



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

1200 New Jersey Ave, S.E.
Washington, D.C. 20590

MAY 14 2009

Ms. Erin N. Jarman
URS Corporation
1600 Perimeter Park Drive
Morrisville, NC 27560

Ref. No: 08-0220

Dear Ms. Jarman:

This is in response to your request for a clarification of the requirements concerning combustible liquids contained in a bulk packaging under §173.150(f)(3) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask for confirmation that combustible liquids in bulk quantities are not required to be offered for transportation in a UN standard or DOT specification packaging. I apologize for the delay in responding and any inconvenience it may have caused.

Your understanding is correct for shipments by highway or rail. Under § 173.150(f)(3), a combustible liquid that is in a bulk packaging (including a combustible liquid that is a hazardous substance, a hazardous waste, or a marine pollutant) is not subject to the requirements of the HMR except those listed in § 173.150(f)(3)(i) through (x). Paragraph (f)(3) provides, among other things, that a combustible liquid in a bulk packaging is not subject to the specification packaging provisions contained in the HMR. Therefore, a bulk non-specification packaging must meet only those requirements in Subpart B, and the various sections listed in §173.150(f)(3)(i) through (x) applicable to non-specification packagings, and not those specific to UN standard or DOT specification packagings.

I hope this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

Hattie L. Mitchell
Chief, Regulatory Review and Reinvention
Office of Hazardous Materials Standards

Andrew ~~Edmonson~~
§173.150(f)(3)
Exceptions
08-0220



August 29, 2008

Mr. Edward T. Mazzullo
Director, Office of Hazardous Materials Standards
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590

Dear Mr. Mazzullo:

I am writing to you with regards to a clarification of the requirements for combustible liquids contained in bulk packaging under 49 CFR §173.150(f)(3). During a conversation with Ms. Helen Engrum of your office on August 27, 2008, she confirmed that combustible liquids, even when in bulk quantities, are not required to be offered for transportation in UN specification packaging.

In addition, Ms. Engrum and I also spoke about the requirements found in 49 CFR §173.150(f)(3)(vii) and (viii) which direct the regulated community to comply with the packaging requirements of Subpart B of Part 173 as well as numerous other sections containing packaging requirements. Some of these sections specifically mention requirements for specification packaging. Ms. Engrum further explained that the intent of 49 CFR §173.150(f)(3) was for the regulated community to comply with only those requirements in Subpart B, and the various sections mentioned in 49 CFR §173.150(f)(3)(viii) which are applicable to non-specification packages since UN specification packages are not required for shipments of combustible liquids, even when in bulk quantities. While Ms. Engrum's verbal response via telephone did provide sufficient clarification, we are further requesting a formal written interpretation for our records.

Thank you in advance for your assistance. I look forward to your response.

Sincerely,

A handwritten signature in black ink that reads "Erin N. Jarman".

Erin N. Jarman
Environmental Scientist

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