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Transportation/Hazardous Materials: Pipeline and Hazardous Materials Safety Administration Interpretive Letter Addressing Definition of Bulk Packaging

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The United States Pipeline and Hazardous Materials Safety Administration ("PHMSA") addressed in a September 25th Interpretive Letter the application of the federal Hazardous Materials Regulations ("HMR") to the definition of a "bulk packaging". See Reference No. 24-0035.

PHMSA was responding to a June 30 email from Railsback HazMat Safety Professionals, LLC ("Railsback").

Railsback indicated that:

...answers provided in Letter of Interpretation (LOI) Ref. No. 23-0052 conflict with both the definition of bulk packaging in § 171.8 and the answers provided in LOI Ref. Nos. 15-0168R and 17-0050.

Railsback asked whether the answers provide in (LOI) Ref. No. 23-0052 (which states that in the instance of authorized non-specification packaging of a battery secured to a skid or pallet, the weight of the battery determines whether a package is considered bulk or non-bulk) were intended to mean that both the net mass and the maximum capacity requirements must be considered when determining if a packaging used for batteries is a bulk packaging.

PHMSA responds in the negative.

Batteries and other similar articles are considered solids for the purposes of the HMR when packed in authorized packaging. Nevertheless, a caveat is noted in an instance in which batteries secured to pallets or skids as in §§ 173.159(d)(1) and 173.185(b)(5) - maintains that the weight of the battery alone should be used to determine whether the packaging is considered bulk or non-bulk.

A copy of the Interpretive Letter can be downloaded [here](#).