



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

1200 New Jersey Ave. SE
Washington, D.C. 20590

Mr. Rollie Weberg
Skippack Operations Manager
MAR COR PURIFICATION
4450 Township Line Road
Skippack, PA 19474

OCT 21 2011

Ref. No. 10-0144

Dear Mr. Weberg:

This responds to your letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to overpack marking and labeling requirements. Specifically, you ask if clear shrink-wrapped pallets must be marked on the outside with the required package markings (*e.g.*, proper shipping name, identification number, orientation arrows, and "OVERPACK") when the markings on individual packages are not visible because of the package configuration, but markings and labels representative of each hazardous material are visible from the outside of the overpack. Your areas of concern are restated and answered as follows:

Labels and Proper Shipping Name/Identification Number Markings

Section 173.25(a)(2) of the HMR requires the overpack, as defined in § 171.8, to be marked with the proper shipping name and identification number, when applicable, and labeled for each hazardous material contained therein, unless markings and labels representative of each hazardous material in the overpack are visible. For example, an overpack need not be marked and labeled if the markings (*i.e.*, proper shipping name and identification number) and labels on an individual package inside the overpack are not visible but the same markings (*i.e.*, proper shipping name and identification number) and labels representative of that package are clearly visible from the outside of another package contained in that overpack.

Orientation Arrow Marking

Section 173.25(a)(3) of the HMR requires an overpack containing packages subject to the orientation arrow marking requirements of § 172.312 to be marked with orientation arrows on two opposite vertical sides of the overpack with the arrows pointing in the correct direction of orientation. This requirement is in addition to the orientation arrows displayed on the individual packages.

“OVERPACK” Marking

Section 173.25(a)(4) of the HMR requires an overpack to be marked “OVERPACK” when specification packagings are required, unless specification markings on the inside packages are visible. The “OVERPACK” marking is not required if the overpack contains multiple packages with identical package specification markings provided a package specification marking representative of each package specification contained in the overpack are visible from the outside.

Hazardous Materials Packaged with Non-Hazardous Materials

As prescribed in § 173.25(a)(1) of the HMR, packages may be placed inside a larger package or affixed to a pallet that also contains other compatible hazardous and non-hazardous materials. The overpack must be marked and labeled for each hazardous material contained therein unless markings and labels representative of each hazardous material in the overpack are visible.

Mixed Contents

Hazardous materials may be packaged together with other hazardous and non-hazardous materials as prescribed in §§ 173.24(e)(4) and 173.21(e) of the HMR. For example, such determination is based on whether or not the mixing of a material in the same packaging, freight container, or overpack with another material is likely to cause a dangerous evolution of heat, or flammable or poisonous gases or vapors, or to produce corrosive materials.

Segregation

Under the HMR, the segregation requirements for transportation by highway specify that a hazardous material may not be loaded, transported, or stored together except as provided in § 177.848(d) of the HMR. For example, cyanides or cyanide mixtures may not be loaded or stored with acids if a mixture of the materials would generate hydrogen cyanide (See 49 CFR 177.848(c)).

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Glenn Foster". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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

Stevens
\$ 172.101
\$ 172.400

Drakeford, Carolyn (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Tuesday, June 29, 2010 11:16 AM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: Questions on LTL Haz-Mat truck shipments

Labeling
10-0144

Carolyn,
A request for a formal written interpretation.
Thanks,
Rob

From: Rollie K. Weberg [mailto:rkweberg@mcpur.com]
Sent: Tuesday, June 29, 2010 10:31 AM
To: INFOCNTR (PHMSA)
Cc: Rollie K. Weberg; David M. Roelofs
Subject: Questions on LTL Haz-Mat truck shipments

Hello, and thank you for our opportunity to discuss our questions in written form.

We are writing our company's work instruction for shipping hazardous materials via truck - LTL. We tried to put into writing what we have been doing, and what we has been told to us via phone discussions w/ other DOT advisors. We would like to get a final ruling on some of this information. We have our own thoughts on the interpretation, and then when we call in to DOT to discuss, there are times over the years that we get different answers because of differing interpretations of even the DOT advisors.

=====
We have a question concerning **Labeling a LTL truck shipment:**
The following is what we have been told and we have written it this way:

"At least one box displaying all applicable Haz-Mat labels, and one box displaying the Spec. Packaging information of any/every different kind of hazardous material must be visible on each pallet - if stretch-wrapped, the information must be legible through the stretch wrap."

Is this true or false? How do we need to change for correct interpretation?

=====
We have a question concerning **Haz-Mat Packed on Pallet with Stretch Wrap:**
The following is what we have been told and we have written it this way:

"You may place one or more (several different kinds) Haz-Mat packages (different UN numbers) on the same pallet as long as they are in the same chemical compatibility group (49 CFR173.81).

- i.e. – Gallon and quart boxes of the same product (same UN #) may be packed together - labels must be seen from at least one side of the pallet.
- i.e. – Two (or more) different types of the same Class may be packed together – labels must be seen from at least one side of the pallet.

- i.e. – Haz-Mat may be packaged along with non Haz-Mat packages – labels must be seen from at least one side of the pallet.
- The stretch wrap needs to be transparent – Haz-Mat may not be concealed in a box or concealed with colored stretch wrap or it is considered to be an “Overpack.”

Is this true or false? How do we need to change for correct interpretation?

=====

We have a question concerning **Haz-Mat Overpacks:**

The following is what we have been told and we have written it this way:

"It is considered to be an “Overpack” when Haz-Mat is concealed inside another box (ie. gaylord), or when pallet is stretch wrapped with material that disallows the labels to be clearly legible through the wrap.

- If the above conditions exist, the word “OVERPACK” must be applied directly to the box - not on the stretch-wrap.

Is this true or false? How do we need to change for correct interpretation?

=====

We have **another question concerning Haz-Mat Overpacks:**

The following is what we have been told and we have written it this way:

"You may pack one or more (several different kinds) Haz-Mat packages with different UN numbers in the same box/gaylord as long as they are in the same chemical compatibility group (49 CFR173.81).

- i.e. – Gallon and quart boxes may be packed together in the gaylord.
- i.e. – Two (or more) different types of Class 8 may be packed together in the gaylord.
- i.e. – Haz-Mat may be packaged along with non Haz-Mat packages in the gaylord.

We are stating that all this may happen if the shipper documents on the BOL exactly what they have inside the gaylord, and if they have appropriately labeled the proper Haz-Mat labels on the outside of the gaylord.

Is this true or false? How do we need to change for correct interpretation?

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Thank you for your time and attention on these questions.

Sincerely,
Rollie Weberg

Skippack Operations Manager
MAR COR PURIFICATION
A Cantel Medical Company
4450 Township Line Road,
Skippack, PA 19474
P - 484-991-0220
F - 484-991-0230
rkweberg@mcpur.com

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