U.S. Department
of Transportation
**Pipeline and
Hazardous Materials Safety
Administration**

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

MAR 8 2005

Mr. Manuel Rosa, Jr.
President, Pro-Pack Testing Laboratory, Inc.
2385 Amann Drive
Belleville, IL 62220

Reference No. 05-0006

Dear Mr. Rosa:

This is in further response to your December 22, 2004, letter to Don Burger, General Engineer, Office of Hazardous Materials Technology, requesting clarification on how to properly drop test a bulk wheeled-cart packaging for the transport of "Regulated medical waste, 6.2 (infectious), UN 3291, PG II," under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you stated § 173.197(d)(2)(iii) requires the drop test for non-bulk packagings prescribed in § 178.603, but provides no guidance on how to perform this test on a bulk wheeled cart. Mr. Burger forwarded your letter to this office for response.

The reference to § 178.603 in § 173.197(d)(2)(iii) is an error. The correct reference is § 178.810, which prescribes drop test requirements for intermediate bulk containers (IBCs). Because a wheeled cart is similar in size and structure to an IBC, it was our intention to require wheeled carts used for the transportation of regulated medical waste to be capable of meeting the drop test requirements in § 178.810 at the Packing Group II performance level. We will correct this error in a future rulemaking. In the interim, you should utilize the drop test requirements in § 178.810. Note that the standard for wheeled carts is a capability standard. Capability may be demonstrated using testing, previous handling or transportation experience, design specifications, or other means.

I hope this information in helpful.

Sincerely,

Hattie L. Mitchell

Hattie L. Mitchell, Chief
Regulatory Review and Reinvention
Office of Hazardous Materials Standards

050006

173.197
178.603

Drakeford, Carolyn

Edmonson
§173.197
§178.603
Testing
05-0006

From: Gorsky, Susan
Sent: Wednesday, January 05, 2005 8:48 AM
To: Drakeford, Carolyn
Subject: FW: Wheeled Cart for Regulated Medical Waste

Carolyn,

Can you put the email below (with pictures) into the interp system? Thanks.

Susan

-----Original Message-----
From: Burger, Donald
Sent: Wednesday, January 05, 2005 8:47 AM
To: Gorsky, Susan
Subject: FW: Wheeled Cart for Regulated Medical Waste

-----Original Message-----
From: propack [mailto:propack@mcleodusa.net]
Sent: Wednesday, December 22, 2004 3:48 PM
To: donald.burger@rspa.dot.gov
Subject: Wheeled Cart for Regulated Medical Waste

Don,

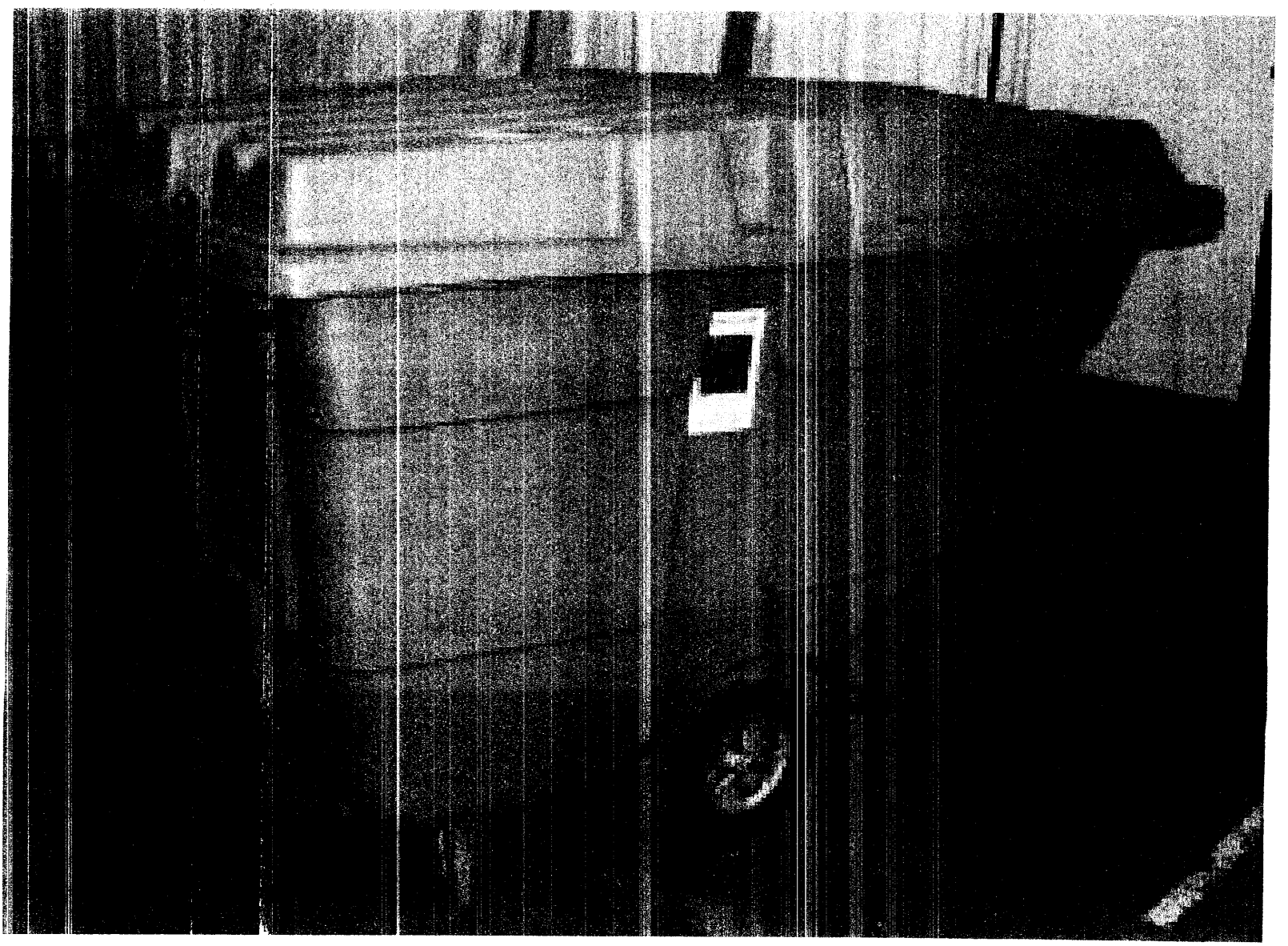
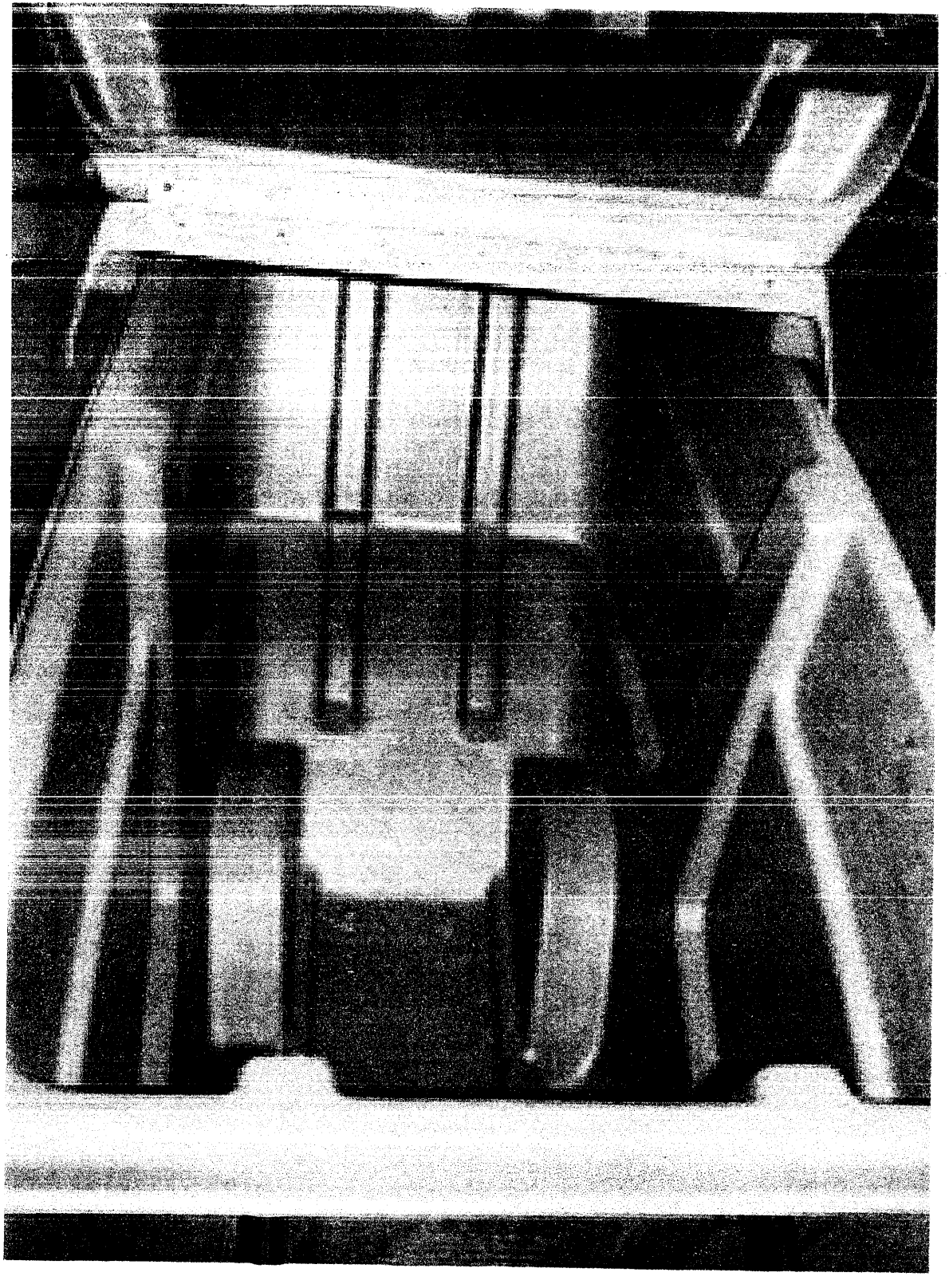
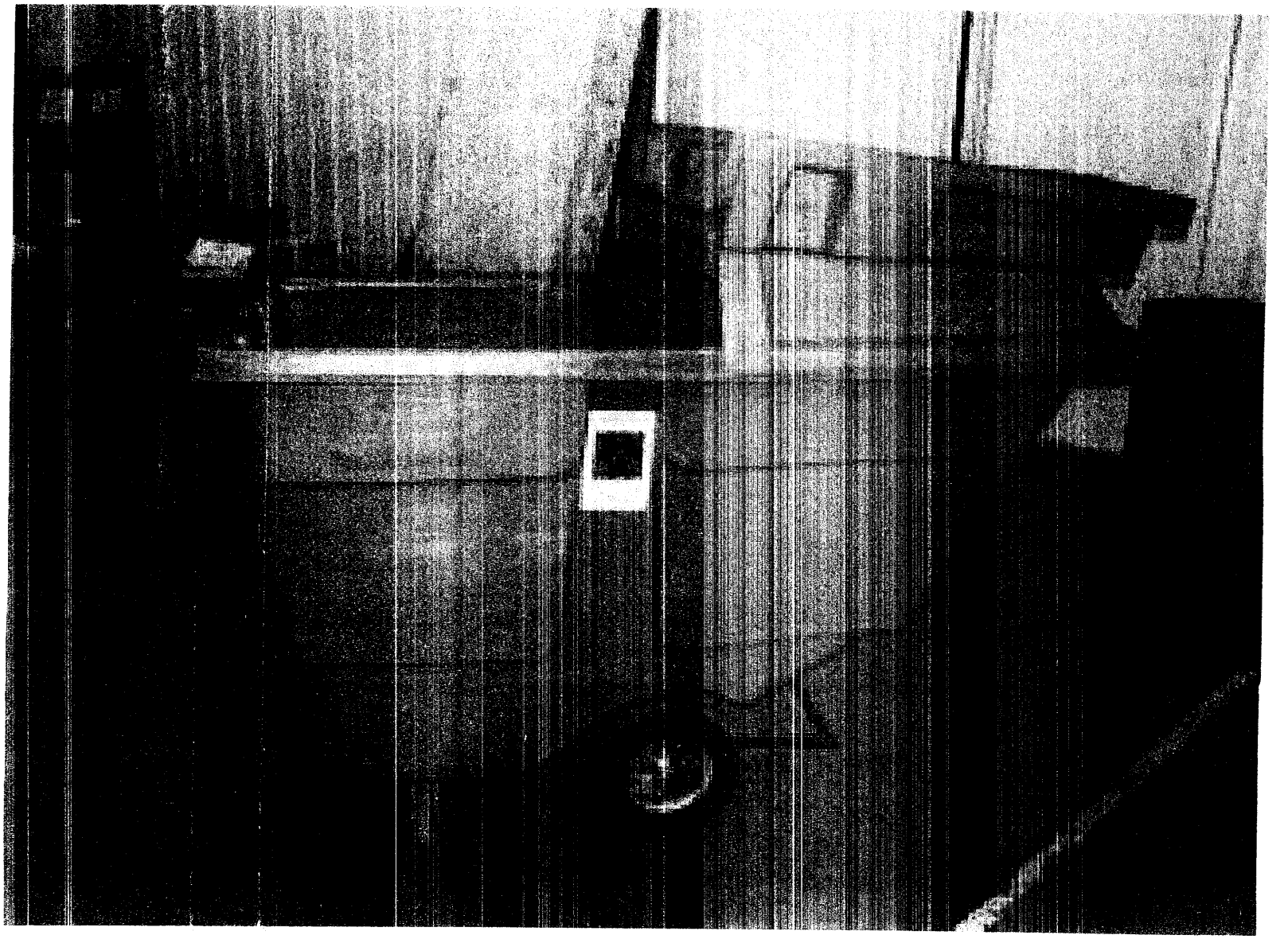
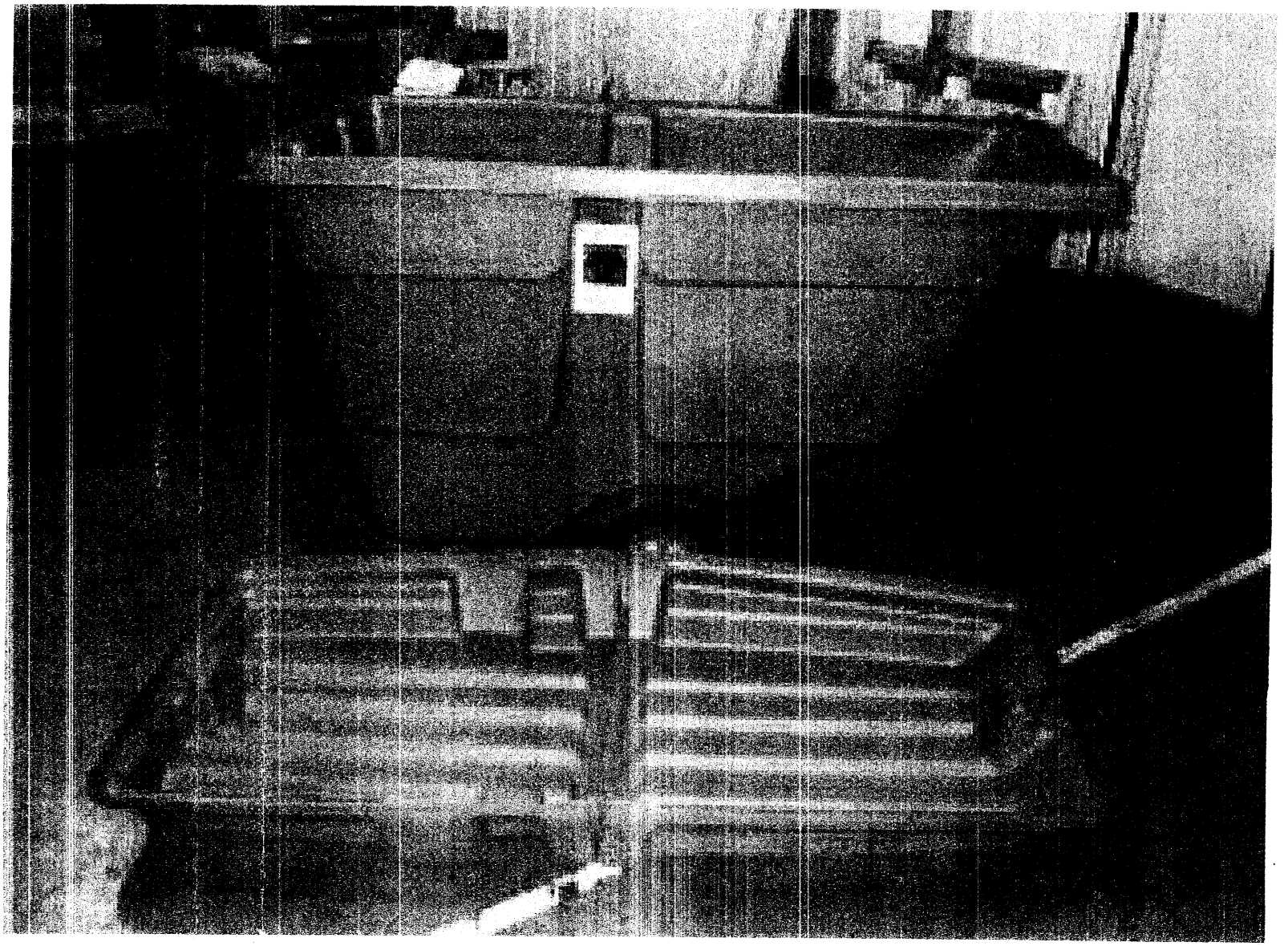
I once again have an issue with the same wheeled cart that you and I discussed back in 2002. The last time we discussed this, there were no regulations for wheeled carts in place (see 2001 CFR 49) and so we treated it as a "large" packaging and dropped it once on the bottom at your suggestion. Now there are regulations in place for wheeled carts but the regulations are not clear enough for me to perform the required tests. In section 173.197(d)(2) (iii), it states that "Each cart must be capable of meeting the requirements of 178.603 (drop test), as specified for solids at the Packing Group II performance level." All I can gather from this statement are that the cart(s) are to be dropped from 47.2". Section 178.603(a) does not address which type of container a wheeled cart is considered to be which also means I do not know how many carts are to be dropped or in which orientations. Can you help me out here? I have attached pictures of the cart that I have. I appreciate your help Don.

Manuel Rosa, Jr.
President
Pro-Pack Testing Laboratory, Inc.
618-277-1160 phone
618-277-1163 fax
m.rosa@propacktestlab.com
www.propacktestlab.com

REGULATED MEDICAL WASTE

Division 6.2, UN 3291, PG II

UN 3291 H2/Y27.2/S/02/USA/+AA 2638

MEDICAL SYSTEMS, INC.
SAINT LOUIS, MO 63110

Emergency Response 314-644-0100