



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

06-0029

Mr. Stephen Jetter
Fortco Plastics, Inc.
500 Industrial Park Road
Portland, IN 47371

Ref. No. 06-0029

Dear Mr. Jetter:

This is in response to your letter requesting clarification of the stacking requirements under the Hazardous Materials Regulations (HMR; 49CFR, Parts 171-180). Specifically, you ask whether either stack test method in § 178.606 may be used to comply with Variation 5 in § 178.601(g)(5).

The answer is no. The option for using either the stack test method in § 178.606(c)(1) or (c)(2)(ii) applies to periodic retesting only. For design qualification testing, you must use the stacking test prescribed in § 178.601(c)(1). If you wish to use an alternative test method for compliance with Variation 5, you may apply for an approval in accordance with Subpart H of Part 107.

I hope this information helpful. Please contact this office should you have additional questions.

Sincerely,

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



060029

178.601(g)(5)



Fortco Plastics, Inc.

500 INDUSTRIAL PARK ROAD, PORTLAND, INDIANA 47371

PHONE: 260.726.7000
FAX: 260.726.3111

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Mc Intyre
§178.601 (g)(5)
Testing
06-0029

January 18, 2006

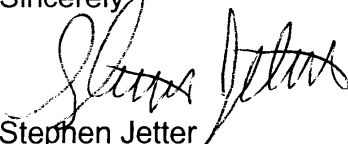
Delmer Billings
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
Office of Hazardous Materials Safety
400 7th St., S.W.
Washington, DC 20590

Dear Mr. Billings:

Fortco Plastics is requesting a clarification on section 178.601 (g) (5) (Selective testing variation V for plastic single packages). Subpart ii of the section calls out the requirement for the stacking test as specified in 178.606. Section 178.606 contains two stacking test methods; the 28 days stack test and the dynamic compression stack test. Can either method be used to comply with the variation V requirement?

Thank you for taking the time to clarify this question.

Sincerely,


Stephen Jetter
VP - Engineering