



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUN 6 2000

Ref. No. 00-0108

Mr. Paul J. Dambek
Hazmateam, Inc.
24 Mystic Hill Road
Mystic, CT 06355

Dear Mr. Dambek:

This is in response to your letter requesting clarification under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) pertaining to the use of the entry "Polyester resin kit," UN3269. Specifically, you ask whether your material and packaging meets the requirements under Special Provision 40 and whether your inner packaging consisting of two separate reservoirs would be considered two separate inner receptacles.

You state that the kit contains two separate materials consisting of a methyl methacrylate adhesive which is a Class 3, Packing Group III and dibenzoyl peroxide, type E, PG II which is an organic peroxide activator in solid form. Provided the organic peroxide does not require temperature control, its maximum quantity does not exceed one pound per inner packaging and the two materials will not interact dangerously in the event of leakage, your material meets the requirements for Special Provision 40.

With regard to the packaging you sent us, it is the opinion of this Office that it is two separate receptacles which are attached. Provided the inner receptacles are placed in an outer specification package as specified in § 173.225, your packaging is authorized for the entry "Polyester resin kit."

I hope this information is helpful. Please contact this office if you need additional assistance.

Sincerely,

Hattie L. Mitchell, Chief
Regulatory Review and Reinvention
Office of Hazardous Materials Standards



000108

172.101 (p)



HAZMATEAM, INC.
24 Mystic Hill Road
Mystic, CT 06355
Phone: 860-536-2229
Fax: 603-462-2361

McIntyre
§ 172.101 (P)
Polyester Resin Kits
00-0108

Mr. Edward Mazzullo
Director of Office of Hazardous Materials Standards
Request for Clarification
400 7th Avenue S.W.
Washington, D.C. 20590

April 3, 2000

Dear Mr. Mazzullo:

I require two clarifications with regard to the applicability of using the proper shipping name, "Polyester Resin Kit".

- 1) Do the materials described below meet the requirements of Special Provision 40?

Part A — Methyl Methacrylate based adhesive. The material meets the definition of a viscous flammable liquid. The shipping description if shipped separately is:

Adhesives, 3, UN 1133, PG III.

Part B — Dibenzoyl Peroxide based adhesive activator. The shipping description if shipped separately is:

Organic Peroxide (Dibenzoyl Peroxide), type E, solid, 5.2, UN 3108, PG II

- 2) Are the inner containers described below allowable for use per Special Provision 40?

The 10:1 cartridge (inner container) has the following construction:

Cartridge A — Constructed of Polyester and contains 440 ml of Part A described above.
Cartridge B — Constructed of Nylon and contains 50 ml of Part B described above.

The nose plugs are inserted into the respective cartridge. The retaining nut is then screwed over the nose plugs, followed by the removal disk. Parts A & B are filled into their respective cartridge through the bottom and sealed with the respective piston. Once filled, the base of the cartridge, below the piston, is crimped. The crimp prevents the contents of the cartridges from pushing the piston out.

The end user removes the removal disk, retaining nut and nose plugs, then attaches a mixing tip. Parts A and B mix together in the mixing tip after being pushed out of the cartridge with a mixing gun.

This particular tube, the 10:1 cartridge, has passed the internal pressure test, described in 49 CFR 173.27 (c). In addition, a combination package of twelve 10:1 cartridges inside a fibreboard box has passed all of the required UN specification packaging tests which are described in 49 CFR 178 Subpart M.

A fully assembled, empty, 10:1 cartridges along with a diagram are included with this letter.

Should you have questions, please do not hesitate to contact me at 860-536-2229 or via e-mail, dambek@earthlink.net.

Your assistance is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul J. Dambek", with a long horizontal line extending to the right.

Paul J. Dambek