



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

JUL 08 2019

Tatiana Smoleeva  
Manager, Regulatory and Testing  
Mauser Packaging Solutions  
2 Tower Center Blvd., 20<sup>th</sup> Floor  
East Brunswick, NJ 08816

Reference No. 19-0004

Dear Ms. Smoleeva:

This letter is in response to your December 18, 2018, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to packaging selective testing requirements. Specifically, you seek clarification on the design type changes and selective testing requirements for non-bulk packagings in § 178.601.

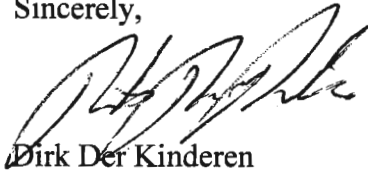
We have paraphrased and answered your questions as follows:

- Q1. You ask whether variations in the material of closure for the cover of an open-head UN1A2 steel drum constitute a “different packaging” design type for which design qualification and periodic testing is required.
- A1. The answer is no. As provided in § 178.601(g)(8)(xii), variations to the material used for the cover (i.e., the closure) of a UN1A2 steel drum would not be considered a different drum design. This exception only applies to a UN1A2 steel drum.
- Q2. You seek confirmation of your understanding based on a historical Letter of Interpretation (Ref. 99-0054) and the testing requirements found in § 178.601(g)(5), that selective testing under Variation 5 encompasses all single packaging design types, including closures (i.e., closure devices) and gaskets on the cover of a UN1A2 steel drum.
- A2. Your understanding is correct. In accordance with § 178.601(g)(5), a single packaging that differs from a tested design type only to the extent that the closure device or

gasketing differs from that used in the original tested design type may be used without further testing provided an equivalent level of performance is maintained, subject to the conditions contained in § 178.601(g)(5)(i) and (ii).

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Dirk Der Kinderen', written in a cursive style.

Dirk Der Kinderen  
Chief, Standards Development Branch  
Standards and Rulemaking Division

Becker

19-0004

**January, Ikeya CTR (PHMSA)**

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**From:** INFOCNTR (PHMSA)  
**Sent:** Monday, February 04, 2019 9:47 AM  
**To:** Hazmat Interps  
**Subject:** FW: Interpretation Request  
**Attachments:** Interpretation request\_Mauser\_178.601.pdf

Hello Alice and Ikeya,

Please see the attached letter of interpretation request.

Thanks,

**Lynsie Patschke**

Transportation Regulatory Specialist  
Hazardous Materials Information Center (HMIC)

**From:** Tatiana Smoleeva [mailto:Tatiana.Smoleeva@mauserpackaging.com]  
**Sent:** Tuesday, January 01, 2019 9:14 PM  
**To:** PHMSA HM InfoCenter <PHMSAHMInfoCenter@dot.gov>  
**Subject:** Mauser\_Interpretation\_49 CFR 178.601

Dear PHMSA,  
Please find attached a request for interpretation of the HMR.

Thank you and regards,

**Tatiana Smoleeva**

Manager, Regulatory & Testing  
Large Packaging  
**Mauser Packaging Solutions**

35 Cotters Lane ▶ East Brunswick, NJ 08816 ▶ USA  
P: + 1 732-353-7015 M: + 1 732 675 1469 F: + 1 732 353 7030  
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The Department of Transportation regulations require that the filler or offeror for shipment determine hazard class, packing group and suitability of the packaging for transportation including compatibility with the materials of construction and any gaskets, coatings, linings and surface treatments and service equipment. Further it is the shipper's responsibility to close each container according to the manufacturers' closing instructions.

Mauser USA, LLC drums and IBCs are not pressure vessels or vacuum receptacles and Mauser USA, LLC does not recommend or warrant them for this use. They are designed and sold to be shipping packagings and containers only.


Mauser USA, LLC drums and IBCs are not long term storage vessels, they are designed and sold to be shipping packagings and containers. We suggest for safety and integrity of the lading that storage in any shipping container be limited.

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December 18, 2018

Standards and Rulemaking Division  
Pipeline and Hazardous Materials Safety Administration  
Attn: PHH-10  
U.S. Department of Transportation  
East Building  
1200 New Jersey Avenue, SE  
Washington, DC 20590-0001

Dear Standards and Rulemaking Division,

I am writing on behalf of MAUSER Packaging Solutions to request clarification on the design type changes and selective requirements for testing of non-bulk packagings under HMR, 49 CFR 178.601(g).

Question 1:

The General Requirements, Section 178.601(g)(8) includes the following language

***...A change in any one or more of the following design elements constitutes a different drum design type:***

***(xii) The location (e.g., from the head to the body), type (e.g., mechanically seamed or welded flange), and materials of closure (other than the cover of UN 1A2 drums); and...***

Does "other than" in the passage above suggest that variations in materials of closure on the cover of 1A2 drum do not constitute a different packaging design type for which design qualification testing and periodic retesting are required?

Question 2:

In the past letter of interpretation (Ref. 99-0054) DOT has recognized that it is not required to test each closure for a packaging used under Variation 5 of 178.601(g) when the periodic design qualification is performed.

We believe selective testing under Variation 5 of 178.601(g) covers all single packaging design types, and includes closures and gaskets on the cover of 1A2 drums. Is our understanding correct?

Thank you in advance for your time and assistance in this matter.



Sincerely,

*Tatiana Smoleeva*

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