



U.S. Department of Transportation  
**Pipeline and Hazardous Materials  
Safety Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

**MAY 05 2015**

Mr. Mark B. Hawk  
Hazardous Materials Consultant  
49 Palisades Parkway  
Oak Ridge, TN 37830

Reference No. 15-0038

Dear Mr. Hawk:

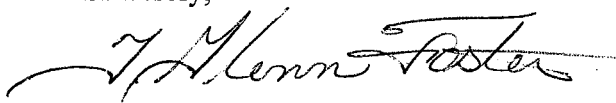
This is in response to your July 16, 2014 e-mail and attached letter, forwarded to the Standards and Rulemaking Division on February 25, 2015, requesting clarification on the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) concerning use of a Department of Transportation (DOT) Specification 7A, Type A container with a package mass less than the qualified package mass of the container. We have paraphrased your questions and answered them in the order you provided.

- Q1. Can a DOT Specification 7A, Type A container that has been qualified to a package mass equal to or greater than 5,000 kilograms (11,000 pounds) but less than 10,000 kilograms (22,000 pounds) be used for a shipment having a package mass less than 5,000 kilograms (11,000 pounds) without any additional testing or demonstration of compliance per § 173.461?
- A1. The answer is no. The package described in your scenario cannot be used without additional testing or demonstration of compliance. The Type A packaging tests specified in § 173.465 require a free drop distance of 0.9 meters (3 feet) for packages with a mass between 5,000 and 10,000 kilograms; for packages under 5,000 kilograms, the free drop distance specified in § 173.465 is 1.2 meters (4 feet). Thus, a package which has been qualified for the greater mass (and lower drop distance) would need to be re-qualified for the lesser mass (and higher drop distance) per the requirements in § 173.465. The impacts of any other changes in the properties of the contents would also need to be assessed against the requirements of § 173.465.
- Q2. If any additional demonstration of compliance is required, please specify what testing and/or documentation is required.

A2. Testing, or other demonstration of compliance in accordance with § 173.461, must be done to show the package meets the requirements of § 173.465. The testing or other demonstration of compliance must be documented in accordance with the requirements of § 173.415(a).

I hope this satisfies your request.

Sincerely,

A handwritten signature in cursive script that reads "T. Glenn Foster". The signature is written in black ink and is positioned below the word "Sincerely,".

T. Glenn Foster  
Chief, Regulatory Review and Reinvention Branch  
Standards and Rulemaking Division

Edmonson  
173.461

**Goodall, Shante CTR (PHMSA)**

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**From:** Ciccarone, Michael CTR (PHMSA)  
**Sent:** Wednesday, February 25, 2015 4:54 PM  
**To:** Hazmat Interps  
**Subject:** FW: Request for Clarification  
**Attachments:** DOT Request for Clarification July 16, 2014.pdf

Packaging Requirement  
15-0038

Shante/Alice,

Please submit this for a formal letter of interpretation.

Thanks,

Mike

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**From:** [hawkn14@gmail.com](mailto:hawkn14@gmail.com) [<mailto:hawkn14@gmail.com>]  
**Sent:** Wednesday, July 16, 2014 8:24 PM  
**To:** [infocntr@dot.gov](mailto:infocntr@dot.gov)  
**Subject:** Request for Clarification

Dear Sir/Madam:

Attached is a request for clarification concerning the use of a DOT Specification 7A, Type A container.

If you have any questions concerning this request, please contact me.

Thank you!

Mark Hawk  
Hazardous Materials Consultant  
865-250-3300

July 16, 2014

Office of Hazardous Materials Standards,  
Pipeline and Hazardous Materials Safety Administration  
Attn: PHH-10  
U.S. Department of Transportation  
East Building  
1200 New Jersey Avenue, SE  
Washington, DC 20590-0001

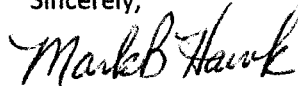
Subject: Clarification of Type A Packaging Requirements

Dear Sir/Madam:

A clarification is requested concerning the use of a DOT Specification 7A, Type A container with a package mass less than the certified package mass of the container. More specifically, can a DOT Specification 7A, Type A container that has been qualified to a package mass equal to or greater than 5000 kilograms (11,000 pounds) but less than 10,000 kilograms (22,000 pounds) be used for a shipment having a package mass less than 5000 kilograms (11,000 pounds) without any additional testing or demonstration of compliance per 49 CFR 173.461? If any additional demonstration of compliance is required, please specify what testing and/or documentation is required.

Thank you in advance for your prompt consideration of this request. If you require additional information, please contact me at (865)250-3300, or by e-mail.

Sincerely,



Mark B. Hawk  
Hazardous Materials Consultant  
49 Palisades Parkway  
Oak Ridge, TN 37830  
865-250-3300  
[hawkn14@gmail.com](mailto:hawkn14@gmail.com)