



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

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

DEC 17 2010

Mr. Jim Shimko
General Manager
DGM USA Atlanta
2000 Sullivan Road, Suite D
College Park, GA 30337

Reference No. 10-0214

Dear Mr. Shimko:

This is in response to your letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to packagings. Specifically, you ask whether inner packagings of combination UN standard packagings designed to retain liquids must comply with the internal test pressure requirements prescribed in § 173.27(c)(2)(i) when they contain non-hazardous materials. You state the completed packages will also contain inner packagings of hazardous materials and are intended for transportation by aircraft.

While the inner packaging of a combination packaging that contains a non-hazardous material is not subject to the performance requirements for hazardous materials packagings under the HMR, including § 173.27(c)(2)(i), the completed packaging that contains inner packagings for hazardous and non-hazardous materials must meet all performance design tests for which it is certified (see § 178.3(a)). In addition, inner packagings of non-hazardous materials placed in a packaging with hazardous materials must not be capable of reacting dangerously with the packaging or its contents, or weaken the protective properties of the packaging. See §§ 173.21(e) and (g), 173.24(b) and (e), and 173.24a(a)(3).

I hope this satisfies your request.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Glenn Foster".

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



Edmonson
§173.27
Air
10-0214

Experts on International Rules & Regulations for Training, Packing, Storage & Transport of Hazardous Goods

DGM USA Atlanta

September 22, 2010

U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
Office of Hazardous Materials Standards
East Building
1200 New Jersey Ave., SE
Washington, DC 20590-0001

Dear Sirs:

SUBJECT: Interpretation of pressure test requirements (173.27(c)(2)(i)) for combination packagings containing hazardous and non-hazardous materials.

We are in need of a clarification on whether internal test pressure requirements as specified in 173.27(c)(2)(i) are required for an inner packaging that contains non-hazardous material.

173.27(c)(2)(i) states;

(c) Pressure requirements. (1) Packagings must be designed and constructed to prevent leakage that may be caused by changes in altitude and temperature during transportation aboard aircraft.

(2) Packagings for which retention of liquid is a basic function must be capable of withstanding without leakage the greater of—

(i) An internal pressure which produces a gauge pressure of not less than 75 kPa (11 psig) for liquids in Packing Group III of Class 3 or Division 6.1; or 95 kPa (14 psig) for other liquids;.....

Specifically, when performing a test in accordance with Performance Oriented Packaging Standards a combination packaging consisting of two (2) inner packagings; where the Part A inner package contains a non-hazardous material (liquid) and Part B contains a hazardous material (liquid), is the Part A inner package required to pass the pressure differential test as stated in 173.27(c)(2)(i)? All other packaging elements and the completed package are tested in accordance with the applicable requirements to meet the design qualification.

We believe the Part A package is not subject to pressure differential testing. This interpretation is based on the premise that the inner package does not contain a substance classified as a hazardous material and therefore is not subject to the regulations. The non-hazardous material is in compliance with 173.24(e)(4).

Sincerely,

Jim Shimko
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