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U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

FEB 16 1999

Mr. Lawrence R. Grzyll
Mainstream Engineering Corp.
Pines Industrial Center
200 Yellow Place
Rockledge, FL 32955

Ref. No. 98-0330

Dear Mr. Grzyll:

This is in response to your letter dated October 27, 1998, regarding marking and labeling requirements for overpacks under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). In your letter you stated that you are shipping one hazardous material under the small quantity exception provided in § 173.4 and another hazardous material under the terms of exemption DOT-E-10232. Specifically you ask if it is permissible to overpack these packages together and if so what markings and labels are required on overpacks.

Authorized packages containing hazardous materials may be offered for transportation in an overpack, if all the conditions in § 173.25 are met. An overpack, as defined in § 171.8, is an enclosure used by a single consignor to provide protection or convenience in handling of a package or to consolidate two or more packages (i.e., a protective outer packaging such as a box or crate, or secured to a pallet by shrinkwrapping, strapping, etc.).

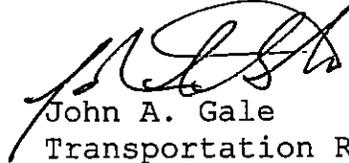
Each inner package must be marked and labeled in accordance with the HMR. In addition, each overpack must be marked with the proper shipping name and identification number, and labeled for each hazardous material it contains. The overpack must also be marked with a statement indicating that inside (inner) packages comply with prescribed specifications when specification packagings are required, unless the specification markings on the inside packagings are visible.

173.25

However, an overpack is not required to be marked with the proper shipping name and identification number, or labeled for any hazardous material packaged in accordance with § 173.4.

I hope this satisfies your request.

Sincerely,



John A. Gale
Transportation Regulations Specialist
Office of Hazardous Materials Standards



BAH
\$ 173.25
98-0330

October 27, 1998

U.S. Dept. of Transportation
Attn: Standards Division
Research and Special Programs Administration
400 7th St. SW
Washington, DC 20590

Dear Sir/Madam:

We are a manufacturer and shipper of commercial products for the air-conditioning and refrigeration industry. One of our products is currently packaged and shipped per 49CFR 173.4, Exceptions for Small Quantities. Another of our products is packaged and shipped per DOT Exemption E-10232. Is it possible for us to ship both of those products in a common, outer, shipping container (overpack), provided the separate, inner shipping boxes are not changed or modified from their respective specifications (173.4 and E-10232)? If so, what labeling must be placed on the outer shipping box?

We appreciate a timely response to this inquiry. I can be reached by phone at 407-631-3550 if there are any questions or if further discussion is needed.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence R. Grzyll".

Lawrence R. Grzyll
Senior Chemical Engineer

