



DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS REGULATIONS BOARD
WASHINGTON, D.C. 20590

13465

[49 CFR Part 178]

[Docket No. HM-25; Notice 70-15]

TRANSPORTATION OF HAZARDOUS
MATERIALS

Special Composite Package for Elec-
trolyte (Acid) or Alkaline Corrosive
Battery Fluid

The Hazardous Materials Regulations Board is considering amending § 178.-

205-37(a) of the Department's Hazardous Materials Regulations to authorize the use of multiwall polyethylene or other suitable plastic bags within specification 12B fiberboard boxes for shipment of electrolyte acid or alkaline corrosive battery fluid.

On May 28, 1969, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-25; Notice 69-15 (34 F.R. 8245) proposing to specify packaging requirements for these materials consistent with the terms of special permits in existence for several years. On November 21, 1969, amendment 178-8 was published (34 F.R. 18554) with minor changes based on comments received.

Subsequent to the amendment, it was brought to the Board's attention that at least one style of bag used for several years under special permit was not a 3-mil bag within another 3-mil bag, but in fact was a multiwall bag. The Board believes there was no intent to evade or defeat the terms of the special permit but a misunderstanding of its terms. The bags used were of multiwall construction with a common heat seal. More than 1 million bags of this construction were sold for electrolyte service.

Two additional criteria were suggested as important factors relating to the integrity of this packaging: (1) The bag must be of sufficient size so that it will be fully supported by the fiberboard box, and (2) heat-sealed joints should be at least 1/8-inch wide to insure a strong seal.

In consideration of the foregoing, it is proposed to amend paragraph (a) of § 178.205-37 to read as follows:

§ 178.205 Specification 12B; fiberboard boxes.

§ 178.205-37 Special box; authorized polyethylene or other suitable plastic bags for packaging of electrolyte (acid) or alkaline corrosive battery fluid only.

(a) Box must comply with this specification except as follows: Box must be one-piece construction of slotted style and may have die-cut areas of minimum size to provide access to an inside closure part. Box must contain one multiwall bag made of polyethylene or other suitable plastic of sufficient size and capacity to be capable of coming into contact with all of the interior surfaces of the box when filled. Each ply of the bag must be formed from virgin film not less than 0.003 inch thick. Joints must be heat sealed and not less than 1/8-inch wide.

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Interested persons are invited to give their views on this proposal. Communications should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, 400 Sixth Street SW., Washington, D.C. 20590. Communications received on or before October 20, 1970, will be considered before final action is taken on the proposal. All comments received will be available for examination by interested persons at the Office of the Secretary,

Hazardous Materials Regulations Board, both before and after the closing date for comments.

This proposal is made under the authority of sections 831-835 of title 18, United States Code, section 9 of the Department of Transportation Act (49 U.S.C. 1657) and title VI and section 902 (h) of the Federal Aviation Act of 1958 (49 U.S.C. 1421-1430 and 1472(h)).

Issued in Washington, D.C., on August 18, 1970.

W. F. REA III
Rear Admiral, U.S. Coast Guard,
By direction of Commandant,
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SAM SCHNEIDER,
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