



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

September 25, 2024

Shelley Stampfler
Logistics Specialist IV
Entegris
7 Commerce Drive
Danbury, CT 06810

Reference No. 24-0046

Dear Ms. Stampfler:

This letter is in response to your May 22, 2024, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) and the International Maritime Dangerous Goods (IMDG) Code applicable to the segregation of hazardous materials transported by vessel.

We have paraphrased and answered questions as follows:

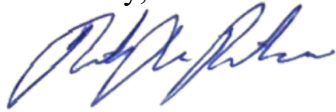
- Q1: You ask whether a Division 2.3 gas poisonous by inhalation (with a subsidiary hazard of Class 8 corrosive) and a Division 2.3 gas poisonous by inhalation (with a subsidiary hazard of Division 2.1 flammable gas) require segregation.
- A1: The answer is no, provided the Division 2.3 gases poisonous by inhalation are shipped in accordance with the applicable provisions detailed in § 176.83 of the HMR and section 7.2.6.1 of the IMDG Code. Multiple Division 2.3 gases poisonous by inhalation may be stowed in the same container for vessel transportation without regard to the subsidiary hazards, provided the different gases are not capable of reacting dangerously with each other and causing any of the conditions listed in § 176.83(a)(8), or section 7.2.6.1 of the IMDG Code. Specifically, as provided in § 176.83(a)(8) and in section 7.2.6.1, and notwithstanding the requirements of paragraphs § 176.83(a)(6) and (a)(7) and sections 7.2.3.3 and 7.2.3.4 of the IMDG Code, hazardous materials of the same class may be stowed together without regard to segregation required by secondary hazards (subsidiary risk label(s)), provided the substances do not react dangerously with each other and cause: (1) a combustion and/or evolution of considerable heat; (2) an evolution of flammable, toxic, or asphyxiant gases; (3) the formation of corrosive substances; or (4) the formation of unstable substances.
- Q2: You ask whether a Division 2.3 gas poisonous by inhalation (with a subsidiary hazard of Class 8 corrosive) and a Division 2.3 gas poisonous by inhalation (with a subsidiary

hazard of Division 2.1 flammable gas) can be stowed in the same transport unit when transported by vessel.

A2: The answer is yes, as provided in answer A1.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dirk Der Kinderen', written in a cursive style.

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division

Jones, Jessie Jane CTR (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Friday, June 7, 2024 2:20 PM
To: Dodd, Alice (PHMSA)
Cc: Hazmat Interps
Subject: FW: Request for DOT Letter of Interpretation
Attachments: USDOT-PHMSA Interpretation-Segregation of 2.3 Gases (002).pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Alice,

Please see the below interpretation request and supporting documents attached.

Let us know if you need anything,

-Breanna

From: Shelley Stampfler <Shelley.Stampfler@entegris.com>
Sent: Monday, June 3, 2024 3:53 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Request for DOT Letter of Interpretation

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

From: Shelley Stampfler
Sent: Wednesday, May 22, 2024 12:27 PM
To: infocntr@dot.gov
Subject: Stowage of Class 2 Gases for Vessel regarding segregation

I have a question regarding stowage of the same types of gases in the same ocean container . The ocean carriers are consistently questioning the use of provision 7.2.6.1 of the IMDG code and 176.83 (a) (8) of the DOT 49 CFR regulations to co-load class 8 sub risk with class 2.1 sub risk with Primary Hazard class 2.3
Would it be possible to get a letter from the DOT in the form of a Competent Authority Approval that confirms the use of this provision .

So the question would be

Can a Class 2.3 Toxic Gas with a Sub risk of Class 8 be coloaded with a Class 2.3 Toxic Gas with a sub risk of class 2.1 provided Entegris meets the requirements as written

In 7.2.6.1 of the IMDG code and 176.83 (a) (8) of the DOT 49 CFR regulations

I have attached a reference to an older interpretation letter from December 2012 showing ATMI as the company .
ATMI was aquired by Entegris in 2014 and would like to request a simliar letter to submit to the carriers that
question the use of this provision .

Thank you for your assistance

Regards,

Shelley Stampfler

Logistic Specialist IV

SCEM

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ENTEGRIS PROPRIETARY AND CONFIDENTIAL – INTERNAL



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

Mr. James McManus
ATMI, Inc.
7 Commerce Drive
Danbury, CT 06810

DEC 20 2012

Ref. No.: 12-0239

Dear Mr. McManus:

This responds to your October 23, 2012 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the segregation of hazardous materials when transported by vessel. Your questions are paraphrased and answered below.

Q1: You ask if a Division 2.3 gas (with a subsidiary hazard of Division 2.1) and a Division 2.3 gas (with a subsidiary hazard of Class 8) require segregation?

A1: The answer is no, provided the Division 2.3 gases are shipped in accordance with the applicable provisions detailed in § 176.83. Multiple Division 2.3 gases may be stowed in the same container for vessel transportation without regard to the subsidiary hazards, provided the different poison gas materials are not capable of reacting dangerously with each other and causing any of the conditions listed below. Specifically, as provided in § 176.83(a)(8) and notwithstanding the requirements of paragraphs (a)(6) and (a)(7), hazardous materials of the same class may be stowed together without regard to segregation required by secondary hazards (subsidiary risk label(s)), provided the substances do not react dangerously with each other and cause: (1) a combustion and/or evolution of considerable heat; (2) an evolution of flammable, toxic or asphyxiant gases; (3) the formation of corrosive substances; or (4) the formation of unstable substances.

Q2: You ask if a Division 2.3 gas (with a subsidiary hazard of Division 2.1) and a Division 2.3 gas (with a subsidiary hazard of Class 8) can be stowed in the same transport unit when transported by vessel?

A2: The answer is yes, as provided in A1.

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division