



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

JUL 5 2005

Mr. Kurt Colborn
Director, Technical Services
MHF Logistical Solutions
800 Cranberry Woods Drive, Suite 450
Cranberry Township, PA 16066

Reference No.: 05-0138

Dear Mr. Colborn:

This is in response to your June 10, 2005 letter regarding the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you seek concurrence that your Super Load Wrapper™ (SLW) gondola lining system meets the general design requirements of § 173.410.

Based on the information you provided, it is our opinion that a gondola railcar with a SLW lining system would satisfy the general design requirements of § 173.410. In addition, the gondola railcar with the SLW lining system would also qualify as an IP-1 (Industrial packaging) in accordance with § 173.411(b).

I trust this satisfies your request.

Sincerely,

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



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173.427 (b)(4)
173.410



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§ 173.427(b)(4)
§ 173.410
RAM
05-0138

800 Cranberry Woods Drive, Suite 450, Cranberry Township, PA 16066 T 724.772.9800 F 724.772.9850 V/ www.umbils.com

Mr. Edward Mazzullo
Director of Hazmat Standards
USDOT/RSPA DHM-10 Suite 8422
400 7th Street, SW
Washington, DC 20590-3012

June 10, 2005

SUBJECT: Packaging Compliance, Follow-up Request to 04-0147 dated June 18, 2004

Dear Mr. Mazzullo,

The purpose of this letter is to request additional clarification to the subject interpretation. In the subject interpretation, the DOT provided concurrence with our self-certification that a gondola rail car with the Super Load Wrapper (SLW) lining system met the general design requirements of 49 CFR 173.410.

In our request, we included information to demonstrate the packaging's compliance with 49 CFR 173.24. We believe that this demonstrates compliance with the relevant portions of 49 CFR 173 Subparts A and B required by 49 CFR 173.410, and that the packaging system (SLW in gondola) therefore qualifies as an IP-1 packaging in accordance with 49 CFR 173.411(b).

However, since we did not specifically request your concurrence with our assessment of packaging compliance with Subparts A and B, some users of the product have questioned whether compliance with 173.410 alone is sufficient to qualify the packaging as an IP-1.

The original interpretation and request is attached for your information. *Please confirm that the SLW in a gondola, satisfying the requirements of 173.410 and 173.24 as presented, qualifies as an IP-1 packaging in accordance with 173.411(b).*

Please feel free to contact me at (724) 772-9800, ext. 5560 if you have any questions about this request. Thank you for your assistance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kurt Colborn', with a stylized, cursive script.

Kurt Colborn
Director, Technical Services
MHF Logistical Solutions