



U.S. Department
of Transportation

1200 New Jersey Avenue SE
Washington, DC 20590

**Pipeline and Hazardous
Materials Safety
Administration**

MAR 07 2012

Mr. T. J. McCaustland
Environmental, Safety, and Health Manager
SSWSI-East Region
583 Highway 162
Covington, GA 30016

Reference No.: 12-0023

Dear Mr. McCaustland:

This is in response to your January 12, 2012 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) as they pertain to overpacks. Specifically, you present a scenario where you ship multiple drums of various size containing EPA Hazardous Waste code D001. The Reportable Quantity (RQ) for D001 is 100 pounds and none of the drums exceed 99 pounds. The drums are shrink wrapped to a pallet (overpacked) for shipment. You ask whether the overpack meets the definition of a package, causing the shipment to be classified as a hazardous substance.

The answer is no. Multiple packages overpacked together do not meet the definition of a single package. Shrink wrapping the individual drums (packages) to a pallet is specifically cited as meeting the HMR § 171.8 definition of Overpack. Therefore the shipment as described would not be classified as a hazardous substance.

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

Sincerely,

Delmer Billings
Senior Regulatory Advisor
Standards and Rulemaking Division



Babich
§ 172.101
§ 171.8
Reportable Quantity/Definition:
January 12, 2012 12-0023

U.S. DOT
PHMSA Office of Hazardous Materials Standards
Attn: PHH-10
East Building
1200 New Jersey Avenue, SE.
Washington, DC 20590-0001

I am seeking guidance on the applicability of Reportable Quantities to an overpack. We have sought the help of the Hazardous Materials Information Center but have received conflicting responses. Or perhaps our questions were not identical. Please refer to the question below and provide the proper guidance.

If multiple drums ranging in size from 2 gallons to 18 gallons Containing Flammable Waste EPA Hazardous Waste code D001 with no one container exceeding 99lbs were shrink wrapped to a pallet and manifested as 1 CW would the RQ for D001 apply?

Essentially does the overpack meet the definition of package and therefore hazardous substance as defined in 171.8?

Thank you for your time in assisting us in the safe transportation of hazardous materials.

T.J. M^c Caustland
Environmental, Safety, and Health Manager
SSWSI-East Region
583 Highway 162
Covington, Georgia 30016
M: (770) 891-2531
F: (888) 240-4312
O: (678) 342-4279

