



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

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

OCT 14 2010

Mr. Scott A. Pilch  
107 Mesa Drive  
Evanston, WY 82930

Reference No. 10-0109

Dear Mr. Pilch:

This responds to your request for clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to jet perforating guns. Specifically, you ask the meaning of US 1 (1)(d)(i) following the § 173.62(c) Table of Packing Methods, which states in part:

A motor vehicle transporting a (perforating) gun must have specially built racks or carrying cases designed and constructed so that the gun is securely held in place during transportation and is not subject to damage by contact, one to the other or any other article or material carried in the vehicle;

You ask whether this paragraph means that: (1) perforating guns are to be transported and secured in a manner that will eliminate movement that would allow the perforating guns to contact (strike) other guns or articles in the load; or (2) perforating guns are to be transported and secured in a manner that does not allow them to contact (touch) other guns, i.e; the guns are not allowed to lay side-by-side so that they touch each other.

US 1 (1)(d)(i) means that the guns must be secured in place in specially built racks or carrying cases in a manner to prevent the guns from any contact (including touching) with other guns, as well as with other articles or materials, being transported in the vehicle that will cause damage to the perforating guns.

I hope this information is helpful. Please contact this office should you have additional questions.

Sincerely,

A handwritten signature in black ink that reads "T. Glenn Foster". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

T. Glenn Foster  
Chief, Regulatory Review and Reinvention  
Office of Hazardous Materials Standards

107 Mesa Drive  
Evanston, WY 82930  
(307) 679-1517

McIntyre  
§173.63  
Packaging Exceptions  
10-0109

U.S. DOT  
PHMSA Office of Hazardous Materials Standards  
Attn: PHH-10  
East Building  
1200 New Jersey Avenue, SE.  
Washington, DC 20590-0001

Sir/Madam:

I am requesting an interpretation on the following:

**49 CFR 173.63-Table of Packing Methods-US 1-(i)**

***"A motor vehicle transporting a (perforating) gun must have specially built racks or carrying cases designed and constructed so that the gun is securely held in place during transportation and is not subject to damage by contact, one to the other or any other article or material carried in the vehicle;"***

Some read this regulation to mean that perforating guns are transported and secured in a manner that will eliminate movement that would allow perforating guns to contact (*strike*) other guns or articles in the load.

Others read this regulation to mean that perforating guns are transported and secured in a manner that does not allow them to contact (touch) other guns. This is, the guns are not allowed to lay side by side so that they touch each other.

I would appreciate you interpretation on this.

Regards,



Scott A. Pilch