



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

MAY 29 2008

Mr. Bruce Z. Sklak
Coventry Coating Corporation
89 Taft Avenue
Newburgh, NY 12550

Ref. No.: 08-0101

Dear Mr. Sklak:

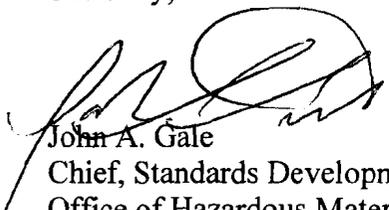
This is in response to your April 4, 2008 letter requesting confirmation of your understanding of the requirements for consumer commodities under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask for confirmation of your understanding of the requirements for reclassing a material described as "Paint related material, Class 3, UN1263, PG II" as "Consumer commodity, ORM-D".

In your letter, you state your company ships a urethane paint reducer described as "Paint related material, Class 3, UN1263, PG II" in 1-gallon metal cans. Four cans are placed into a 4G box. The gross weight of the entire package is 35 pounds. You note that § 172.102, Special provision 149 permits up to 5 L (1.3 gallons) of paint related material per inner packaging to be shipped as a limited quantity.

Your understanding is correct that your product described as "Paint related material, Class 3, UN1263, PG II" may be renamed and reclassified as "Consumer commodity, ORM-D" and shipped in accordance with the packaging exceptions in § 173.150. Packages containing ORM-D material must be marked in accordance with § 172.316. Exceptions for shipment of a material described as "Consumer commodity, ORM-D" are provided in § 173.156.

I hope this information is helpful. Please contact us if you require additional assistance.

Sincerely,



John A. Gale

Chief, Standards Development
Office of Hazardous Materials Standards

COVENTRY COATINGS CORP.

89 Taft Avenue
Newburgh, NY 12550
845-562-5666; FAX# 845-562-8986

Leary
§ 172.101
§ 173.150
Exceptions
08-0101

April 4, 2008

Mr. Edward T. Mazzullo
Director, Office of Hazardous Materials Standards
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590

RE: Interpretation Request

Dear Mr. Mazzullo,

We are looking to obtain a letter of interpretation regarding a urethane paint reducer we manufacture for automotive refinish paint products. I have enclosed the Material Safety Data Sheet and product label for your evaluation.

The product is labeled in a manner that is suitable for retail sale and it is packaged in one gallon metal cans. Four gallons are placed in strong outer packaging, 4G-fiberboard box, with a gross weight of 35 lbs. This product is a paint related material, flammable liquid, UN1263, Paint Related Material, Class 3, Packaging Group II.

I would like to confirm my understanding of the Hazardous Materials Regulations, (HMR; 49 CFR Parts 171-180). As I see it, the exceptions 173.150, and special provision 149, allow this product to be reclassified as ORM-D and renamed "Consumer commodity" for shipping within the United States.

Your assistance and guidance in this matter is greatly appreciated.

Sincerely,



Bruce Z. Sklak
President

MATERIAL SAFETY DATA SHEET

UR-9075 -- URETHANE REDUCER (MEDIUM)

Printed: 04/03/08

----- HMIS CODES -----
 Hazard Rating: Health 2
 Least --> Greatest Flammability 3
 0 --> 4 Reactivity 0
 Personal Protection H

Manufacturer: COVENTRY COATINGS
 89 TAFT AVENUE
 NEWBURGH, NY 12550
 Phone: (845)562-5666

EMERGENCY TELEPHONE: 800-424-9300

SECTION I: PRODUCT IDENTIFICATION

Product Code: UR-9075 Product Class: PAINT
 Product Name: URETHANE REDUCER (MEDIUM)
 Product(s): URETHANE REDUCER (MEDIUM)
 CAS Number:

SECTION IIA: HAZARDOUS INGREDIENTS

Ingredient	CAS Number	(To Nearest 1.00%)		Vapor	
		% by Wt.	% by Vol.	LEL	Press.
1. MEK	78-93-3	35.00	37.00	1.0	70.00
2. PM ACETATE SOLVENT	000108-65-6	25.00	22.00	1.5	3.70
3. TOLUOL	108-88-3	20.00	20.00	1.0	24.00
4. VM&P NAPHTHA	64742-89-8	20.00	22.00	.9	5.20

NA = Not Applicable; NE = Not Established

SECTION IIB: OCCUPATIONAL EXPOSURE LIMITS

Ingr. #	-----OSHA PEL's-----		-----ACGIH TLV's-----			
	OSHA ppm	OSHA mg/m3	TWA ppm	TWA mg/m3	STEL ppm	STEL mg/m3
1.	50.000	NA	50.000	NA	NA	NA
2.	NA	NA	NA	NA	NA	NA
3.	200.000	NA	100.000	NA	150.000	NA
4.	NA	NA	300.000	NA	NA	NA

NA = Not Applicable; NE = Not Established

SECTION III: PHYSICAL DATA

Boiling Range (degrees F): 282.00 - 286.00 Pounds per Gallon: 7.03
 Vapor Density: HEAVIER THAN AIR Evaporation Rate: SLOWER THAN ETHER
 Solubility in Water: NIL

Volatiles (%)	by Weight		by Volume	
	Total	Exempt VOC	Non-exempt	Non-exempt
	100.00	.00	100.00	100.00

VOC wt/gal: 7.03 lbs non-exempt solvent per adjusted gallon
 Appearance:

SECTION IV: FIRE AND EXPLOSION HAZARD DATA

Flammability Classification:

OSHA: FLAMMABLE DOT: FLAMMABLE

Flash Point: 81.00 (Method: Tcc)

UEL: 7

Extinguishing Media: CO2/FOAM

Unusual Fire and Explosion Hazards

THIS MATERIAL MAY BE IGNITED BY HEAT, SPARKS, FLAME OR STATIC ELECTRICITY. KEEP CONTAINERS CLOSED WHEN NOT IN USE. ISOLATE FROM HEAT, SPARKS, PILOT LIGHTS SMOKING MATERIALS AND OTHER SOURCES OF IGNITION.

Special Firefighting Procedures

THE USE OF SCBA IS RECOMMENDED FOR FIRE FIGHTERS. WATER SPRAY MAY BE USEFUL IN IN COOLING CONTAINERS EXPOSED TO HEAT AND FLAME. AVOID SPREADING BURNING LIQUID WITH WATER USED FOR COOLING PURPOSES. FIGHT AS VOLATILE LIQUID FIRE. CLOSED CONTAINERS MAY EXPLODE WHEN EXPOSED TO EXTREME HEAT. USE WATER TO COOL FIRE EXPOSED CONTAINERS.

SECTION V: HEALTH HAZARD DATA

Effects of Overexposure

DIZZINESS, NAUSEA, VOMITING, LOSS OF COORDINATION, AND FATIGUE.

Medical Conditions Prone to Aggravation by Exposure

ASTHMA, HEART CONDITION.

Primary Routes of Entry into the Body, and Effects

MOUTH, SKIN, LUNGS.

EMERGENCY FIRST-AID PROCEDURES

SKIN CONTACT; FLUSH WITH WATER. IF REDNESS PERSISTS SEEK MEDICAL ATTENTION. INHALATION; IF RESPIRATORY SYMPTOMS DEVELOP, REMOVE VICTIM FROM SOURCE OF EXPOSURE TO FRESH AIR. IF SYMPTOMS PERSIST SEEK MEDICAL ATTENTION. INGESTION; SEEK EMERGENCY MEDICAL ATTENTION

SECTION VI: REACTIVITY DATA

Stability: STABLE Hazardous Polymerization WILL NOT OCCUR.

Hazardous Decomposition Products

CO2

Conditions to Avoid

HEAT, SPARKS OPEN FLAMES, STATIC ELECTRICITY

Incompatibilities (Materials to Avoid)

MATERIAL SAFETY DATA SHEET

UR-9075 -- URETHANE REDUCER (MEDIUM)

Printed: 04/03/08

SECTION VII: SPILL OR LEAK PROCEDURES; WASTE DISPOSAL

Steps to be taken if Material is Leaked or Spilled
STAY UPWIND. REMOVE SOURCE OF IGNITION. KEEP OUT OF DRAINS SEWERS, WATERWAYS
USE ABSORBANT PADS

Waste Disposal Methods

DISPOSE PRODUCT IN ACCORDANCE WITH LOCAL, COUNTY STATE, AND FEDERAL REGULATIONS.

SECTION VIII: SAFE HANDLING AND USE INFORMATION

Respiratory Protection

APPROVED ORGANIC SUPPLIED AIR RESPIRATOR

Ventilation

MECHANICAL EXPLOSIONPROOF

Protective Gloves

YES

Eye Protection

YES

Other Protective Equipment

IMPERVIOUS CLOTHING

Hygienic Practices

WASH BEFORE EATING.

SECTION IX: SPECIAL PRECAUTIONS

Handling and Storing

KEEP IN COOL PROPERLY VENTILATED EXPLOSION PROOF AREA.

Other Precautions

KEEP AWAY FROM HEAT SPARKS, AND OPEN FLAMES. USE APPROVED GROUNDING EQUIPMENT TO AVOID STATIC SPARKS.

NOTE; THIS PRODUCT CONTAINS XYLOL AND IS SUBJECT TO THE REPORTING REQUIREMENTS OF SARA 313 AND 40 CFR 372

END OF MSDS