



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

MAY 16 2007

Mr. Spencer B. Neyland
Operations Manager/Physicist
LND, Inc.
3230 Lawson Boulevard
Oceanside, NY 11572

Reference No.: 07-0089

Dear Mr. Neyland:

This responds to your April 23, 2007 letter requesting further clarification of the packaging requirements for certain hermetically sealed nuclear radiation sensor (detector) tubes containing less than one gram of Boron trifluoride, 2.3, Hazard Zone B, at less than atmospheric pressure under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

In our April 18, 2007 response, we informed you that based on the form and quantity of Boron trifluoride contained in the radiation detector tubes, it is our determination the tubes, when packaged in a specially designed packaging and offered for shipment as described in your letter, will not pose an unreasonable risk to health, public safety or property during transportation and, therefore, are not subject to the HMR. You ask whether our reference to specifically designed packaging refers to the outside packaging described in Special Permit 12087 or the polyethylene ball that is a part of the power supply/meter described in your January 15, 2007 letter. The use of either packaging is acceptable for shipment of the radiation detector tubes.

I trust this satisfies your inquiry.

Sincerely,

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



070089

172.101
173.22a



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Engram
§ 172.101
§ 173.22a
Packagings
07-0089

23 April 2007

Mrs. Hattie L. Mitchell
Chief, Regulatory Review and Reinvention
U.S. DOT/PHMA PHH-12 (Room 80430)
400 7th Street S.W.
Washington, D.C. 20590

Reference No.: 06-0241

Dear Mrs. Mitchell,

I am writing to request a clarification of the letter of interpretation issued to LND, Incorporated on April 18th, 2007.

We believe that the intent of the interpretation is to allow the shipment of the detector tubes in either a specially designed outside packaging as described in our Special Permit 12087 paragraph 7b(1) or in the polyethylene ball as part of an instrument package as described in my letter of January 15th, 2007 (in which I enclosed the information about the polyethylene ball to demonstrate that it provides an equivalent level of protection to LND's packaging).

Thank you for taking the time to clarify this question. Please feel free to contact me at 917 545 4087, if I can be of any assistance.

Sincerely,

LND, INCORPORATED

Spencer B. Neyland
Operations Manager/Physicist