



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

APR 12 2005

400 Seventh Street, S.W.  
Washington, D.C. 20590

Mr. Paul Shelton  
Hazmat Seminars  
Post Office Box 6122  
Oak Ridge, Tennessee 37831

Ref No.: 05-0033

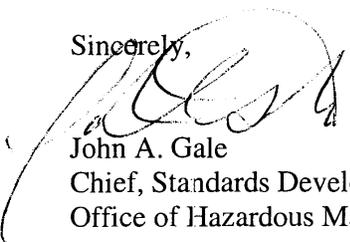
Dear Mr. Shelton:

This responds to your January 26, 2005 letter requesting clarification of the packaging requirements for explosives contained in § 173.62 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if shippers are free to utilize any option provided in the referenced packing instruction for an explosive, assuming there is no packaging specified in the approval letter, even when that option differs from the configuration in which classification testing was conducted.

The competent authority approval issued by the Associate Administrator for Hazardous Materials Safety is the definitive statement of proper shipping name, identification number, and classification code for new explosives. The approval document may also contain additional stipulations, including packaging requirements. Any packaging information contained in the approval document takes precedence over the requirements contained in the Table of Packing Methods in § 173.62. If the approval does not contain specific packaging requirements, the explosive must be packaged as prescribed in the Table of Packaging Methods found in § 173.62. In these instances, you may utilize any packaging configuration authorized by the packing instruction for the explosive.

I hope this information is helpful. Please contact us if you require additional assistance.

Sincerely,



John A. Gale  
Chief, Standards Development  
Office of Hazardous Materials Standards



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173.62

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OAK RIDGE, TENNESSEE 37831

CERTIFIED MAIL NO. 5708 3240  
RETURN RECEIPT REQUESTED

January 26, 2005

Chief, Interpretations  
Research and Special Programs Administration  
U. S. Department of Transportation  
400 Seventh Street, SW  
Washington, DC 20590

Re: 49 CFR 173 Subpart C:  
Packaging of Explosives

I am an instructor in hazardous materials transportation regulations, including the DOT Regulations applicable to the classification, packaging, and transportation of explosives. An issue has arisen in several classes concerning the flexibility provided by the Table of Packing Methods in §173.62.

It is clear that the new explosive classification document issued by the Associate Administrator is the definitive statement of proper shipping name, identification number, and classification code. It is also routine for the Associate Administrator to include additional requirements or limitations in the document, frequently stipulating packaging which must be utilized for commercial transport. Where such stipulations differ from provisions in the Table of Packing Methods in §173.62, it is understood that the classification document takes precedence over the Table.

The question concerns those situations in which the new explosive classification document is silent on packaging requirements, and the identification number is used to reference a packing instruction in §173.62. In such situations, are shippers free to utilize any option provided in the referenced packing instruction, even when that option differs from the configuration in which classification testing was conducted?

It would appear from the plain language of the Regulations that, absent a prescription or limitation in the classification document, unrestricted use of the Table of Packing Methods is allowed. If this is not correct, please advise of the correct interpretation.

Thank you for your assistance.

**P. Shelton**  
Paul Shelton  
HAZMAT SEMINARS

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§173.62

Packaging of  
Explosives

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