



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

DEC 11 2012

Ms. Laura Hamilton
Supervisor, Logistics
Olin Corporation/Winchester Division
427 N. Shamrock St.
East Alton, IL 62002

Ref. No. 12-0187

Dear Ms. Hamilton:

This responds to your August 8, 2012 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the packaging exceptions for limited quantities of certain Class 1 (explosives). Specifically, you ask whether the packaging exceptions provided for 22 caliber rim-fire cartridges in § 173.63(b)(2)(v) are exclusive to 22 caliber and not to all low-caliber rim-fire ammunition authorized in § 173.63(b)(iii).

The answer is yes. At the time the § 173.63(b) packaging exceptions for rim-fire cartridges were adopted in the HMR in 1990, the 22 caliber was the only size authorized. If you would like to see this authorization expanded to include all low-caliber rim-fire ammunition authorized in § 173.63(b)(iii), you may request PHMSA to amend the HMR through a petition for rulemaking as prescribed in §§ 106.95 and 106.100.

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

Drakeford, Carolyn (PHMSA)

Stevens
§173.63
Packaging Exceptions
12-0187

From: Eckenrode, Andrew.CTR (PHMSA) on behalf of INFOCNTR (PHMSA)
Sent: Monday, August 20, 2012 2:30 PM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: Request for Interpretation

Importance: High

Carolyn,

We received the following request for a letter of interpretation.

Thanks,

Andrew

From: Hamilton, Laura G EALT [<mailto:LGHamilton@olin.com>]
Sent: Friday, August 17, 2012 5:51 PM
To: INFOCNTR (PHMSA)
Subject: Request for Interpretation
Importance: High

Olin Corporation, Winchester Division is a manufacturer of small arms ammunition. In accordance with existing regulations, we currently package and ship 22 caliber rimfire cartridges loose in inside boxes which fit snugly in outside packaging as ORM-D. 49 CFR 173.63 (b) (2) (v) allows 22 caliber rimfire cartridges to be packaged loose in strong outside packagings. We offer a variety of low caliber rimfire products, not all of which are 22 caliber. Although the regulations refer specifically to 22 caliber rimfire cartridges, we believe the intention of the regulation was to allow loose packaging of all low caliber rimfire ammunition. Examples of such low caliber rimfire would be 17 caliber, 20 caliber, 25 caliber and 27 caliber. The biggest of these examples would have a cartridge body diameter of .27" and an overall length of 1.65", which are just slightly bigger than 22 caliber (.24" body and 1.37" length). Please provide an interpretation to advise if the regulations allow all low caliber rimfire cartridges within the .27" body and 1.65" length limitations (not just 22 caliber) to be packaged loose in strong outside packagings as ORM-D in accordance with 49 CFR 173.63 (b) (2) (v).

Your advice on this would be greatly appreciated as we are looking into updating packaging which would create symmetry between 17 caliber and 22 caliber packaging.

Sincerely,

Laura Hamilton
Supervisor, Logistics
Olin Corporation/Winchester Division
(618) 258-3439

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