



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

OCT 31 2001

400 Seventh St., S.W.
Washington, D.C. 20590

Ms. Dawn M. Anderson
The Compliance Center Inc
2150 Liberty Drive
Niagara Falls, NY 14304

Ref. No. 01-0167

Dear Ms. Anderson:

This responds to your June 22, 2001 letter requesting clarification of requirements for cushioning material used in packagings manufactured in accordance with Variation 2 in § 178.601(g)(2) of the Hazardous Material Regulations (HMR; 49 CFR Parts 171-180).

Specifically, you asked if your understanding is correct that cushioning material used in Variation 2 packagings must be such that: 1) the thickness of cushioning material surrounding each inner packaging is at least as great as the thickness of the cushioning material in the originally tested packaging; 2) if the inner packagings contain liquids, the absorbent material must be capable of absorbing the entire liquid contents of the inner packaging, and must be placed in a leakproof liner; 3) the cushioning material must be compatible with the contents of the inner packagings; and 4) any suitable cushioning material may be used, if it meets the requirements of items 1 through 3 above, and the gross weight of the completed packaging does not exceed the marked gross weight of the packaging certified under Variation 2.

Your understanding is correct. In accordance with the requirements for packagings under Variation 2, as specified in § 178.601(g)(2), the thickness of cushioning material between inner packagings and between inner packagings and the outside of the packaging may not be reduced below the corresponding thickness in the originally tested packaging. When a single inner packaging was used in the original test, the thickness of cushioning between inner packagings may not be less than the thickness of cushioning between the outside of the packaging and the inner packaging in the original test. When either fewer or smaller inner packagings are used, sufficient additional cushioning material must be utilized to take up void spaces.

I hope this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards



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178.60

June 28, 2001

Mr. Edward Mazzullo
Director
US Department of Transportation
Office of Hazardous Materials Standards – DHM-10
400 Seventh Street, S.W.
Washington, DC 20590

Engram
\$178.601
Packaging
01-0167



The
Compliance
Center Inc.

Dear Mr. Mazzullo:

I am writing as a follow up to my recent conversation with Diane LaValle regarding Variation 2 packaging. As a packaging manufacturer, ICC The Compliance Center, Inc. is committed to doing everything we can to ensure that our customers are in compliance with the regulations for the transportation of hazardous materials.

One question we are repeatedly asked is related to the cushioning material used in Variation 2 packagings. Our Variation 2 packagings are tested using vermiculite. Some customers, particularly those shipping items like aerosol cans (which must be in specification packagings for international shipment by air) want to substitute an alternative cushioning material, such as Styrofoam peanuts. Since compressed gasses do not require absorbent material, as long as the thickness of the cushioning is maintained (and it is compatible with the contents) Ms. LaValle indicated that this was an acceptable practice.

I would like to obtain written confirmation of what I understand to be the intent of Variation 2, in regards to cushioning materials.

1. The amount of cushioning used must be such that the thickness of cushioning surrounding each inner packaging or article is at least as great as the thickness of the cushioning in the originally tested packaging.
2. If the inner packagings contain liquids, the cushioning material must be capable of absorbing the entire liquid contents of the inner packaging. In this case, the absorbent and the inner packagings must be placed in a leakproof liner.
3. The cushioning material must be compatible with the contents of the inner packagings,
4. Any suitable cushioning material may be utilized, as long as it meets items 1 through 3 above, and the gross weight of the completed package does not exceed the marked gross weight on the variation 2 packaging.

Thank you for your attention to this matter, I look forward to receiving your response.

Sincerely,

Dawn M. Anderson
Regulatory Specialist

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