



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

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

OCT 04 2011

Mr. Christopher J. Widman
Corporate DOT Haz Mat
Transportation Specialist
Alliant Techsystems Inc. (ATK)
7480 Flying Cloud Drive
Minneapolis, MN 55344-3720

Ref. No. 10-0052

Dear Mr. Widman:

This responds to your letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the requirements for testing and packaging large and robust explosive articles. Specifically, you ask two questions regarding the responsibility for ensuring Series 4 tests are successfully accomplished for unpackaged explosive articles prescribed in Packing Method 130 of § 173.62. Your questions are paraphrased and answered as follows.

- Q1. Packing Method 130 of § 173.62 authorizes certain large and robust explosive articles to be shipped unpackaged if a negative result is achieved when Test Series 4 in the UN Manual of Tests and Criteria is conducted on the article. Must Test Series 4 be successfully conducted prior to offering for transportation or transporting an unpackaged article under § 173.62(c)(5) Packing Method 130?
- A1. No. Test Series 4 may be waived at the discretion of the examining laboratory with sufficient justification or by PHMSA where impractical.
- Q2. Is it the shipper's responsibility to ensure that Test Series 4 is conducted on an unpackaged explosive article, if appropriate? If not, whose responsibility is it?
- A2. The shipper must determine whether or not the examining laboratory will require the test in order to complete its evaluation of the unpackaged article.

In accordance with § 173.56(b)(1), the person requesting approval for the explosive must submit a report of test results and assignment of a recommended shipping description, division, and compatibility group. Subsequent offerors must obtain a separate approval for any packaging deviations made before shipment.

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in black ink that reads "T. Glenn Foster". The signature is written in a cursive style with a large, sweeping initial "T" and a long, horizontal flourish extending to the right.

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



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2 March 2010

U.S. DOT
PHMSA Office of Hazardous Materials Standards
Attn: PHH-10
East Building
1200 New Jersey Ave, SE
Washington, DC 20590-0001

Dear Standards:

Alliant Techsystems Inc. (ATK) is requesting an interpretation of Packaging Instruction 130 (PI-130) defined in §173.62 in the HMR.

Note; because PI-130 identifies Test Series 4 criteria (which are defined in §173.57 (5) (b) & Titled: Acceptance criteria for new explosives), there will be a request for interpretation regarding this regulation as well.

We request clarification on the Test Series 4 requirements when proposing to ship an article with a United Nations identification number (UN Serial Number) specifically listed in the HMR under "Particular Packaging Requirements or Exceptions" of PI-130.

PI-130: First Column

Column one of PI-130 Titled: Packaging Instruction Subtitle: Particular Packing Requirements or Exceptions states the following:

Large and robust explosives articles, normally intended for military use, without their means of initiation or with their means of initiation containing at least two effective protective features, may be carried unpackaged. When such articles have propelling charges or are self-propelled, their ignition systems must be protected against stimuli encountered during normal conditions of transport. A negative result in Test Series 4 on an unpackaged article indicates that the article can be considered for transport unpackaged. Such unpackaged articles may be fixed to cradles or contained in crates or other suitable handling devices.

Please review the first two sentences of the above paragraph and offer an interpretation to Q1.

Q1: If an article meets the description of either or both of the first two sentences of PI-130 (identified above), is the shipper required to conduct Series 4 Tests before being authorized to ship the article unpackaged?

Stevens
§173.62
§173.57
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49 CFR §173.57 (5) (b)

49 CFR §173.57 (5) (b) defines Test Series 4 criteria and is copied below.

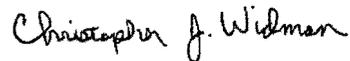
(b) An explosive article, packaged or unpackaged, or a packaged explosive substance *must be* submitted to the Thermal Stability Test for Articles and Packaged Articles (Test method 4(a)(i)) and the Twelve Meter Drop Test (Test Method 4(b)(ii), *when appropriate*, in the Explosive Test Manual.

Q2: Is it the shipper's responsibility to decide when it's appropriate to conduct (Test Series 4(a)(i) & 4(b)(ii)) on an unpackaged article?

If you have any questions regarding the above request, please contact me at (952) 351-5506, or by email at christopher.widman@atk.com.

Thank you for taking the time and resources to review.

Sincerely,



Christopher J. Widman
Corporate DOT Haz Mat Transportation Specialist

CJW/lrs