



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

FEB 22 2001

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

Ref. No. 01-0047

Ms. Lynn Clemmons
Aaron Oil Co., Inc.
P.O. Box 2304
Mobile, AL 36652

Dear Ms. Clemmons:

This is in response to your request for clarification of authorized packagings for "Solids containing flammable liquid, n.o.s." under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You state that the material in question is petroleum oil contaminated filters and absorbents, containing negligible amounts of free liquid. You ask whether a 1.5 cubic yard steel box with a latching lid is authorized as a non-DOT specification closed bulk bin under § 173.240.

Section 173.240 authorizes sift-proof non-DOT specification closed bulk bins. The bulk bins must be enclosed packagings that are strong, firm, durable and constructed so that they are securely closed and contents cannot pass through. The packagings also must meet the applicable requirements in §§ 173.24 and 173.24b. Therefore, "Solids containing flammable liquid, n.o.s." may be transported in your packaging provided it meets these requirements.

I hope this information is helpful. Please contact us if you have additional questions.

Sincerely,

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



010047



**AARON OIL
COMPANY, INC.**

McIntyre
§173.240
Bulk Packaging
01-0047

P. O. BOX 2304 • MOBILE, ALABAMA 36652 • PHONE (334) 479-1616

February 7, 2001

Office of Hazardous Materials Standards
U.S. Department of Transportation
Research and Special Programs Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

Dear Sir or Madam:

I would like to request a written interpretation of 49 CFR 173.240 as it pertains to packaging for solids containing flammable liquids. Specifically, my questions are:

1. Does a 1.5 cubic yard steel box with a latching lid meet the description of a non-DOT specification closed bulk bin?
2. Is this a suitable container for shipping petroleum oil contaminated filters and absorbents, containing negligible amounts of free liquid via tractor trailer? These materials are shipped under the DOT description - Solids containing flammable liquids, N.O.S. (petroleum contained absorbent material), 4.1, UN 3175, PGII.

My interpretation based on the hazardous materials table and the information in 173.240 and 173.241 is that this is a proper container for the shipment of petroleum oil contaminated filters and absorbents. Please respond in writing as to whether or not this is a correct interpretation.

Thank you for your attention to this matter.

Sincerely,

Lynn Clemmons
Compliance Officer