



U.S. Department
of Transportation

1200 New Jersey Avenue SE
Washington, DC 20590

**Pipeline and Hazardous
Materials Safety
Administration**

JUL 18 2012

Jordan J. Brodsky
Director of Product Technical and Regulatory Support
Greif, Inc.
Rigid Industrial Packaging & Services, North America
366 Greif Parkway
Delaware, OH 43015

Ref. No. 12-0120

Dear Mr. Brodsky:

This responds to your letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the testing of non-bulk packagings. In your letter, you interpret a pass/fail criterion at § 178.606(d) that would allow a drum successfully withstanding the stacking test to then be leakproofness tested in accordance with § 178.604. You ask whether the steel drum test samples used for the stacking test as prescribed in § 178.606 may also be used for the leakproofness test as prescribed in § 178.604.

The answer is no. However, in accordance with § 178.601(k), several tests may be performed on a single sample with the approval of the Associate Administrator and provided the validity of the test results is not affected. You may apply for approval to perform several tests on a single sample under the procedures specified in 49 CFR § 107.705.

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

Sincerely,

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

GREIF

Stevens
§178.601
§178.604
Testing
12-0120

May 10, 2012

Charles Betts
Director, Standards and Rulemaking
U.S. Department of Transportation
Pipeline & Hazardous Materials Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590-0001

Email: infocntr@dot.gov

Dear Mr. Betts,

Greif requests a Letter of Interpretation regarding steel drums used for Stacking tests and Leakproofness tests.

The regulations in 49CFR§178.601(k)(1)(i) identify the tests to be performed.

(i) The packaging must be tested in accordance with this subpart by subjecting each of the three containers to the following sequence of tests:

178.601(k)(1)(i)(A)

(A) The stacking test in § 178.606,

178.601(k)(1)(i)(B)

(B) The leakproofness test in § 178.604,

178.601(k)(1)(i)(C)

(C) The hydrostatic pressure test in § 178.608, and

178.601(k)(1)(i)(D)

(D) Diagonal top chime and flat on the side drop tests in § 178.603. Both drop tests may be conducted on the same sample.

In the specific sections on testing requirements for the two tests in question (§178.604 Leakproofness test and §178.606 Stacking test), the regulations are silent regarding the use of passed Stacking test drums in the Leakproofness test.

The criteria for passing the Stacking test clearly outline the physical condition of passed drums.

The regulations in 49CFR §178.606(d) state:

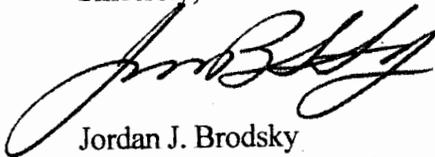
(d) Criteria for passing the test. No test sample may leak. In composite packagings or combination packagings, there must be no leakage of the filling substance from the inner receptacle, or inner packaging. **No test sample may show any deterioration which could adversely affect transportation safety or any distortion likely to reduce its strength, cause instability in stacks of packages, or cause damage to inner packagings likely to reduce safety in transportation.** For the dynamic compression test, a container passes the test if, after application of the required load, there is no buckling of the sidewalls sufficient to cause damage to its expected contents; in no case may the maximum deflection exceed one inch.

Greif interprets the regulations that we should be able to use those same Stacking test drums for our Leakproofness tests, as long as the drums used in the Stacking test have passed successfully against these criteria.

Greif requests a formal letter of interpretation of Greif's position on the above regulations.

Thank you for your time and your consideration.

Sincerely,



Jordan J. Brodsky
Director of Product Technical and Regulatory Support
Greif, Inc.
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