



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Transportation/Hazardous Materials: May 22nd U.S. Pipeline and Hazardous Materials Safety Administration Letter Addressing Aluminum By- Products/Non-Specification Bulk Packaging

07/07/2017

The United States Pipeline and Hazardous Materials Safety Administration (“PHMSA”) addressed in a May 22nd letter questions related to the applicability of the Hazardous Materials Regulations (“HMR”) to non-specification bulk packaging.

PHMSA was responding to January 24th and January 27th inquiries from Schuster Metals, LLC.

The questions posed related to § 172.103(c)(3), Special provision B115, and its applicability to UN3170, Aluminum smelting by-products or Aluminum remelting by-products, 4.3, PG II or III, when packaged in a non-specification bulk packaging. An example cited by Schuster Metals, LLC is a closed bulk bin trailer or a metal tote.

The issues addressed in the May 22nd PHMSA letter include:

1. Placement of material directly on the floor of a highway trailer that is a closed bulk bin under the conditions prescribed in § 172.103(c)(3), Special provision B115.
2. Placing material in non-structural, non-integral, non-specification containers (citing as an example a metal tote) as a means to sift-proof a bulk packaging as prescribed in § 172.102(c)(3), Special provision B115.
3. Display of a DANGEROUS WHEN WET label as prescribed in § 172.423 on a non-structural, non-integral inner package contained within an outer non-specification bulk packaging.
4. Referencing as an example the use of a non-specification bulk metal tote that is 41-inches wide x 49-inches long x 40-inches high and rated for 5,000 pounds gross weight and over 150 gallons capacity under the criteria prescribed in § 172.102(c)(3), Special provision B115.
5. Use of plastic wrap as the closure for a non-specification bulk metal container.
6. Use of a non-specification bulk metal container without a top closure if the solid material itself cannot be released under the normal conditions of transportation.

[A copy of the PHMSA letter can be downloaded here.](#)

