



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

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

DEC 17 2010

Mr. W. Eugene Sanders
Manager
W.E. Train Consulting
8710 W. Hillsborough Ave #112
Tampa, FL 33615

Ref. No.: 10-0246

Dear Mr. Sanders:

This responds to your November 2, 2010 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You state that in a previous letter of interpretation issued by PHMSA (06-0016), we permitted the use of an authorized single packaging, which was tested and marked for liquid hazardous materials, to contain inner receptacles that were compatible with the lading provided the inner receptacles would not adversely impact the level of performance of the packaging. Specifically, you ask whether this interpretation of the HMR continues to be in compliance.

The answer is yes. An authorized single packaging which is tested and marked for liquid hazardous materials may contain inner receptacles that are compatible with the lading provided the inner receptacles do not adversely impact the level of performance of the packaging. This configuration continues to comply with the HMR. Furthermore, the packaging would remain marked as a single packaging and be to subject to all requirements of the subchapter as a single packaging.

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 "T. Glenn Foster", with 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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Packagings
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John A. Gale
Chief, Standards Development
Office of Dangerous Goods Standards
PHMSA, U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Gale,

This letter seeks further clarification of the regulatory requirements related to your letter of interpretation, Ref. No. 06-0016, attached.

A dangerous good intended for international air shipment is placed in an authorized, non-bulk, single packaging, but as per the aforementioned letter of interpretation, the dangerous good is further contained in compatible inner receptacles. The package remains marked as a single packaging, again per the letter of interpretation. Please confirm that, consistent with the specification package marking, the package is still a single package, subject to the single package air shipment limits and Packing Instructions (PI), and when described on shipping documents may declare the single package PI.

We are aware of a counter-argument, with which we do not agree, that says the configuration is not a single package, but a combination package. Please be aware that a determination that the shipping documents must declare a combination package PI will almost certainly be noted by carriers as a conflict with the single package specification mark, and result in rejection of the shipment.

Sincerely,

W. Eugene Sanders III
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