



U.S. Department
of Transportation

Pipeline and Hazardous
Materials Safety
Administration

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

MAR 22 2012

Mr. Wes Pace
Director, Hazardous Materials Compliance
Landstar Transportation Logistics, Inc.
13410 Sutton Park Drive, South
Jacksonville, FL 32224

Ref. No. 11-0198

Dear Mr. Pace:

This responds to your August 17, 2011 request for clarification of § 177.834(a) in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You provide a photograph showing one row of pallets loaded side-by-side with four drums per pallet leaving a void space between pallets and a second row of pallets containing five gallon pails. The five gallon pails are shrink wrapped together and to the pallet. Two straps secure the load. You indicate that the HMR are silent in regards to securement of a packaging to a motor vehicle. Based on the photograph provided in your letter, you ask if this shipment would be in violation of the securement requirements in § 177.834(a).

You are correct in your understanding that specific methods of securement are not provided in § 177.834(a). Section 177.834(a) requires any hazardous material package that is not permanently attached to a motor vehicle to be secured against shifting, including relative motion between packages, within the vehicle on which it is being transported under conditions normally incident to transportation. Further, general requirements addressing protection of shifting cargo are found in the Federal Motor Carrier Safety Administration Regulations (49 CFR Parts 300-399), specifically under §§ 393.100 to 393.106. These requirements allow varied methods of securement, such as blocking with other freight, banding, or use of tie-downs or load-locks.

Based on the photograph and information provided in your letter, we cannot definitively determine whether the load is secure. However, securing the load by shrink wrapping the packages to a pallet and strapping the pallets in place is one method for securing the load in accordance with § 177.834(a).

I hope this answers your inquiry. If you need additional assistance, please contact this office at 202-366-8553.

Sincerely,

Ben Supko
Acting Chief, Standards Development Branch
Standards and Rulemaking Division

Landstar Transportation Logistics, Inc.
13410 Sutton Park Drive, South
Jacksonville, FL 32224
904 398 9400

Boothe
§ 177.834(a)
Loading & Unloading
11-0198

August 17, 2011

U.S. DOT
PHMSA Office of Hazardous Materials Standard
Attn: Charles E. Betts
East Building
1200 New Jersey Avenue, SE.
Washington, DC 20590-001

Mr. Betts,

Please except this letter as my request for an interpretation specific to 177.834(a). I understand the regulations are silent on what method of securement must be used, provided the requirements are met. I also understand various methods of securement that would meet the requirement as defined in FMCSR parts 393.100 to 393.106 and 177.834(a).

A customer questions my understanding of securement as it relates to the securement of loose drums (55 gallon) on pallets. The enclosed picture shows pallets are loaded side by side with 4 drums per pallet leaving a void space of 1+ feet between pallets and the last 2 side by side pallets contain 5 gallon pails which are shrink wrapped together and to the skid themselves and 2 straps on rear of load.

My understanding is that loose drums sitting on pallets with no means used to prevent shifting and/or falling would be contrary to the intent of 177.834(a). Based on the provided picture, would this shipment be in violation of not meeting the securement requirements?

Your assistance is greatly appreciated,

Wes Pace
Director, Hazardous Materials Compliance
Landstar Transportation Logistics, Inc.

