



U.S. Department of Transportation  
**Pipeline and Hazardous Materials  
Safety Administration**

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

APR 26 2010

Mr. Jean-Martin Vallières  
Mechanical Engineer  
TSO<sub>3</sub>, Inc.  
2505 Avenue Dalton  
Quebec, Quebec, Canada, G1P 3S5

Ref. No. 10-0065

Dear Mr. Vallières:

This responds to your March 15, 2010 email regarding UN Specification packaging authorized under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether your company must submit packaging compatibility test results and obtain an approval from DOT to use a foreign manufactured UN Specification packaging authorized by Transport Canada's Transportation of Dangerous Goods (TDG) Regulations for the transportation of an aqueous solution of 50% hydrogen peroxide. Your questions are paraphrased and answered as follows:

Q1. Our company is not required to resubmit chemical compatibility test results for the packaging to Transport Canada because of the availability of test results generated by the company filling the bottles in the packaging for similar packaging. Do we have to submit chemical compatibility tests results to DOT in order to transport our product in the U.S.?

A1. No. In accordance with § 173.24(e), compatibility tests for packaging materials and contents are required for plastic packaging or receptacles used for Packing Group (PG) I materials. Aqueous solutions of 50% hydrogen peroxide are assigned PG II. Thus, no compatibility testing is required. Note that the packaging must conform to the general compatibility requirements of § 173.24(e).

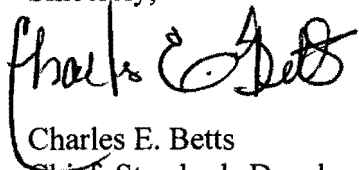
Q2. Is our company required to obtain approval for use of the packaging from DOT if the company is registered with and has an approval for use of the packaging from Transport Canada?

A2. No. In accordance with § 173.12(a)(2), a UN Specification packaging authorized by Transport Canada's TDG Regulations may be used to transport hazardous material to the United

States subject to the limitations of §§ 171.12, 171.22, and 171.23 and provided the packaging is equivalent to the UN Specification authorized by the HMR. See § 173.24(d)(2).

I hope this information is helpful. If you have further questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles E. Betts". The signature is written in a cursive style with a large initial "C" and "B".

Charles E. Betts  
Chief, Standards Development  
Office of Hazardous Materials Standards

Der Kinderen  
§ 173.24 (e) a (d) (2)  
§ 171.12

**Drakeford, Carolyn (PHMSA)**

**From:** INFOCNTR (PHMSA)  
**Sent:** Monday, March 15, 2010 2:26 PM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: Questions regarding UN packaging in Foreign country

Packaging  
10-0065

**From:** Jean-Martin Vallières [mailto:jmvallieres@tso3.com]  
**Sent:** Monday, March 15, 2010 12:05 PM  
**To:** INFOCNTR (PHMSA)  
**Subject:** Questions regarding UN packaging in Foreign country

Hello,

TSO3, a company based in Canada, is now in a process to get transport approval for the shipment of a box with 4 bottles of hydrogen peroxide 50%. All the files/documentation has been submitted to Transport Canada in order to obtain the UN certification of the packaging and a certificate of registration that include the incorporation certificate of our company and a declaration of chemical compatibility testing as per CAN/CGSB.43-150-97 section 6.1 (equivalent of 49CFR173.24 (e)).

We have two questions for the DOT:

- 1- In Canada, we don't have to resubmit the chemical compatibility test as per CAN/CGSB.43-150-97 section 6.1 because TSO3 is using the same resin/liner than a well know chemical company in charge of filling TSO3 bottle (Fisher Scientific item number H341-500). Do we have to submit test results to the DOT in order to ship the product in US?
- 2- Do we have a register our company or obtain a certificate from the DOT before shipping the packaging in US if we have: 1<sup>st</sup> a UN certificate of our packaging emitted by Transport Canada and 2<sup>nd</sup> a certificate of registration emitted by Transport Canada? Do you need of copy of documents emitted by Transport Canada?

Please answer by email for traceability purposes

Ref:  
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Best regards,

Jean-Martin Vallières, Eng.  
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