



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

1200 New Jersey Avenue, SE
Washington, DC 20590

April 26, 2021

Mr. Pierre-Olivier Gagné
760 Boulevard Industriel
Blainville, QC J7C 3V4
Canada

Reference No. 20-0081

Dear Mr. Gagné:

This is in response to your September 30, 2020, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the authorization of United Nations (UN) 50AT metal Large Packagings.

Your questions are paraphrased and addressed as follows:

Q1. You ask whether the listed UN 50AT metal Large Packagings, authorized under the specified UN approvals, may be used as salvage containers for “UN1993, Flammable liquids, n.o.s., 3, PG II” materials in conformance with §§ 173.3(f) and 178.920 of the HMR. If not, you ask whether they may be used as salvage containers for this material in accordance with § 173.242(e).

- UN 50AT/Y/D/BAM 14727-BAUER/4960/
- UN 50AT/Y/D/BAM 14807-BAUER/6010/
- UN 50AT/Y/D/BAM 14808-BAUER/6010/
- UN 50AT/Y/D/BAM 14809-BAUER/6010/

A1. Except for transportation by air, § 173.3(f) permits packages of hazardous materials that are damaged, defective, or leaking; packages found to be not conforming to the requirements of this subchapter after having been placed in transportation; and, hazardous materials that have spilled or leaked may be placed in a large salvage packaging that is compatible with the lading and shipped for repackaging or disposal under certain conditions. These conditions include, but are not limited to, testing and marking in accordance with part 178, subparts P—which includes § 178.920—and Q at the Packing Group II or higher performance standards for large packagings intended for the transport of solids or inner packagings, and marked with the word “SALVAGE.” In addition, § 173.242(e) is not applicable to this scenario as it does not pertain to the use of large packagings as salvage containers.

Q2. You ask whether your understanding is correct that a UN 50AT metal Large Packaging that is compliant with Transport Canada's Transportation of Dangerous Goods Regulations, incorporated by reference under § 171.7(bb), is authorized for use under the HMR when it conforms with §§ 171.22 and 171.23 of the HMR.

A2. The answer is yes, provided all the applicable provisions in §§ 171.22 and 171.23 are met.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,



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

From: [Dodd, Alice \(PHMSA\)](#)
To: [Hillman, Kenetha CTR \(PHMSA\)](#)
Subject: FW: A question concerning 50AT type units and on reciprocity
Date: Tuesday, October 6, 2020 11:19:36 AM

From: INFOCNTR (PHMSA)
Sent: Monday, October 5, 2020 4:30 PM
To: Dodd, Alice (PHMSA) <Alice.Dodd@dot.gov>; Hazmat Interps <hazmatinterps@dot.gov>
Subject: FW: A question concerning 50AT type units and on reciprocity

Hi Alice,

Please see the letter of interpretation request below. Please contact our office with any questions.

Thank you,

Sarah (HMIC)

From: Pierre-Olivier Gagne [<mailto:pierreolivier.gagne@stablex.com>]
Sent: Monday, October 5, 2020 3:56 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: RE: A question concerning 50AT type units and on reciprocity

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Sarah,

thank you for your time in responding to this email.

Here are the information required as per below :

| | |
|--------------------------|---|
| Full name | Pierre-Olivier Gagné |
| Physical mailing address | 760 Boulevard Industriel Blainville, Qc, Canada J7C 3V4 |
| Phone number | (450) 430-9230 ext. 4744 |

If there is anything else, please do not hesitate

Regards,

Pierre-Olivier Gagné

Technical Advisor
Chemist
(450) 430-9230 ext. 4744
(450) 970-1342

pierreolivier.gagne@stablex.com
www.stablex.com



De : INFOCNTR (PHMSA) [<mailto:INFOCNTR.INFOCNTR@dot.gov>]

Envoyé : 5 octobre 2020 14:25

À : Pierre-Olivier Gagne <pierreolivier.gagne@stablex.com>

Objet : RE: A question concerning 50AT type units and on reciprocity

Dear Pierre-Oliver,

We have received your request for a written letter of interpretation regarding the hazardous materials regulations (49 CFR Parts 171-180). The hazardous materials regulations are available at the following URL:

<https://www.phmsa.dot.gov/phmsa-regulations>

However, before we can submit your request for processing, please respond to this email with:

- Full Name
- Physical Mailing Address
- Telephone Number

Sincerely,

Sarah, Hazardous Materials Specialist

An e-mail response from this office is considered informal guidance. Formal guidance may be requested in accordance with 49 CFR 105.20. <https://www.phmsa.dot.gov/standards-rulemaking/hazmat/hazardous-materials-information-center>

From: Pierre-Olivier Gagne [<mailto:pierreolivier.gagne@stablex.com>]

Sent: Wednesday, September 30, 2020 1:19 PM

To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>

Subject: A question concerning 50AT type units and on reciprocity

Good afternoon,

I was wondering if such units were usable as salvage for a DOT UN1993 pgl as per [49CFR173.3 f](#) & [49CFR178.920](#) or if this was not possible due to [49CFR143.242e](#))?



<https://www.bauer-suedlohn.de/en/hazardous-materials-containers/large-salvage-packagings/>

also digging into reciprocity, it appears that if it is compliant with the TDG version incorporated by reference in 49 CFR 171.7(bb), 49 CFR will allow it (see 49 CFR 171.12, and by reference 22 and 23). Is this the correct interpretation?

If possible, I would like an answer in writing for these two points

Respectfully,

Pierre-Olivier Gagné

Technical Advisor

Chemist

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