



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

MAR 22 2002

400 Seventh St., S.W.
Washington, D.C. 20590

Ref. No. 02-0068

Ms. Jamie S. Morton-Richardson
McClain E-Z Pack, Inc.
4000 S.W. 113th
Oklahoma City, OK 73173

Dear Ms. Morton-Richardson:

This is in response to your request for clarification of authorized packagings for "Solids containing flammable liquid, n.o.s.," UN3175 under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You ask whether a roll-on/roll-off bulk container is authorized for this entry. You also ask whether Special Provision 47 means that a leakproofness test at the Packing Group II level must be performed on a roll-on/roll-off bulk container.

Section 173.240 authorizes sift-proof non-DOT specification closed bulk bins for "Solids containing flammable liquid, n.o.s.," UN3175. Roll-on/roll-off bulk containers that are strong, firm, durable, constructed so that they are securely closed whereby contents cannot pass through, and meet the applicable requirements in §§ 173.24 and 173.24b are authorized non-DOT specification closed bulk bins and do not require a leakproofness test. Provided these requirements are met, "Solids containing flammable liquid, n.o.s." meeting Special Provision 47 may be transported in the roll-on/roll-off bulk containers.

I hope this information is helpful. Please contact us if you have additional questions.

Sincerely,

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



020068

173.240

McClain E-Z Pack, Inc.

McIntyre
§ 173.240
§ 178.604
Testing Packagings

4000 S.W. 113th
Oklahoma City, OK 73173
(405) 691-6311 • Fax (405) 691-4441

Tuesday, November 13, 2001

02-0068

Mr. Edward Mazzullo
RESPA
Office of Hazardous Materials Standards - DHM-10
U.S. Department of Transportation
400 Seventh Street, Southwest
Washington, DC. 20590-0001

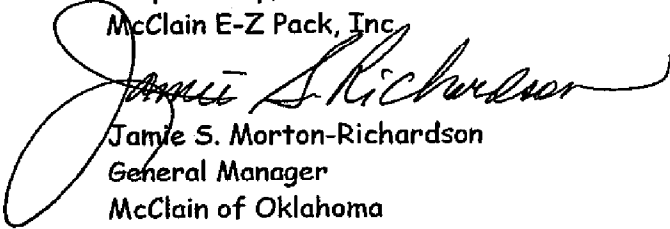
Dear Mr. Mazzullo:

I spoke with Mr. John Ramsey with the Hazardous Material Division in Oklahoma City, Oklahoma earlier today regarding the shipment of Solids, n.o.s. 3175 in bulk packages. He suggested we write to the Office of Hazardous Materials in Washington for clarification.

Our customer is shipping Solids, n.o.s. 3175 in bulk packages. CFR 173.240 and 173.240(b) state the bulk container must be sift proof. However, special provision "47", states that the packaging has to have a leak proof test at packing group II level. Our sift proof package cannot be leak proof tested. What do we do?

Please accept our thanks for your assistance in advance.

Respectfully,
McClain E-Z Pack, Inc.


Jamie S. Morton-Richardson
General Manager
McClain of Oklahoma

Ms. M-R REQUESTS
LTR. TO ADDRESS
ROLL-ON/ROLL-OFF AS
AUTHORIZED PKG. &
WHETHER IT REQUIRES
A LEAKPROOFNESS TEST AT
THE PG II LEVEL.

Cc: Mark Hess (Vopak)
File