



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

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

DEC - 3 2010

Mr. Harry Woods
Fire Prevention Supervisor
Hazmat - CDMAT
1010 Second Avenue, Suite 300
San Diego, CA 92101-4970

Ref. No.: 10-0200

Dear Mr. Woods:

This responds to your September 17, 2010 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). In your email and subsequent telephone conversation with a member of my staff, you request clarification of the applicability of § 178.601(g)(2) to a combination package containing ethanol. Your questions are paraphrased and answered as follows:

Q1) Is § 178.601(g)(2) referenced in the Hazardous Materials Table (HMT; § 172.101) for non-bulk packagings of liquid hazardous materials?

A1) No. Section 178.601(g)(2) is not directly referenced in the HMT. Part 178, pertaining to specifications for packagings, is referenced in the non-bulk specification packagings for liquid hazardous materials in §§ 173.201 (Packing Group I), 173.202 (Packing Group II) and 173.203 (Packing Group III). Sections 173.201, 173.202, and 173.203 are referenced in Column 8B of the HMT, as applicable.

Q2) May a combination packaging for ethanol consisting of a 4G fiberboard box and inner plastic receptacle tested according to § 178.601(g)(2) be used for liquid hazardous materials?

A2) With respect to ethanol, the answer is yes. The listings for ethanol in the HMT indicate that non-bulk packaging must comply with either § 173.202 or § 173.203 based on the Packing Group assigned. Both sections authorize outer 4G fiberboard boxes with inner plastic receptacles. The non-bulk performance-oriented packaging standards for fiberboard boxes are provided in § 178.516 and the testing requirements are provided in Part 178, Subpart M. Section 178.601(g)(2) applies when packagings are different only in minor respects from a tested packaging. It allows for an outer packaging to be used with different inner packagings, provided that it has been successfully tested in accordance with § 178.603 with fragile inner packagings containing liquids at the Packing Group I drop height and the combined gross mass of the inner packagings does not exceed one-half the gross mass of the inner packagings used to perform the drop test.

It should be noted that combination packages consisting of 4G fiberboard boxes and inner plastic receptacles are not authorized for all liquid hazardous materials. To determine the authorized packaging for any hazardous material, you must first find the proper shipping name in the HMT and then refer to Column 8, which lists the section in Part 173 containing the authorized packaging for that particular hazardous material.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Supko". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ben Supko
Acting Chief, Standards Development
Standards and Rulemaking Division

Drakeford, Carolyn (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Friday, September 17, 2010 2:50 PM
To: Drakeford, Carolyn (PHMSA)
Cc: DerKinderen, Dirk (PHMSA)
Subject: FW: Request for formal letter of interpretation

Winter
\$178.601
Testing
10-0200

Hi Carolyn,

We received the following request for a formal letter of interpretation at the Info Center.

Thanks,

Victoria Lehman
202-366-1035

From: Woods, Harry [mailto:HWoods@sandiego.gov]
Sent: Friday, September 17, 2010 1:09 PM
To: INFOCNTR (PHMSA)
Subject: Request for formal letter of interpretation

To whom it may concern:

I have been researching the DOT standards for transporting hazardous materials. Specifically a combination package 4G with liquid hazardous materials and I want to know if my interpretation is correct.

First I looked at 49 CFR 178.601 that applies to hazardous materials, from there I went to (4) (iv) that describes packagings that conform to paragraph (g). I then went to testing of combination packaging variation 2. And finally (i) that says that the outer packagings must have been successfully tested in accordance with 178.603 with fragile (e. g. glass) inner packagings containing liquids at the packing group I drop height. When does this apply ?

I understand that this applies to variations, but you have to have the original package first. Then you can put almost anything in it.

Does 49 CFR 178.601 apply to all packagings that carry hazardous materials ? If not please tell me why not. Can they use the regular inner packagings for hazardous materials ? If so when ?

In other words should the package be a 4GV package if it has liquid hazardous materials in it ? If you have any questions please call me.

Thank You

Sincerely,

Harry Woods,

Fire Prevention Supervisor