



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

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

OCT 15 2004

Mr. William M. Arnold
Century Industries
P.O. Box 17084
Bristol, Virginia 24209

Reference No.: 04-0215

Dear Mr. Arnold:

This is in response to your August 31, 2004 letter regarding the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to § 173.417(a)(6)(vi) regarding authorized fissile materials packages. Specifically, you ask whether a gasket with a melting point of 250 °F provided as a seal for an inner drum meets the intent of § 173.417(a)(6)(vi).

The answer is yes, provided the gasket melts when subjected to the thermal test prescribed in 10 CFR Part 71. Section 173.417(a)(6)(vi) does not require that each inner container have a vent. As provided by this section, each inner container must be capable of venting if subjected to the thermal test described in 10 CFR Part 71. Capability to vent can be demonstrated through previous design, testing, handling, and transportation experience. For your information, Docket HM-230, "Compatibility with the Regulations of the International Atomic Energy Agency," was published as a final rule on January 26, 2004. This final rule removed paragraph (a)(6) in § 173.417 that provided for the use of Specification 6L, 6M and 1A2 as authorized fissile materials packagings. This final rule allows for the continue use of these packagings until October 1, 2008, provided they were manufactured prior to October 1, 2004, and conforms in all respects to the requirements of the HMR in effect on October 1, 2003.

I trust this satisfies your request.

Sincerely,

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



040215

173.417(6)(vi)

Century Industries

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Phone: 423-646-1864/276-628-7553

August 31, 2004

Mr. Richard Boyle
Chief, Radioactive Materials Branch
Office of Hazardous Materials Technology
U. S. Department of Transportation
Research and Special Programs Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

Betts
§173.417(6)(vi)
Fissile Materials Packages
04-0215

RE: 7A Type A Fissile Combination Packaging

Dear Mr. Boyle,

Century Industries respectfully request a clarification on the following question that was posed by one of our customers:

- 173.417(6) - Authorized fissile materials packages, it is understood that the outer 7A, Type A, 55-gallon 1A2 steel drum is required to have 4 evenly spaced ½" diameter holes provided near the top of the drum for purposes of venting the package. The question stems from (6)(vi) which states that each inner container must be capable of venting if subjected to the thermal test described in 10 CFR 71. In this instance a 7A, Type A, 30 gallon 1A2 steel drum will be centered in the 55-gallon drum and surrounded by, what will most likely be vermiculite, acting as the absorbing material and the insulator.
- ➔ Our question is, does the gasket provided as a seal, in the drum cover meet the intent of (6)(vi), since EPDM which is utilized in most all drums as the gasket, has a melting point of approximately 250 °F or is additional venting necessary or required?

In the past inner 30 gallon drums have typically been used without additional venting capacity and the outer 55 gallon provided with the 4 - ½" vents.

Thank you for your assistance, if we can be of help, please let us know.

Best regards,



William M. (Mike) Arnold
President