U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

SEP 1 3 2012

Mr. Bill Holbrook
Allflex Hazardous Material Packaging, Inc.
100 Race St.
Ambler, PA 19002

Reference No.: 12-0081

Dear Mr. Holbrook:

This is in response to your March 20, 2012 letter and July 9, 2012 follow up letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) as they pertain to closure procedure requirements for inner packagings intended for use in the transportation hazardous materials. You describe several scenarios demonstrating your methods to determine a consistent and repeatable means of closure that is sufficient to ensure the packaging is closed in the same manner as it was tested, and ask if your methods meet the requirement in § 178.2(c)(1)(i)(B).

The closure instruction requirements noted in § 178.2(c)(1)(i)(B) require that closure instructions must provide for a consistent and repeatable means of closure that is sufficient to ensure the packaging is closed in the same manner as it was tested, unless specifically provided for in §§178.337–18 and 178.345–10.

Scenario #1

Cap and bottle are both marked with a straight line at the start of engagement of cap with bottle and after 1 full turn the additional distance is measured in inches to the point where the cap is fully tightened.

Scenario #2

Place a cap on a bottle and lightly turn the cap until it stops. Then mark the cap and bottle with a straight line. After marking the cap and bottle with a straight line an additional turn on the cap is made to make it tight and the distance in inches between the lines is measured. The distance between the lines (for example ¼ inch) would then be noted in the bottle closure instructions section of your test report and provided to purchasers.

Specific examples of acceptable processes that provide a consistent and repeatable means of closure necessary to ensure the packaging is closed in the same manner as it was tested are not provided in the HMR because these methods will vary depending on the type of

packaging utilized. Any method that provides the filler of the inner packagings with instructions that allow them to prepare the inner packagings in the same manner as the inner package was prepared prior to successfully passing the design qualification testing required in subpart M of part 178 is acceptable. It is the opinion of this office that the terminology used to describe the closure methods for inner packages described in scenario #1 above is too vague to provide consistent and repeatable results that ensure the packaging is closed in the same manner as it was tested. The closure method described in scenario #2 in the opinion of this office appears to be a consistent and repeatable method.

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

ALLFLEX
HAZARDOUS MATERIAL PACKAGING, INC.
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100 Race Street, Ambler, PA 19002 USA — (800) 448-2467; PA (215) 542-9208; FAX (215) 643-3339

Webb
§178.2
Applicability
12-0081

March 20, 2012

Mr. Charles Betts
Director, Office of Hazardous
Materials Standards PHH-10 E24-314
U.S. DOT/PHMSA
1200 New Jersey Ave S.E.
Washington, D.C. 20590

Mr. Betts

Will either or both of the following closure procedures meet the requirements in 178.2?

Procedure for hand tightening of inner receptacles with screw caps.

#1 Cap and bottle are both marked with a straight line, at the start of engagement of cap with bottle and after 1 full turn, the additional distance is measured in inches to the point where the cap is fully tightened. We feel that this method is consistent and repeatable.

#2 Place cap on bottle and lightly turn the cap until it stops. Mark the cap and bottle with a straight line. Make an additional turn on cap to make it tight and measure the distance in inches between the lines. We feel that this method is also consistent and repeatable.

We are working with Anthony Lima (anthonylima@dot.gov) on this situation and are asking for your opinion.

Thank you

Bill Holbrook

Bill Holbrook

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July 9, 2012

Mr. Steven Webb
Office of Hazardous Materials Standards
U.S. DOT/PHMSA
1200 New Jersey Ave. S.E.
Washington, DC 20590

Mr. Webb,

Thank you for your phone call seeking clarification on Procedure #2 of my letter to Charles Betts dated March 20, 2012.

While our procedure is outlined in the above referenced letter you pointed out a concern about how this would be communicated with our customers. We plan to add a "Bottle Closure Instructions" segment to our test report. An example is listed below.

BOTTLE CLOSURE INSTRUCTIONS

Procedure for hand tightening the closure of the inner receptacle with a screw cap

Place the cap on the bottle. Lightly turn the cap until it engages the bottle. Draw a straight line from the cap onto the bottle. Turn the cap an additional ¼" beyond the line on the bottle.

Will this procedure and inclusion in the test report be in compliance with the closure requirements of 178.2?

Sincerely,

Bill Holbrook/mj

Bill Holbrook