



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

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

Mr. Bob Van Duzer
Sporting Arms and Ammunition
Manufacturers' Institute, Inc.
1339 Broad Run Road
Landenberg, PA 19350

Reference No.: 04-0086

Dear Mr. Van Duzer:

This is in response to your email concerning the requirement to indicate the "net explosive mass" when describing a Class 1 material on a shipping paper under § 172.202(a)(5)(i) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You describe a typical package for cartridges, small arms, as having a net mass of 10.66 kg, of which 0.333 kg is the mass of the smokeless powder contained in the cartridges. You ask whether the entry on the shipping paper should be the net mass of the explosive articles (i.e., the cartridges) or the explosive substance (e.g., smokeless powder) contained in the articles.

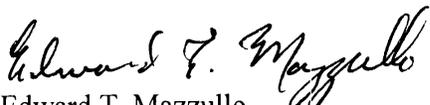
For an explosive that is an article, such as cartridges, small arms, it is our determination that the net mass of the article must be used to satisfy the total quantity requirement in § 172.202(a)(5)(i). As a practical matter, it is easier, and in certain instances necessary, for an offeror to determine and provide the net mass of the article. For example, the net mass of an article must be used to ensure compliance with the per package quantity limitations set forth in Column 9 of the § 172.101 Hazardous Materials Table. See § 172.101(j)(3).

For operational purposes, such as for stowage and segregation of large quantities of explosives or determining the quantity of explosives that can be transported on a vessel [see § 176.142(b)], it also may be necessary to obtain the net explosive mass (weight) of the explosive substances contained in articles from other data sources.

We have submitted a paper (copy enclosed) to clarify this shipping paper requirement in regard to a similar provision in the United Nations Model Regulations on the Transport of Dangerous Goods and also intend to clarify the HMR in the near future.

I trust this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,


Edward T. Mazzullo
Director, Office of Hazardous Materials Standards



040086

172.202(a)(5)(i)

INFOCNTR

Corbin

From: SHIPITSAFE@aol.com
Sent: Sunday, March 21, 2004 3:07 PM
To: INFOCNTR
Cc: SHIPITSAFE@aol.com
Subject: Request for Information

§172.202(a)(5)(i)

Shipping Papers

04-0086

In accordance with Docket HM-215E (final rule published in the July 31, 2003 Federal Register) it will be mandatory on October 1, 2004 for shippers of Class 1 (Explosives) to indicate in the shipping description, on the shipping paper, the net explosive mass. What is the definition of "net explosive mass"?

We ship cartridges, small arms, UN0012. A typical shipping carton containing cartridges, small arms, has a gross weight of 11.34 kg, a net weight of 10.66 kg, and a tare weight of .68 kg. Included in the net weight of 10.66 kg is .333 kg of explosives (smokeless powder). The balance of the net weight (10.327 kg) is composed of non-hazardous materials (metal/plastic components). How is the net explosive mass to be reported? Is it the weight of the explosives in the package or the weight of the completed article? As you can see the net explosive weight is minimal compared to the finished article. The only definition I can find for "net quantity" is that which appears in the ICAO Technical Instructions which defines "net quantity" of explosive articles as the mass of the finished article excluding packagings. Does DOT concur with this definition for explosives? Thanks for your assistance.

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