



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

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

FEB 17 2011

Mr. Joseph P. Dugan
Occupational Safety and Health Specialist
Military Surface Deployment and Distribution Command
Attn: AMSSD-SA
Room 3133, Work Station 3G04i5
One Soldier Way, Building 1900W
Scott Air Force Base, IL 62225

Reference No. 11-0031

Dear Mr. Dugan:

This is in response to your February 7, 2011 e-mail to this agency's Hazardous Materials Information Center concerning Packing Method 130 under § 173.62(c)(5) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if United Nations (UN) standard packagings 4B (aluminum box) and 4C2 (natural wood box with sift-proof walls) were removed in error when this requirement was revised in a final rule published in the Federal Register on February 2, 2010 [75 FR 5376] under Docket No. PHMSA-2006-25736 (HM-231).

The answer is yes. While revising Packing Method 130 to add UN standard Large Packagings, the "UN 4B" and "UN 4C2" boxes were inadvertently removed from this section. We will correct this error in a future rulemaking. This letter is to inform you that continued use of UN 4B and UN 4C2 boxes under § 173.62(c)(5), Packing Method 130, remains authorized.

I hope this satisfies your request.

Sincerely,

Charles E. Betts
Director,
Standards and Rulemaking Division

Drakeford, Carolyn (PHMSA)

Stevens
§ 173.62
Packaging of Explosives
11-0031

From: INFOCNTR (PHMSA)
Sent: Monday, February 07, 2011 4:18 PM
To: Drakeford, Carolyn (PHMSA)
Cc: Edmonson, Eileen (PHMSA); Lucas, Adam CTR (PHMSA)
Subject: FW: Request guidance (UNCLASSIFIED)
Attachments: Packaging Instruction 173.62, number 130 (3.99 KB); 49CFR 2009 PI 130.pdf; FedReg 02-02-2010 PI 130.pdf

Importance: High

Hi Carolyn,

We received the following letter of interpretation request at the Info Center. Eileen Edmonson has begun researching this issue. The Info Center call referenced in the request was the 2/3/11 conversation between Information Specialist Adam Lucas and caller Janice Hopkins.

Thanks,
Victoria

Victoria Lehman
Hazmat Information Center (HMIC)
Pipeline & Hazardous Materials Safety Administration 1200 New Jersey Avenue, SE, E21-119
Washington, D.C. 20590 <http://phmsa.dot.gov/hazmat/info-center>
(202) 366-1035

-----Original Message-----

From: Dugan, Joseph P Mr CIV USA SDDC [<mailto:joseph.dugan@us.army.mil>]
Sent: Monday, February 07, 2011 2:21 PM
To: INFOCNTR (PHMSA)
Cc: Edmonson, Eileen (PHMSA); Dugan, Joseph P Mr CIV USA SDDC
Subject: Request guidance (UNCLASSIFIED)
Importance: High

Classification: UNCLASSIFIED
Caveats: FOUO

Standards Division,

We have a problem regarding 49 CFR 173.62, Packaging Instruction 130 in the 2009 version of the HMR the following packagings were authorized: 4B and 4C2 (see attachment 1). Later a Final Rule HM231 was published in the Federal Register on 02-02-2010 with an effective date of 10-01-2010, Packaging Instruction 130 was modified, both authorized packagings 4B and 4C2 were omitted. (see attachment 2)

DOD is a large shipper of explosive materials which use both formerly approved configurations. Could you please clarify were the 2 packagings removed by design or through a publishing error?

I have attached a message from one of the DOD Components asking for the guidance (attachment 3), as you can see the HOTLINE did provide a verbal response but I must send out guidance to the DOD shipping community and require substantive proof that the information we distribute is verifiable.

Please respond as quickly as possible because at this very moment there are a significant amount of weapon systems being held pending resolution of this problem.

Thank you.

Joseph P. Dugan
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Classification: UNCLASSIFIED

Caveats: FOUO