



U.S. Department  
of Transportation

Research and  
Special Programs  
Administration

AUG 5 1999

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

Mr. Raymond Wray  
Amalgamet Canada  
Suite 418  
111 Richmond St. W.  
Toronto, Canada M5H 2G4

Ref. No. 99-0109

Dear Mr. Wray:

This is in response to your letter dated April 20, 1999, regarding the transportation of materials poisonous by inhalation in accordance with 49 CFR 173.227(c). I am sorry for the delay and hope this has not caused you any inconvenience.

In your letter you ask if the following situation meets the conditions of the last sentence of § 173.227(c):

I am contemplating a situation where I want to make deliveries of a inhalation hazard (zone B) product to two different locations of the same company. The truck would stop at one plant, unload the containers for that plant, and then proceed to the second plant (four hours away) where the remaining containers would be unloaded.

The last sentence of § 173.227(c) states that "shipments must be made from one origin to one destination only without any intermediate pickup or delivery." It is the opinion of this office that the scenario presented in your letter does not meet the conditions of § 173.227(c) because your shipment scenario involves more than one delivery point.

I hope this satisfies your request.

Sincerely,

Thomas G. Allan  
Acting Director  
Office of Hazardous Materials Standards



990109

173.227

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# AMALGAMET CANADA

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Gale  
§ 173.227  
20 April 1999  
99-0109

U.S. Dept. of Transportation  
Research and Special Programs Administration  
Office of Hazardous Materials Standards  
400 Seventh Street, S.W.  
Washington, D.C. 20590  
Attn: Mr. Ed Mazzullo

I have an interpretation question regarding the last sentence of 49 CFR 173.227(c). This section allows the transportation of containers that do not have secondary overpacks if the shipment is from one origin to one destination only without any intermediate pick-up or delivery. I am contemplating a situation where I want to make deliveries of a inhalation hazard (zone B) product to two different locations of the same company. The truck would stop at one plant, unload the containers for that plant, and then proceed to the second plant (four hours away) where the remaining containers would be unloaded. At both locations, personnel have good knowledge regarding the hazards and proper handling of these containers. My question to you is as follows. Is what I have in mind allowed under this section, or do I have to apply for an exemption ?

It seems to me that what I have in mind would satisfy the spirit if not the letter of this regulation. It also seems to me that there is nothing to be gained by unloading all of the containers at the first plant, and then loading them onto another truck (perhaps the same truck) so that they can then be delivered to the second plant. I respectfully ask for your opinion on this scenario.

Yours truly,

  
Raymond Wray  
Manager - Specialty Materials



A MEMBER OF THE AMALGAMATED METAL CORPORATION GROUP