



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

July 28, 2023

Mr. Thomas Kudasz
Director, Command Safety
Department of The Army
Military Surface Deployment and Distribution Command
1 Soldier Way
Scott Air Force Base, IL 62225-5006

Reference No. 22-0057

Dear Mr. Kudasz:

This letter is in response to your June 3, 2022, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to non-bulk United Nations (UN) performance packaging. Specifically, you ask whether placing additional new padding between the sealed inner bag and the outer fiberboard box of a previously-tested combination packaging would be considered a “different” packaging and require separate design qualification testing.

As described by your scenario, it is the opinion of this Office that the addition of new padding placed between the sealed inner bag and the outer fiberboard box would not be considered a “different” packaging as defined in § 178.601(c)(4). The padding is merely for cushioning purposes and does not alter the combination packaging in any tangible manner provided the completed package does not exceed its rated capacity. See § 178.503(a)(11).

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

Sincerely,

A handwritten signature in blue ink that reads "T. Glenn Foster".

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division



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

Director, Command Safety

3 June 2022

MEMORANDUM FOR ASSOCIATE ADMINISTRATOR FOR HAZARDOUS MATERIALS SAFETY
ATTENTION: GENERAL APPROVALS & PERMITS, PHH-31
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
U.S. DEPARTMENT OF TRANSPORTATION
EAST BUILDING
1200 NEW JERSEY AVENUE, SE
WASHINGTON, DC 20590-0001
infocntr@dot.gov

SUBJECT: Interpretation of 178.601 UN Specification (POP) Packaging Requirements

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

The interpretation request is regarding adding an intermediate level of packaging that was not present in the configuration used during POP testing. As an example, for shipping an article, the POP test report depicts the article being packaged in an inner packaging consisting of a sealed bag. Can that sealed bag be packed in padding and placed inside an outer fiberboard box to create a combination package inside the POP-certified fibreboard box? Will adding to the specified configuration of the packaging require new POP testing to be performed?

This request is submitted by usarmy.scott.sddc.mbx.hazmat-team@army.mil Safety Team, Mr. Tom Kudas, (618) 220-5899, e-mail thomas.m.kudasz.civ@army.mil and Mr. Jeff Leitschuh, (618) 220-5040, e-mail jeffrey.m.leitschuh.civ@army.mil, Military Surface Deployment and Distribution Command.

ELIAS V. CANTU
Director, Command Safety

