



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

April 24, 2020

Wayne Shafer  
Lead, Supplier Regulatory Workgroup  
North American Automotive Hazmat Action Committee  
4505 W. 26 Mile  
Washington, MI 48094

Reference No. 20-0004

Dear Mr. Shafer:

This letter is in response to your January 22, 2020, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the testing of non-bulk packagings. You describe a scenario where a non-bulk packaging uses bubble wrap as a cushioning material. This packaging configuration successfully completed the applicable tests for the specification. Specifically, you ask whether a different cushioning material (Instapack) can be used rather than what was used in the originally tested specification packaging (Bubble Wrap) without having to retest the packaging.

The answer is no. Use of a different cushioning material (Instapack) between the inner and outer packaging would qualify as a new packaging unless the packaging meets one of the selective testing of packagings in § 178.601(g). In absence of this selective testing (i.e., a variation), the packaging with a different cushioning described in your scenario must be tested in accordance with Part 178, Subpart M.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Dirk Der Kinderen".

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

Ciccarone

20-0004

**Dodd, Alice (PHMSA)**

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**From:** INFOCNTR (PHMSA)  
**Sent:** Wednesday, January 22, 2020 4:51 PM  
**To:** Hazmat Interps  
**Subject:** FW: Letter of Interpretation Request  
**Attachments:** Letter of Interpretation DOT Cushioning 1.22.20.pdf; Shafer\_LOI.docx

Hello Alice and Ikeya,

Please see attached for letter of interpretation request.  
Please contact our office with any questions.

Thank you,  
Kathryn, HMIC

**From:** Shafer Wayne [mailto:Wayne.Shafer@zf.com]  
**Sent:** Wednesday, January 22, 2020 8:29 AM  
**To:** INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>  
**Cc:** Schoonover, William (PHMSA) <william.schoonover@dot.gov>; Foster, Glenn (PHMSA) <Glenn.Foster@dot.gov>  
**Subject:** Letter of Interpretation Request

Hello,  
I'm requesting a letter of interpretation regarding 49 CFR section 178.600. I've attached my letter for your review. If you need further information please contact me at (586) 232.7744 or via email [wayne.shafer@zf.com](mailto:wayne.shafer@zf.com).

Thank you for your help in advance.

Wayne Shafer

# NAAHAC

North American Automotive  
Hazmat Action Committee

January 22, 2020

Mr. William Schoonover  
Associate Administrator  
Pipeline and Hazardous Materials Safety Administration  
US Department of Transportation  
1200 New Jersey Ave., SE  
East Bldg. PHH-10  
Washington, DC 20590-0001

Ref: Interpretation of 49 CFR 178.600 Testing of Non-bulk Packagings and Packages

Dear Mr. Schoonover:

North American Automotive Hazardous Materials Action Committee (NAAHAC) is an issue-driven, action-oriented voluntary working group currently comprised of participants employed by North American Automotive companies and their key suppliers, whose purpose is to consider and respond to the vital hazardous materials and dangerous goods issues of its membership.

The Supplier Regulatory Workgroup within NAAHAC consists of representatives from Autoliv, Daicel, Joyson Safety Systems and ZF Passive Safety Systems. All are manufacture of airbag inflators, modules, seatbelt pretensioners and other hazardous materials inside packages.

Our focus is on shipping parts that cannot be damaged during transit and ensuring that the package integrity is maintained during transportation. We agree that whether we use spec packaging or non-spec packaging, and whether we use single or combination packagings, the goal is to ensure that shifting of the devices within the package does not cause damage that could reduce the structural integrity of the package.

We are seeking an interpretation from the US Department of Transportation 49 CFR 178.600 Testing of Non-bulk Packagings and Packages. We currently have a spec package used as both a single package and a combination package that includes bubble wrap as cushioning material. We are seeking approval to include a second optional cushioning material called Instapack without the need to retest our package.

# NAAHAC

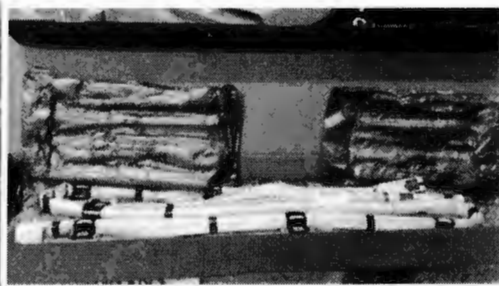
North American Automotive  
Hazmat Action Committee

I've enclosed pictures of the Instapack material we are seeking approval for.

Bubble Wrap



Instapack Material



The requested approval within this petition does not negatively impact safety to the public and we're hoping you would agree with our position that either bubble wrap or Instapack used for cushioning/dunnage does not constitute a new package and does not require retesting. We would appreciate receiving a written response indicating either your agreement with this position or an interpretation that can be used by all.

We thank you in advance for your assistance in this matter. If you need additional information regarding our inquiry you can contact me by phone at (586) 232-7744 or by email at [wayne.shafer@zf.com](mailto:wayne.shafer@zf.com). We look forward to your written response.

Sincerely,

Wayne Shafer  
Lead, Supplier Regulatory Workgroup  
NAAHAC