



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DEC 28 1999

Ms. Mary F. Shepherd
Vice President
JL Shepherd & Associates
1010 Arroyo Ave.
San Fernando CA 91340-1822

Ref. No. 99-0253

Dear Ms. Shepherd:

This is in response to your letter dated September 2, 1999, regarding the use of DOT Specification 7A packagings that were designed in accordance with the requirements in effect on June 30, 1983. I am sorry for the delay and hope this has not caused you any inconvenience.

Section 173.415(a) states that "use of Specification 7A packagings designed in accordance with the requirements of § 178.350 of this subchapter in effect on June 30, 1983... is not authorized after April 1, 1997." However, if it can be determined that a packaging originally designed in accordance with the requirements of § 178.350 in effect on June 30, 1983, meets the current requirements of 49 CFR 178.350, then the packaging would continue to be an authorized Type A packaging.

I hope this satisfies your inquiry.

Sincerely,

Thomas G. Allan
Senior Transportation Regulations Specialist
Office of Hazardous Materials Standards



990253

173.415

JL SHEPHERD & ASSOCIATES

1010 ARROYO AVE., SAN FERNANDO, CALIFORNIA 91340-1822

818-898-2361 FAX 818-361-8095

File
8173.415
99-0253

September 2, 1999

Mr. Ed Mazzullo
Director, Office of Hazardous Materials Standards
M/S DHM-10
U.S. Department of Transportation
400 7th St., S.W.
Washington, D.C. 20509-0001

Dear Mr. Mazzullo:

This letter is to request a written clarification on 49 CFR 173.415.

Section (a) of this paragraph states that "Use of Specification 7A packages designed in accordance with the requirements of 178.350 of this subchapter in effect on June 30, 1983 ... is not authorized after April 1, 1997."

This paragraph does not permit the continued use of packages manufactured prior to this, if they can be demonstrated to meet the October 1, 1982 revisions and current 1998 revisions.

We have received verbal confirmation from the RSPA that these packages may be used if it can be demonstrated that they meet all these revisions. We wish to receive written confirmation from the DOT that this indeed so.

Thank you for your time and attention to this matter.

Sincerely yours,

J.L. SHEPHERD AND ASSOCIATES

Mary F. Shepherd

Mary F. Shepherd
Vice President

CC: Dr. Fred Ferrate, RSPA, DOT