



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

JUL 17 2002

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

Mr. Bernhard Bieri, III  
gh Package/Product Testing & Consulting, Inc.  
325 Commercial Drive  
Fairfield, OH 45014

Ref. No. 02-0133

Dear Mr. Bieri,

This responds to your April 25, 2002 letter requesting we consider alternative testing procedures to those under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask that we consider two options that you are recommending for retesting of previously certified UN hazardous material packages. You state that these recommended testing procedures will help the environment and reduce waste and costs involved with UN hazardous materials testing. You further state that these recommended options are to be used only when agreed upon by the customer and testing laboratory performing the test.

You propose the following options: Option #1- The quantity of packs required for drop tests be reduced to three (3) packs with multiple drops performed on two (2) packs, and Option #2 - Use only two (2) complete filled packs for stack, vibration and drop testing. You recommend these procedures for: (1) retest only when no substantial change in supplier or material has been made since previous tests and, (2) when both testing lab and customer preparing pack for distribution agree that past history of pack tests and field distribution show leakage of product or significant damage to product has not occurred. Your premise for these recommendations are that any pack that withstands multiple tests and passes performs better than multiple packs of the same pack design that are subjected to only one (1) test per box.

Currently, the HMR do not authorize the test procedures identified in your letter. In accordance with provisions in § 178.601(k), provided the validity of the test results is not affected and with the approval of the Associate Administrator, several tests may be performed on one sample. You may submit an application for approval from the Associate Administrator to use fewer samples in testing in accordance



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with provisions in Subpart H- Approvals, Registrations and Submissions of the HMR. You may also petition the Associate Administrator to establish, amend, or repeal a regulation under Subpart B- Procedures for Adoption of Rules. (See § 106.31).

I hope this answers your inquiry.

Sincerely,



Delmer F. Billings  
Chief, Standards Development  
Office of Hazardous Materials Standards



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**DATE: April 25, 2002**

**TO: Mr. Edward T. Mazullo**  
**Director, Office of Hazardous Materials Standards**  
**U.S. DOT/RSPA (DHM-10)**  
**400 7<sup>th</sup> Street S.W.**  
**Washington, D.C. 20590-0001**

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*Testing*  
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**FROM: Mr. Bernhard Bieri, III**  
**Laboratory Manager**  
**gh Package/Product Testing & Consulting, Inc.**

**Subject: UN Hazardous Materials Retest Certifications (POP  
Performance oriented packs).**

**Dear Mr. Mazullo,**

**In an effort to #1 Help the Environment - #2 Reduce waste and costs involved with UN Hazardous Materials testing the following two test options are being recommended for retesting of previously certified UN Hazmat Packages.**

**Option #1 - The quantity of packs required for drop tests be reduced to three (3) packs with multiple drops performed on two (2) packs.**

**Option #2 - Use only two (2) complete filled packs for stack, Vibration and drop testing.**

**These options are to be used only when agreed upon by the customer and testing laboratory performing the test.**

**NOTE: Current procedure requires a minimum of eleven (11) packs if new ("untested") pack is used for vibration, drops, and stack test.**

**Reasons for this recommendations:**

- 1. Currently many companies over pack hazardous materials in packs that far out perform required UN Tests. History shows that some packs are so substantial that one pack will hold up to all five (5) drops as well as the vibration and stack test. The use of three (3) packs would reduce the waste while providing a sample size of three (3) to eliminate the objections of a sample size of one (1) not being statistically significant.**
  
- 2. The multiple drops on a single pack that has been subjected to vibration testing is far more likely to result in pack failure than only one (1) drop to a pack that has been subjected to no other testing. (Therefore only extremely well designed packs would be tested using one of these optional procedures).**

**Again, the premise is that any pack that withstands multiple tests and passes performs better than multiple packs of the same pack design that are subjected to only one (1) test per box.**

- 3. These procedures are recommended -**
  - A). For retest only when no substantial change in supplier or material has been made since previous certification.**
  - B). When both testing lab and customer preparing pack for distribution agree that past history of pack tests and field distribution show leakage of product or significant damage to product has not occurred.**

**4. With all the efforts being made in the packaging industry to reduce waste, costs, and environmental impact on landfills, I believe this is a step the UN Hazmat Committee should consider with high priority.**

**I work for one testing laboratory and it is not unusual to fill one - 6 cubic yard dumpster with corrugated material and a second 6 cubic yard dumpster with all other pack materials two or three weeks each month. Ninety percent (90%) of this material is from hazardous materials testing. As the majority of our other testing is performed on one (1) sample of each pack design. (I.S.T.A. and A.S.T.M. 4169 Tests) and most of those are returned to the client.**

**Because we are only one of over 25 independent Testing Labs in the United States it is easy to see we are only "the tip of the iceberg" in this monumental waste of natural resources and environmental pollution.**

**Please give this serious consideration so that we can make a significant move to preserve the environment without having to get the environmentalist involved**

**Respectfully,**

  
**Bernhard Biere, III**  
**Laboratory Manager**  
**gh Package/Product Testing & Consulting, Inc.**