



U.S. Department
of Transportation

Pipeline and Hazardous
Materials Safety
Administration

1200 New Jersey Avenue, SE
Washington, D.C. 20590

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Mr. Brett T. Lehman
Security, Regulatory & Compliance Manager
GEODynamics Inc.
Engineered Perforating Solutions
10500 West Interstate 20
Millsap, TX 76066

Reference No. 16-0039

Dear Mr. Lehman:

This letter is in response to your March 3, 2016, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to an overpack. Your particular scenario involves non-bulk packages of Division 1.4D explosives that are shrink-wrapped together on a warehouse skid. The packages of explosives are covered by § 172.504(e), Table 2, and have an aggregate gross weight over 1,001 lbs. Specifically, you ask whether the tarpaulin cover required by § 177.835(h) is considered an overpack, as defined in § 171.8, and therefore subject to the provisions of § 173.25.

The answer is no. The tarpaulin required by § 177.835(h) is considered environmental protection and is not an overpack. Likewise, if all the required marks and labels are visible on the packages through the shrink-wrapped skid protected by the tarpaulin cover, no further action is necessary. If any of the required marks and labels are not visible on the packages through the shrink-wrap, the shrink-wrapped skid is considered an overpack and is required to be marked and labeled for every shipping description in the overpack as prescribed in § 173.25(a)(2). Further, as prescribed in § 173.25(a)(4), the word "OVERPACK" is only required to be marked on the shrink-wrapped skid if package specification markings, when required, are not visible through the shrink wrap.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division