



U.S. Department of Transportation
**Pipeline and Hazardous Materials
Safety Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

Mr. Gilbert Castro
CMV Inspector
8997 Foggy Loop
Laredo, TX 78045

MAR 19 2015

Reference No. 14-0176

Dear Mr. Castro:

This is in response to your September 23, 2014 e-mail requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) relating to the securement of packages containing hazardous materials during highway transportation. You provide several photographs of intermediate bulk containers (IBCs) that are secured using boards nailed to the floor of the trailer and ask if this method of securement is in violation of § 177.834(a) when there is no evidence of shifting.

The IBCs in the pictures you provided would be in violation of § 177.834(a). The longitudinal (front to back) securement of the load may be appropriate, however, the lateral (side to side) securement is insufficient. Section 177.834(a) of the HMR provides, "Any package containing any hazardous material, not permanently attached to a motor vehicle, must be secured against shifting, including relative motion between packages, within the vehicle on which it is being transported, under conditions normally incident to transportation." As loaded, the space between the IBCs and the sides of the trailer could allow the IBCs to shift, and there is no securement mechanism in place on at least some of the IBCs to prevent them from shifting side to side. As noted in a previous interpretation issued by this office, Ref. No. 12-0136, specific methods for securing packages in a motor vehicle are not provided in the HMR. However, varied methods, such as tiedowns, using dunnage or other cargo, shoring bars, jack bars, or toe-boards would be acceptable to secure the IBCs from side to side movement within the trailer.

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

Sincerely,

A handwritten signature in black ink that reads "Duane A. Pfund".

Duane A. Pfund
International Standards Coordinator
Standards and Rulemaking Division

Webb
§177.834(a)
General Requirement
14-0176

Dodd, Alice (PHMSA)

From: Ciccarone, Michael CTR (PHMSA)
Sent: Tuesday, September 23, 2014 3:08 PM
To: Hazmat Interps
Subject: FW: 177.834(a) Interpretation
Attachments: 20140623_124013.jpg; 20140623_124031.jpg; 20140623_124044.jpg; 20140623_124057.jpg; 20140623_124152.jpg

Shante and Alice,

Please submit this for a formal letter of interpretation.

The company address is - The company address is 8997 Foggy Loop, Laredo, Texas 78045

Thanks,

Mike

From: Gilbert Castro [<mailto:gilloc1971@gmail.com>]
Sent: Tuesday, September 23, 2014 10:08 AM
To: PHMSA HM InfoCenter
Subject: 177.834(a) Interpretation

To whom it may concern;

I am requesting a formal letter of interpretation of 49 CFR 177.834(a) regarding the proper securement of IBC's in a closed transport vehicle. I know they are not permanently attached to the motor vehicle. I have attached photos of how they are being secured. Questions is, are the packages as loaded in violation of 177.834(a) even though there is no evidence of shifting?

I did view Interpretation Reference No. 12-0136.

Gilbert Castro
CMV Inspector
Laredo, Texas 78043

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