



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

FEB 25 2019

Ben Barrett
DG Advisor, LLC
P.O. Box 248
Dubois, WY 82513

Reference No. 18-0094

Dear Mr. Barrett:

This letter is in response to your June 20, 2018, email and letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the shipment of hazardous materials in the same overpack together with materials not meeting the definition of a hazardous material.

We have paraphrased and answered your questions as follows:

Q1. You ask if a non-hazardous material can be placed in an overpack that contains a hazardous material package.

A1. The answer is yes. The HMR do not prescribe requirements or limitations for non-hazardous material packed in an overpack; therefore, there is no prohibition from including hazardous and non hazardous material in an overpack together.

Q2. You ask if the non-hazardous material must be considered when determining the applicability of the placarding exception in § 172.504(c).

A2. The answer is no. The weight of non-hazardous material is not included in the determination of aggregate gross weight of the hazardous material for the purposes of the placarding exception for non-bulk packages found in § 172.504(c).

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

Sincerely,

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