



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

APR 2 - 1998

Mr. Leo Traverse
Hazmateam, Inc.
12 Kimball Hill Road
Hudson, NH 03051-3915

Dear Mr. Traverse:

This is in response to your letter and telephone conversation with a member of my staff concerning the marking and labeling requirements for palletized non-bulk packages containing four different classes of hazardous materials that are overpacked with clear shrink wrap. I apologize for the delay in responding and hope it has not caused any inconvenience.

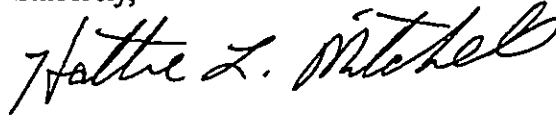
Your questions are paraphrased and answered as follows:

- Q1. If markings and labels on the packages that represent all four hazard classes are visible when viewed from each different side, am I required to mark and label the outside of the shrink wrap?
- A1. If each package is properly marked and labeled and if markings and labels representative of each hazardous material contained within the overpack are visible, the answer is no. The markings and labels are not required to be repeated on the overpack. See 49 CFR 173.25.
- Q2. If markings and labels on the packages that represent all four hazard classes are NOT visible when viewed from each different side, am I required to mark and label the outside of the shrink wrap?
- A2. Yes. When packages are stacked and banded on a pallet, the packages should be positioned, when possible, so that the markings and labels are visible on the outside of the stack. If markings and labels representative of each hazardous material in the overpack are not visible from any side, the overpack must be marked and labeled for that hazardous material. As an example, if four packages of Acetone, 3, UN1090, are loaded next to other packages so that their markings and labels are not visible, the proper shipping name, identification number, and a Class 3 label for the Acetone must be displayed on one side or end of the overpack, except that duplicate labeling must be

displayed on at least two sides or two ends (other than the bottom) of each overpack having a volume of 1.8 cubic meters (64 cubic feet) or more. See § 172.406(e).

I hope this information is helpful. If we can assist you further, please contact us.

Sincerely,

A handwritten signature in black ink that reads "Hattie L. Mitchell". The signature is written in a cursive style with a large, stylized initial "H".

Hattie L. Mitchell, Chief
Regulatory Review and Reinvention
Office of Hazardous Materials Standards



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400 Seventh Street S.W.
Washington D.C. 20590

JUL 20 1994

Ms. Beth Hagstad
Environmental Affairs Specialist
Carter-Wallace, Inc.
P.O. Box 1001
Cranbury, NJ 08512-0181

Dear Ms. Hagstad:

This is in response to your letter concerning labeling requirements for hazardous materials which are now being disposed of as hazardous wastes. You state that packages will be palletized and shrinkwrapped and ask if you may place the required DOT labeling on the shrinkwrap and not on the individual cartons. I apologize for the delay in responding and hope it has not caused any inconvenience.

The answer is no. The labeling requirements found in 49 CFR 172.400 require each non-bulk package to be labeled with the label specified for the material in the § 172.101 Table. In addition, each overpack (e.g., shrinkwrap) must bear markings and labels representative of each hazardous material contained therein, unless the markings and labels on the packages are visible (see § 173.25).

I hope this information is helpful.

Sincerely,

Delmer F. Billings
Chief, Regulations Development
Office of Hazardous Materials Standards

172.400

173.25



US Department
of Transportation

Research and
Special Programs
Administration

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Ms. Erin Bennett
BYK-Chemie USA
Post Office Box 5670
Wallingford, CT 06492-7651

Dear Ms. Bennett:

This is in response to your letter requesting clarification on shipping paper documentation requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). In your letter you stated that your shipment contained two boxes (i.e., overpacks), each containing three different hazardous materials packaged in glass jars packed in expanded plastic boxes (4H1). I apologize for the delay and hope it has not caused you any inconvenience.

An overpack is an enclosure used by a single consignor to provide protection or convenience in handling of a package or to consolidate two or more packages, (i.e., a protective outer packaging such as a box or crate, or secured to a pallet by shrinkwrapping, strapping, etc.).

Each inner expanded plastic box/package must be marked and labeled in accordance with the HMR and such marks and labels must be displayed on the overpack unless they are visible through the overpack. If each inner expanded plastic box is not marked and labeled in compliance with the HMR, then it is considered an inner packaging and the outer container must be in full compliance with the HMR, including being marked and labeled accordingly.

The shipping papers must show a basic description entry for each of the three hazardous materials being shipped. In addition, the gross or net weight for each hazardous material must be shown on the shipping paper. There is no requirement to indicate which hazardous materials are packaged into each box. However, for

172.207

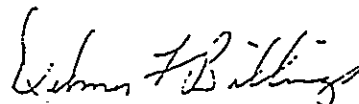
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clarification, it is recommended that you state "One box containing...", then list each of the three hazardous materials packaged in that box as separate entries on the shipping paper indicating the net weight of each material in the box.

I hope this answers your inquiry. If you need additional assistance, do not hesitate to contact us.

Sincerely,



Delmer F. Billings
Chief, Regulations Development
Office of Hazardous Materials
Standards



HAZMATEAM, INC.

12 Kimball Hill Rd.
Hudson, NH 03051-3915
Telephone (603) 882-6247
Fax (603) 882-6512

Mark
File 172,300
SC: 230, 250

5/21/96

Hattie L. Mitchel, Chief
Exemptions and Regulations Terminations
Office of Haz Mat Standards
400 7th St. SW
Washington, DC 20590

Dear Hattie:

Recently 171.8 definition section updated OVERPACK to include stretched wrapped material on a load board. At a chemical company I was asked if they had four different classes of materials on a pallet with markings and labels all visible from each different side, if labeling and marking the outside of the shrink wrap was necessary?

Question 1--Is it necessary to label and mark a shrink wrapped load board with each different class label and marker, if at each different side of the load board, the labels and markings are clearly visible on non-bulk packagings?

Question 2-- Is it necessary to label and mark a shrink wrapped load board with each different class label and marker, if at each different side of the load board, the labels and markings are NOT clearly visible on non-bulk packagings?

We would like a written answer. Thank you once again for your expertise.

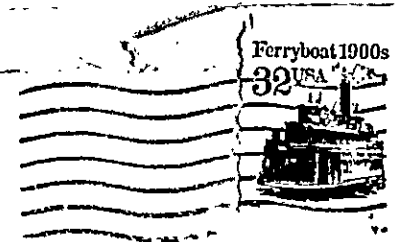
Sincerely,

Leo Traverse



HAZMATEAM, INC.

12 Kimball Hill Rd.
Hudson, NH 03051-3915



Hattie L. Mitchel, Chief
Exemptions and Regulations
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