



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

August 3, 2020

Joanna Kilburn
SorbTech, Inc.
1305 Veterans Parkway, Suite 600
Clarksville, IN 47129

Reference No. 20-0048

Dear Ms. Kilburn:

This letter is in response to your June 25, 2020, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to marking requirements. You state you have a machine classified and described as “UN3363, Dangerous Goods in Machinery *or* Dangerous Goods in Apparatus, 9,” which contains a lithium ion battery that can be classified and described as “UN3481, Lithium ion batteries contained in equipment, *including lithium ion polymer batteries*, 9.” When the machine or apparatus is shipped domestically by air and ground transportation, you state it is packaged in a non-specification cardboard box (e.g., strong outer packaging), which is then secured to a pallet with shrink-wrap. You ask whether it is acceptable to apply the required markings to the outside of the shrink-wrap instead of the cardboard box (i.e., instead of the package).

The answer is no. A person who offers a hazardous material for transportation must mark and label the package accordingly, for instance a person must mark a non-bulk package with the proper shipping name and identification number. Shrink-wrapping a package to a pallet is an example of an overpack, where the overpack provides protection or convenience in handling of a package or consolidates two or more packages (see § 171.8). If the markings and labels on the package are not visible through the shrink-wrap, the shrink-wrapped pallet must display the required marking(s) and label(s) as prescribed in § 173.25(a)(2).

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

Sincerely,

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

From: [INFOCNTR \(PHMSA\)](#)
To: [Hazmat Interps](#)
Subject: FW: Letter of Interp - Package Marking Requirements
Date: Tuesday, June 30, 2020 3:59:52 PM

Hello Alice and Ikeya,

Below is a request for letter of interpretation.

Thanks,

Jonathon, HMIC

From: Joanna Kilburn [mailto:jkilburn@sorbtechinc.com]
Sent: Thursday, June 25, 2020 12:51 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Letter of Interp - Package Marking Requirements

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Johnathan,

We have a material that is Dangerous Goods in Apparatus (UN3363) and contains a lithium-Ion Battery in equipment (UN3481) that is shipped by air and ground. The machine is packaged in a cardboard box. The cardboard box is not required to be specification packaging. The box is secured to a pallet with shrink-wrap (plastic wrap). Would it be acceptable to apply the required markings to the outside of the shrink-wrap instead of the cardboard box?

Regards,

Joanna Kilburn
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