportation.* For transportation by highway prior to or after transportation by aircraft, a shipment must conform to the applicable requirements of part 177 of this subchapter, and the motor vehicle must be placarded in accordance with subpart F of part 172.

(d) *Conditions and requirements specific to certain materials.* Hazardous materials offered for transportation or transported in accordance with the ICAO Technical Instructions must conform to the following specific conditions and requirements, as applicable:

(1) *Batteries*—(i) *Nonspillable wet electric storage batteries.* Nonspillable wet electric storage batteries are not subject to the requirements of this subchapter provided—

(A) The battery meets the conditions specified in Special Provision 67 of the ICAO Technical Instructions;

(B) The battery, its outer packaging, and any overpack are plainly and durably marked ''NONSPILLABLE'' or ''NONSPILLABLE BATTERY''; and

(C) The batteries or battery assemblies are offered for transportation or transported in a manner that prevents short circuiting or forced discharge, including, but not limited to, protection of exposed terminals.

(ii) *Primary lithium batteries and cells.* Primary lithium batteries and cells are forbidden for transportation aboard passenger-carrying aircraft. Equipment containing or packed with primary lithium batteries or cells are forbidden

for transport aboard passenger-carrying aircraft except as provided in §172.102, Special Provision A101 of this subchapter. When transported aboard cargo-only aircraft, packages containing primary lithium batteries and cells transported in accordance with Special Provision A45 of the ICAO Technical Instructions must be marked ''PRIMARY LITHIUM BATTERIES—FORBIDDEN FOR TRANSPORT ABOARD PASSENGER AIRCRAFT'' or ''LITHIUM METAL BATTERIES—FORBIDDEN FOR TRANSPORT ABOARD PASSENGER AIRCRAFT.'' This marking is not required on packages that contain 5 kg (11 pounds) net weight or less of primary lithium batteries or cells that are contained in or packed with equipment.

(iii) *Prototype lithium batteries and cells.* Prototype lithium batteries and cells are forbidden for transport aboard passenger aircraft and must be approved by the Associate Administrator prior to transportation aboard cargo aircraft, in accordance with the requirements of Special Provision A55 in §172.102 of this subchapter.

(2) A package containing Oxygen, compressed, or any of the following oxidizing gases must be packaged as required by Parts 173 and 178 of this subchapter: carbon dioxide and oxygen mixtures, compressed; compressed gas, oxidizing, n.o.s.; liquefied gas, oxidizing, n.o.s.; nitrogen trifluoride; and nitrous oxide.

[72 FR 25172, May 3, 2007, as amended at 72 FR 44847, Aug. 9, 2007; 72 FR 55097, Sept. 28, 2007]

§ 171.25 Additional requirements for the use of the IMDG Code.

(a) A hazardous material may be offered for transportation or transported to, from or within the United States by vessel, and by motor carrier and rail in accordance with the IMDG Code (IBR, see §171.7), as authorized in §171.22, provided all or part of the movement is by vessel. Such shipments must conform to the requirements in §171.22, as applicable, and this section.

(b) Any person who offers for transportation or transports a hazardous material in accordance with the IMDG Code must conform to the following additional conditions and requirements:

(1) Unless specified otherwise in this subchapter, a shipment must conform to the requirements in part 176 of this subchapter. For transportation by rail or highway prior to or subsequent to transportation by vessel, a shipment must conform to the applicable requirements of parts 174 and 177 respectively, of this subchapter, and the motor vehicle or rail car must be placarded in accordance with subpart F of part 172 of this subchapter. When a hazardous material regulated by this subchapter for transportation by highway is transported by motor vehicle on a public highway or by rail under the provisions of subpart C of part 171, the segregation requirements of Part 7, Chapter 7.2 of the IMDG Code are authorized.

(2) For transportation by vessel, the stowage and segregation requirements in Part 7 of the IMDG Code may be substituted for the stowage and segregation requirements in part 176 of this subchapter.

(3) Packages containing primary lithium batteries and cells that are transported in accordance with Special Provision 188 of the IMDG Code must be marked ''PRIMARY LITHIUM BATTERIES—FORBIDDEN FOR TRANSPORT ABOARD PASSENGER AIRCRAFT'' or ''LITHIUM METAL BATTERIES—FORBIDDEN FOR TRANSPORT ABOARD PASSENGER AIRCRAFT.'' This marking is not required on packages that contain 5 kg (11 pounds) net weight or less of primary lithium batteries and cells that are contained in or packed with equipment.

(4) Material consigned under UN3166 and UN3171 (*e.g.*, Engines, internal combustion, *etc.*, Vehicles, *etc.* and Battery-powered equipment) may be prepared in accordance with the IMDG Code or this subchapter.

(c) *Conditions and requirements for bulk packagings.* Except for IBCs and UN portable tanks used for the transportation of liquids or solids, bulk packagings must conform to the requirements of this subchapter. Additionally, the following requirements apply:

(1) UN portable tanks must conform to the requirements in Special Provisions TP37, TP38, TP44 and TP45 when

applicable, and any applicable bulk special provisions assigned to the hazardous material in the Hazardous Materials Table in §172.101 of this subchapter;

(2) IMO Type 5 portable tanks must conform to DOT Specification 51 or UN portable tank requirements, unless specifically authorized in this subchapter or approved by the Associate Administrator;

(3) Except as specified in this subpart, for a material poisonous (toxic) by inhalation, the T Codes specified in Column 13 of the Dangerous Goods List in the IMDG Code may be applied to the transportation of those materials in IM, IMO and DOT Specification 51 portable tanks, when these portable tanks are authorized in accordance with the requirements of this subchapter; and

(4) No person may offer an IM or UN portable tank containing liquid hazardous materials of Class 3, PG I or II, or PG III with a flash point less than 100 °F (38 °C); Division 5.1, PG I or II; or Division 6.1, PG I or II, for unloading while it remains on a transport vehicle with the motive power unit attached, unless it conforms to the requirements in §177.834(o) of this subchapter.

(d) *Use of IMDG Code in port areas.* (1) Except for Division 1.1, 1.2, and Class 7 materials, a hazardous material being imported into or exported from the United States or passing through the United States in the course of being shipped between locations outside the United States may be offered and accepted for transportation and transported by motor vehicle within a single port area, including contiguous harbors, when packaged, marked, classed, labeled, stowed and segregated in accordance with the IMDG Code, offered and accepted in accordance with the requirements of subparts C and F of part 172 of this subchapter pertaining to shipping papers and placarding, and otherwise conforms to the applicable requirements of part 176 of this subchapter.

(2) The requirement in §172.201(d) of this subchapter for an emergency telephone number does not apply to shipments made in accordance with the IMDG Code if the hazardous material is not offloaded from the vessel, or is offloaded between ocean vessels at a U.S. port facility without being transported by public highway.

[72 FR 25172, May 3, 2007, as amended at 72 FR 44847, Aug. 9, 2007; 73 FR 57004, Oct. 1, 2008; 74 FR 2233, Jan. 14, 2009; 76 FR 3345, Jan. 19, 2011]

§171.26 Additional requirements for the use of the IAEA Regulations.

A Class 7 (radioactive) material being imported into or exported from the United States or passing through the United States in the course of being shipped between places outside the United States may be offered for transportation or transported in accordance with the IAEA Regulations (IBR, see §171.7) as authorized in paragraph (a) of §171.22, provided the requirements in §171.22, as applicable, are met.

PART 172—HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS, HAZARDOUS MATERIALS COMMUNICATIONS, EMERGENCY RESPONSE INFORMATION, TRAINING REQUIREMENTS, AND SECURITY PLANS

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172.3 Applicability.

Subpart B—Table of Hazardous Materials and Special Provisions

172.101 Purpose and use of hazardous materials table.
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Subpart C—Shipping Papers

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172.201 Preparation and retention of shipping papers.
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Subpart D—Marking

172.300 Applicability.
172.301 General marking requirements for non-bulk packagings.
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