



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

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

APR 26 2002

Mr. Gene Secor
HB Fuller Company
25200 Malvina Avenue
Warren, MI 48089

Reference No.: 02-0045

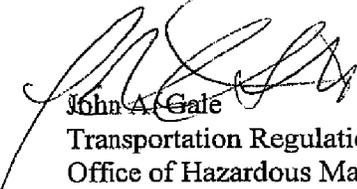
Dear Mr. Secor:

This is in response to your letter concerning requirements for shipping consumer commodities under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask about the exceptions for ORM-D materials in § 173.156(b)(1). Your questions are paraphrased and answered as follows:

- Q1. Are outer packagings of combination packages the same as "boxes" as that term is used in § 173.156(b)(1)(i)?
- A1. Yes. The outer packaging of a combination package meets the requirement for "boxes" for the purpose of unitizing under § 173.156(b)(1)(i).
- Q2. Are orientation markings required if the inner packagings contain liquid?
- A2. No. Packagings transported under § 173.156(b)(1) are excepted from the marking requirements in subpart D of part 172 of the HMR.
- Q3. May individual combination packagings containing liquids and marked "Consumer Commodity, ORM-D" be offered for transportation or must they be in another box or overpack?
- A3. Individual combination packages containing Class 8 (corrosive) materials, as described in your letter, may be offered for transportation provided they also meet the requirements in § 173.156(b)(1)(ii) and (iii), or they may be offered in conformance with the provisions of § 173.154(c).

I hope this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,


John A. Gale

Transportation Regulations Specialist
Office of Hazardous Materials Standards



020045

173.156

February 11, 2002

US Department of Transportation
Research and Special Projects Administration
DHM-12
400 Seventh St., S.W.
Washington, D.C. 20590

Corbin
§173.156
ORM Exceptions
02-0045

Re: Orientation Arrows and ORM-D

Gentlemen:

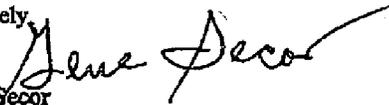
We have several products that initially are classified as Class 8, Corrosives (PG II & III) that are eligible for treatment as limited quantities and, further, meet the definition of a Consumer Commodity allowing us to reclassify them to ORM-D. All of these are packaged in fiberboard cartons and marked on the carton exterior Consumer Commodity, ORM-D. The inner receptacles contain liquids. These ORM-D materials will be shipped by Ground Transport Only.

Paragraph 173.156 Exceptions for ORM Materials at (b)(1) seems to indicate that ORM-D materials are exempted from the requirements of Subpart D Marking Requirements if/when certain sub requirements are met. We comply with the sub requirements. This raises certain questions, the answers to which are not completely clear:

1. Is the outer of a combination package considered to be the "box or boxes" mentioned in 173.156 (b)(1)(I) since it is grouped with the words "similar overpacks?"
2. Is the requirement for use of Orientation Arrows on cartons with inners containing liquids excepted for ORM-D materials?
3. Can individual combination packages containing liquids, marked with Consumer Commodity, ORM-D, be shipped individually or do they have to be inserted into another box or overpack?

Answers to these questions and interpretations would be appreciated.

Sincerely,


Gene Secor
HB Fuller Company

25200 Malvina Avenue
Warren, MI 48089

Phone: 248-526-4783
FAX: 586-447-1117
e-mail: gene.secor@hbfuller.com

File: c:/DOT/Orientation Arrows and ORM-D