



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

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

NOV 26 2013

Mr. Pal Khangaldy  
Director of Engineering  
Westpak, Inc.  
83 Great Oaks Blvd.  
San Jose, CA 95119

Ref. No.: 13-0187

Dear Mr. Khangaldy:

This is in response to your September 6, 2013 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to combination packages. In your scenario, you state that two similar combination packages are tested and certified as performance oriented packages with different inner packagings. You ask whether it is acceptable to mix the two types of inner packagings in the combination packages provided they not exceed the weight rating of the package system and all materials in the package are compatible.

The answer to your question is yes. In accordance with § 178.601(c)(4), a “different packaging” is defined as one that differs from a previously produced packaging in structural design, size, material, of construction, wall thickness or manner of construction. However, § 178.601(c)(4)(ii) states that this definition does not include a combination packaging which differs only in that the outer packaging has been successfully tested with different inner packagings. This definition permits a variety of inner packagings to be assembled in the outer packaging without further testing.

I hope this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

T. Glenn Foster  
Chief, Regulatory Review and Reinvention Branch  
Standards and Rulemaking Division

Andrews  
§ 178.601

**Drakeford, Carolyn (PHMSA)**

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**From:** INFOCNTR (PHMSA)  
**Sent:** Friday, September 06, 2013 3:53 PM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: Request for Interpretation

Testing  
13-0187

Hi Carolyn,

This caller requested we submit this e-mail as a formal letter of interpretation.

Thanks,  
Victoria

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**From:** Pal Khangaldy [mailto:Pal@westpak.com]  
**Sent:** Friday, September 06, 2013 3:11 PM  
**To:** INFOCNTR (PHMSA)  
**Subject:** Request for Interpretation

To Whom it May Concern,

If two similar combination packages are tested and certified (POP tested) each containing two different sets of 4 inner bottles, is it acceptable to mix the two types of bottles under the variation 1 (the bottles are of similar weight) in Paragraph 178.601 of the 49-CFR.

For example:

Package A has 4 inner 100-mL HDPE bottles and has been tested and certified  
Package B has 4 inner 100-mL glass bottles and has been tested and certified  
Package A and Package B are identical with the exception of inner bottles.

Is it possible to ship a package containing 2 100-mL HDPE bottles and 2 100-mL glass bottles in the combination package not exceeding the weight rating of the package system, granted all materials are compatible?

Best Regards,

**Pal Khangaldy** | Director of Engineering | **Westpak, Inc.**  
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