



**COUNCIL ON SAFE TRANSPORTATION  
OF HAZARDOUS ARTICLES, INC.**

July 12, 2010

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Mr. Magdy El-Sibaie, PhD  
Assoc. Admin. for HM Safety  
US DOT PHMSA  
1200 New Jersey Ave. SE East Bldg., Second Flr (PH)  
Washington, DC 20590

Dear Mr. El-Sibaie, PhD:

RE: HM-231A Notice of Proposed Rulemaking, Hazardous Materials;  
Packages Intended for Transport by Aircraft

COSTHA is a not-for-profit organization representing manufacturers, shippers, distributors, carriers, freight forwarders, trainers, packaging manufacturers and others associated with the hazardous materials transportation industry. In addition to promoting regulatory compliance and safety in hazardous materials transportation, COSTHA assists its members and the public in evaluating the practicality and efficacy of laws, rules and regulations for the safe transportation and distribution of hazardous materials.

As noted in our original comments in September of 2008, on the ANPRM, COSTHA agrees that regulatory changes are necessary to address safety issues related to the transportation of hazardous materials in non-UN Standard packagings on board aircraft.

We further support specific testing methods to test for the integrity of inner packaging design. COSTHA feels that in addition to this proposed clarification and enhanced consistency in testing methods in the NPRM, better enforcement of existing regulations is a critical factor in reducing the number of incidents.

We support DOT's proposal to adopt the new ICAO Technical Instruction requirements for combination packagings and test protocols to verify the packaging ability to meet the applicable standard. We would further recommend that the proposed standard, where it may differ from those of the UN Model Regulations and /or the ICAO Technical Instructions, should be brought by PHMSA to the UN Sub-Committee of Experts on the Transport of Dangerous Goods in a formal proposal at the earliest opportunity.

In order to enhance harmonization and improve safety, the US requirements for air transport must be consistent with the ICAO Technical Instructions applicable to global transport.

Sincerely

John V. Currie  
Administrator, Sr. Technical Consultant

**The Council on Safe Transportation of Hazardous Articles, Inc.**

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