



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

JUN 03 2019

Jeffrey M. Leitschuh
Hazmat/Transportation Safety Manager
Military Surface Deployment and Distribution Command
1 Soldier Way, Bldg 1900W
Scott AFB, IL 62225

Reference No. 19-0012

Dear Mr. Leitschuh:

This letter is in response to your February 5, 2019, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the design qualification testing of a packaging used for infectious substances. Specifically, you request clarification of the conditioning requirements for test samples in §§ 178.609(f), 178.603(c)(1), 178.810(b)(4), and 178.965(c) as they apply to a Category A packaging constructed of plastic. You interpret the conditioning requirements in § 178.609(f) to be the same as those specified in §§ 178.603(c)(1), 178.810(b)(4), and 178.965(c). The conditioning period as stated in § 178.609(f) must be sufficient to ensure that the test sample (the packaging and its contents) has been reduced to -18 °C or lower prior to performing the drop test. You interpret the phrase “a period of at least 24 hours” to be the minimum required amount of time for conditioning the test sample. In addition, your understanding is the conditioning period must continue past 24 hours if the test sample has not been fully reduced to -18 °C or lower at the end of the initial 24-hour conditioning period.

You are correct that testing of packages under § 178.609(f) requires a period of 24 hours for conditioning a test sample at -18 °C or lower. You are also correct that the conditioning period under § 178.609(f) would continue past 24 hours if the test sample has not been fully reduced to -18 °C or lower. However, such a time is not specified in §§ 178.603(c)(1), 178.810(b)(4), and 178.965(c). Packages tested under these sections of the HMR must have the test samples fully reduced to -18 °C or lower, but there is no specified minimum time frame for doing so.

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
Standards and Rulemaking Division

Andrews
19-0012

Dodd, Alice (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Tuesday, February 05, 2019 2:25 PM
To: Hazmat Interps
Subject: FW: Interpretation for Drop Testing Containers with Contaminated Human Remains (UNCLASSIFIED)
Attachments: Interpretation for Drop Testing Containers with Contaminated Human Remains Request.pdf; 178-609(f) interpretation request.docx

Alice and Ikeya,

Attached is a request for letter of interpretation. See both documents.

Thanks,

Jonathon, HMIC

-----Original Message-----

From: Leitschuh, Jeffrey M CIV USARMY SDDC (US) [mailto:jeffrey.m.leitschuh.civ@mail.mil]
Sent: Wednesday, January 02, 2019 2:19 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Cc: Leitschuh, Jeffrey M CIV USARMY SDDC (US) <jeffrey.m.leitschuh.civ@mail.mil>; Cantu, Elias V CIV USARMY SDDC (US) <elias.v.cantu.civ@mail.mil>; Maham, Daniel A CIV USARMY SDDC (US) <daniel.a.maham.civ@mail.mil>; Kudas, Thomas M CIV USARMY SDDC (US) <thomas.m.kudas.civ@mail.mil>
Subject: Interpretation for Drop Testing Containers with Contaminated Human Remains (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

To Whom it May Concern,

Please see attached Interpretation for Drop Testing Containers with Contaminated Human Remains request. Please let me know if you require further clarification.

v/r
Jeff

Jeffrey M. Leitschuh
Hazmat/Transportation Safety Manager
Military Surface Deployment and Distribution Command
1 Soldier Way, Bldg 1900W
Scott AFB, IL 62225
Comm: (618) 220-5040
DSN: 770-5040
Email: jeffrey.m.leitschuh.civ@mail.mil

CLASSIFICATION: UNCLASSIFIED



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE LIFE CYCLE MANAGEMENT CENTER
WRIGHT-PATTERSON AIR FORCE BASE OHIO

AFLCMC/EZPAA
5215 Thurlow St., Ste. 5
Wright-Patterson AFB, Ohio 45433-5540

11 Dec 2018

Pipeline and Hazardous Materials Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

1. We request PHMSA's confirmation that our understanding of the test sample conditioning requirements for plastic packagings prior to performing a drop test, is correct, specifically the requirement of 178.609(f) as it applies to Category A packagings in which either the outer or inner packagings are made of plastic.
2. We interpret the conditioning requirements of 178.609(f) to be the same as those specified in 178.603(c)(1), 178.810(b)(4), and 178.965(c), i.e., the conditioning period must be sufficient to ensure that the test sample (the packaging and its contents) has been reduced to -18°C or lower prior to performing the drop test. We interpret the phrase "a period of at least 24 hours" to be the minimum required amount of time for conditioning the test sample, and that the conditioning period must continue past 24 hours if the test sample has not been fully reduced to -18°C or lower at the end of an initial 24 hour conditioning period. [Please note, this is for test samples that do not contain dry ice.]
3. We hope we have understood the above requirement correctly. Thank you for your assistance in this matter. Our point of contact is Ms Susan Evans, 937-257-7445.



DEPARTMENT OF THE ARMY
MILITARY SURFACE DEPLOYMENT AND DISTRIBUTION COMMAND
1 SOLDIER WAY
SCOTT AFB, IL 62225-5006

Director, Command Safety Office

26 December, 2018

MEMORANDUM FOR STANDARDS AND RULEMAKING DIVISION, PIPELINE AND
HAZARDOUS MATERIALS SAFETY ADMINISTRATION
ATTENTION: PHH-10
U.S. DEPARTMENT OF TRANSPORTATION
EAST BUILDING
1200 NEW JERSEY AVENUE, SE
WASHINGTON, DC 20590-0001
infocntr@dot.gov


SUBJECT: Interpretation of 49 CFR Part 178, Subpart M Testing of Non-Bulk Packagings and Packages,
Subpart O Testing of IBCs and Subpart P Large Packagings Standards

In accordance with the provisions of Title 49, Code of Federal Regulations (CFR), section 105.20, application is hereby made for interpretation of the Hazardous Materials Regulations on behalf of the Department of Defense.

The interpretation request is in regards to testing plastic inner and outer containers and their contents as applicable to the packaging of contaminated human remains. In order to properly condition items for testing, the container and its contents must both be at -18 °C (0 °F) or lower for a minimum of 24 hours before the testing can be conducted. Please refer to attached memorandum from the Air Force Life Cycle Management Center. The Air Force POC is Ms. Susan Evans, (937) 257-7445 or Mr. Bill Heineman, (937) 257-4503.

References include 49 CFR 178.603 (c)(1), 178.609(f), 178.810(b)(4) and 178.965(c).

This request is submitted by Mr. Jeff Leitschuh, (618) 220-5040, e-mail jeffrey.m.leitschuh.civ@mail.mil and Mr. Elias Cantu, (618) 220-5041, e-mail elias.v.cantu.civ@mail.mil or usarmy.scott.sddc.mbx.hazmat-team@mail.mil Safety Team, Military Surface Deployment and Distribution Command.


DANIEL A. MAHAM
Director, Command Safety Office