



U.S. Department
of Transportation

Pipeline and Hazardous
Materials Safety
Administration

1200 New Jersey Avenue, SE
Washington, DC 20590

MAR 21 2017

Mr. Larry Nielsen
Safety and Compliance Manager
Pioneer Tank Lines, Inc.
12501 Hudson Road South
Afton, MN 55001

Reference No. 16-0117

Dear Mr. Nielsen:

This letter is in response to your July 5, 2016, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to segregation requirements. Specifically, you seek clarification regarding the segregation requirement for lab packs containing hazardous waste materials under §§ 173.12(e) and 177.848.

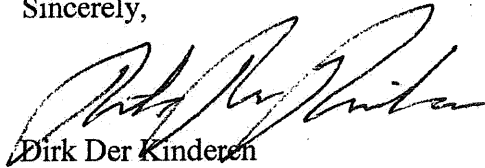
We have paraphrased and answered your questions as follows:

- Q1. You ask for confirmation of your understanding that the requirements for lab packs in § 173.12(e) are contradictory as they relate to the segregation requirements in § 177.848(d) for those materials designated with an "O" in the Segregation Table.
- A1. Your understanding is incorrect. According to § 173.12(e), a hazardous waste material that is not blocked and braced during transportation would be subject to the segregation requirements in § 177.848(d). Overpack of this material is not specifically required. If you choose to package this material in such a manner, you will have to comply with the overpack requirements in § 173.25, in addition to the package handling requirements of § 173.12(e). Further, the conditions and limitations of § 173.12(e) do not provide an allowance for consolidation on a single pallet. The requirements expressly state that the materials must be separated from incompatible materials by a minimum of four (4) feet.
- Q2. You ask if lab packs containing sufficient quantities of chemically-compatible absorbent material, in accordance with § 173.12(b)(2)(i), that are used to prevent commingling of liquid content will satisfy the segregation requirements in § 177.848(e)(3).

A2. The answer is no. This manner of packaging is not sufficient because preventing the commingling of materials cannot be assured if the package were to fail under conditions normally incident to transportation.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Dirk Der Kinderen". The signature is fluid and cursive, with a large initial "D".

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division