



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

MAF 1 2007

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

R. Jack Oody
Volunteer Drum
3311 John Sevier Hwy
Knoxville, TN 37914

Ref. No.: 07-0004

Dear Mr. Oody:

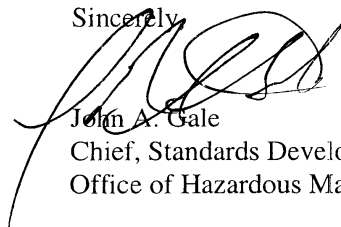
This is in response to your December 22, 2006 letter and subsequent telephone conversation with Ben Supko of my staff requesting clarification of performance oriented packaging requirements contained in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if a UN1A2 packaging that is embossed with a complete marking for liquids in PG II and partial marking for solids in PG I, missing the UN1A2 portion of solid marking, is a suitable packaging for a material classed as "Radioactive material, Type A package, fissile; UN3327." In addition to the markings embossed on the bottom, you indicate that the packaging is dual marked on the side with the complete markings as required by § 178.503(a).

In a final rule published under Docket HM-230 (69 FR 3632; January 26, 2004) we indicated our intention to remove paragraphs (a)(1), (a)(2), (a)(6), (b)(1) and (b)(2) of § 173.417 and discontinue the use of DOT Specification 6L, 6M, and 1A2 containers as authorized fissile materials packagings. However, in accordance with § 173.417(c), provided the packaging conforms with all requirements in effect on October 1, 2003, continued use of existing inventories is authorized until October 1, 2008.

In accordance with the requirements in effect on October 1, 2003, the 55 gallon drum must be a UN1A2 packaging that has been marked and tested at the PG I performance level in accordance with Part 178, Subparts L and M, respectively. The packaging you describe is not a UN1A2 packaging because it is not marked in accordance with all the requirements in § 178.503. As specified in § 178.503(a)(10), each new UN rated drum over 100 L must be permanently marked on the bottom with the marks required in paragraphs (a)(1)-(a)(6), and (a)(9)(i) of § 178.503. Therefore, the packaging you describe is not an acceptable packaging for a material classed as "Radioactive material, Type A package, fissile; UN3327."

I hope this information is helpful. Please contact us if you require additional assistance.

Sincerely,



John A. Gale
Chief, Standards Development
Office of Hazardous Materials Standards



070004

173.417
178.503

Supko
§ 178.503
§ 178.504

Drakeford, Carolyn <PHMSA>

From: Gorsky, Susan <PHMSA>
Sent: Wednesday, January 03, 2007 12:09 PM
To: Drakeford, Carolyn <PHMSA>
Subject: FW: Evans marked drums

Markings
04-0004

Please enter this as a request for interpretation. Thanks.

Susan

From: Drumman43@aol.com [mailto:Drumman43@aol.com]
Sent: Friday, December 22, 2006 9:44 AM
To: Gorsky, Susan <PHMSA>
Subject: Evans marked drums

Susan Gorsky
Department of Transportation
US Government
December 22, 2006

Susan is a drum that is dual embossed on the bottom UN1A2/Y1.6/200 **/X423/S** suitable for packaging a solid hazardous waste? The drum has both complete markings on the side UN1A2/Y1.6/200 **UN1A2/X423/S**, has four 1/2" holes drilled in the top circumference and is to be used as an outer package for low level radioactive waste. Even though the UN1A2 is missing from the **solid rating** on the bottom of the drum, can it be used for this purpose, and under what Specification is it approved or disapproved?

R. Jack Oody
Volunteer Drum
865-673-9396
Drumman43@AOL.com

1/3/2007