

filled with a Packing Group III solid hazardous material to a gross mass not exceeding the marked maximum gross mass multiplied by 1.5 if all the performance criteria can still be met at the higher gross mass.

(4) An IBC which is tested and marked for Packing Group I solid materials may be filled with a Packing Group II solid material to a gross mass not exceeding the maximum gross mass marked on that container, multiplied by 1.5, if all the performance criteria can be met at the higher gross mass; or a Packing Group III solid material to a gross mass not exceeding the maximum gross mass marked on the IBC, multiplied by 2.25, if all the performance criteria can be met at the higher gross mass. An IBC which is tested and marked for Packing Group II solid materials may be filled with a Packing Group III solid material to a gross mass not exceeding the maximum gross mass marked on the IBC, multiplied by 1.5.

[Amdt. 173–238, 59 FR 38064, July 26, 1994, as amended by Amdt. 173–243, 60 FR 40038, Aug. 4, 1995; 64 FR 10777, Mar. 5, 1999; 66 FR 45380, 45381, Aug. 28, 2001; 68 FR 48569, Aug. 14, 2003; 71 FR 78631, Dec. 29, 2006; 75 FR 5393, Feb. 2, 2010]

§ 173.36 Hazardous materials in Large Packagings.

(a) No person may offer or accept a hazardous material for transportation in a Large Packaging except as authorized by this subchapter. Except as otherwise provided in this subchapter, no Large Packaging may be filled with a Packing Group I or II material. Each Large Packaging used for the transportation of hazardous materials must conform to the requirements of its specification and regulations for the transportation of the particular commodity.

(b) *Packaging design.* (1) *Inner packaging closures.* A Large Packaging containing liquid hazardous materials must be packed so that closures on inner packagings are upright.

(2) *Flexible Large Packagings.* Flexible Large Packagings (e.g., 51H) are only authorized for use with flexible inner packagings.

(3) *Friction.* The nature and thickness of the outer packaging must be such

that friction during transportation is not likely to generate an amount of heat sufficient to dangerously alter the chemical stability of the contents.

(4) *Securing and cushioning.* Inner packagings of Large Packagings must be packed, secured and cushioned to prevent their breakage or leakage and to control their shifting within the outer packaging under conditions normally incident to transportation. Cushioning material must not be capable of reacting dangerously with the contents of the inner packagings or having its protective properties significantly weakened in the event of leakage.

(5) *Metallic devices.* Nails, staples and other metallic devices must not protrude into the interior of the outer packaging in such a manner as to be likely to damage inner packagings or receptacles.

(c) *Initial use and reuse of Large Packagings.* A Large Packaging may be reused. If an inner packaging is constructed of paper or flexible plastic, the inner packaging must be replaced before each reuse. Before a Large Packaging is filled and offered for transportation, the Large Packaging must be given an external visual inspection, by the person filling the Large Packaging, to ensure:

(1) The Large Packaging is free from corrosion, contamination, cracks, cuts, or other damage which would render it unable to pass the prescribed design type test to which it is certified and marked; and

(2) The Large Packaging is marked in accordance with requirements in § 178.910 of this subchapter. Additional marking allowed for each design type may be present. Required markings that are missing, damaged or difficult to read must be restored or returned to original condition.

(d) During transportation—

(1) No hazardous material may remain on the outside of the Large Packaging; and

(2) Each Large Packaging must be securely fastened to or contained within the transport unit.

(e) Each Large Packaging used for transportation of solids which may become liquid at temperatures likely to be encountered during transportation may not be transported in paper or

fiber inner packagings. The inner packagings must be capable of containing the substance in the liquid state.

(f) Liquid hazardous materials may only be offered for transportation in inner packagings appropriately resistant to an increase of internal pressure likely to develop during transportation.

(g) A Large Packaging used to transport hazardous materials may not exceed 3 cubic meters (106 cubic feet) capacity.

(h) *Mixed contents.* (1) An outer Large Packaging may contain more than one hazardous material only when—

(i) The inner and outer packagings used for each hazardous material conform to the relevant packaging sections of this part applicable to that hazardous material, and not result in a violation of §173.21;

(ii) The package as prepared for shipment meets the performance tests prescribed in part 178 of this subchapter for the hazardous materials contained in the package;

(iii) Corrosive materials (except ORM-D) in bottles are further packed in securely closed inner receptacles before packing in outer packagings; and

(iv) For transportation by aircraft, the total net quantity does not exceed the lowest permitted maximum net quantity per package as shown in Column 9a or 9b, as appropriate, of the §172.101 table. The permitted maximum net quantity must be calculated in kilograms if a package contains both a liquid and a solid.

(2) A packaging containing inner packagings of Division 6.2 materials may not contain other hazardous materials, except dry ice.

(i) When a Large Packaging is used for the transportation of liquids with a flash point of 60.5 °C (141 °F) (closed cup) or lower, or powders with the potential for dust explosion, measures must be taken during product loading and unloading to prevent a dangerous electrostatic discharge.

[75 FR 5393, Feb. 2, 2010]

§ 173.40 General packaging requirements for toxic materials packaged in cylinders.

When this section is referenced for a Hazard Zone A or B hazardous material

elsewhere in this subchapter, the requirements in this section are applicable to cylinders used for that material.

(a) *Authorized cylinders.* (1) A cylinder must conform to a DOT specification or a UN standard prescribed in subpart C of part 178 of this subchapter, except that acetylene cylinders and non-refillable cylinders are not authorized. The use of UN tubes and MEGCs is prohibited for Hazard Zone A materials.

(2) The use of a specification 3AL cylinder made of aluminum alloy 6351-T6 is prohibited for a Division 2.3 Hazard Zone A material or a Division 6.1 Hazard Zone A material.

(3) A UN composite cylinder certified to ISO-11119-3 is not authorized for a Division 2.3 Hazard Zone A or B material.

(4) For UN seamless cylinders used for Hazard Zone A materials, the maximum water capacity is 85 L.

(b) *Outage and pressure requirements.* For DOT specification cylinders, the pressure at 55 °C (131 °F) of Hazard Zone A and Hazard Zone B materials may not exceed the service pressure of the cylinder. Sufficient outage must be provided so that the cylinder will not be liquid full at 55 °C (131 °F).

(c) *Closures.* Each cylinder containing a Hazard Zone A material must be closed with a plug or valve conforming to the following:

(1) Each plug or valve must have a taper-threaded connection directly to the cylinder and be capable of withstanding the test pressure of the cylinder without damage or leakage.

(2) Each valve must be of the packless type with non-perforated diaphragm, except that, for corrosive materials, a valve may be of the packed type with an assembly made gas-tight by means of a seal cap with gasketed joint attached to the valve body or the cylinder to prevent loss of material through or past the packing.

(3) Each valve outlet must be sealed by a threaded cap or threaded solid plug and inert gasketing material.

(4) The materials of construction for the cylinder, valves, plugs, outlet caps, luting, and gaskets must be compatible with each other and with the lading.

(d) *Additional handling protection.* Each cylinder or cylinder overpack combination offered for transportation