



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

APR 14 2005

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

Mr. David Giaccio
PurePak Corporation
324 S. Bracken Lane, Suite #3
Chandler, AZ 85224

Ref. No. 05-0065

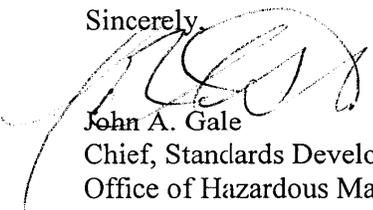
Dear Mr. Giaccio:

This is in response to your March 22, 2005, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if plastic inner packagings for the combination packaging specified in §173.158(f)(3) must have a maximum capacity that is not greater than 2.5 L or whether a larger container can be used and only filled to 2.5 L.

Nitric acid of 70% or less concentration offered for transport by rail, highway, or water may be packaged in certain combination packagings with plastic inner packagings not over 2.5 L capacity further individually overpacked in tightly closed metal packagings (§ 173.158(f)(3)). The use of the term "not over" means that you may not use a plastic inner packaging with a maximum capacity greater than 2.5 L.

I hope this satisfies your request.

Sincerely,


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



050065

173.158 (f) (3))

BAH
§173.158(f) (3)
Combination Packagings
05-0065

	PurePak Corporation 324 S. Bracken Lane Suite #3 Chandler AZ 85224 480-926-0022 Fax: 480-545-9288
To: Edward Mazzullo DOT/PHEMSA DHM-10 400 7 th Street SW Washington DC 20590 Fax number: 202-366-3012	
Date: 3/22/2005	

Regarding: Clarification of Maximum Quantity

Dear Sir:

I would like to obtain written clarification regarding the transportation of Nitric Acid UN 2031 PG II.

Sec. 173.158(f) (3) describes a combination package containing 2.5L plastic inner packagings. Is 2.5L the brim or "Maximum Quantity" of the container, or can a larger container be used and filled to 2.5L?

Thank you in advance for your assistance.

Regards,



David Giaccio