



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

November 5, 2024

Joe Guzman
Central/Southern Districts Safety Supervisor
Oak Harbor Freight Lines
832 F St West
Sacramento, CA 95605

Reference No. 24-0045

Dear Mr. Guzman:

This letter is in response to your June 7, 2024, email and subsequent phone calls with a member of my staff requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the hazardous materials description on shipping papers. You ask about a paint kit that is comprised of two different hazardous materials that are individually packaged and then placed in a single drum, which functions as the outer packaging of a combination packaging. Specifically, you ask whether the requirement to indicate the number and type of packages as part of the shipping description—as specified in § 172.202(a)(7)—is fulfilled by indicating that the shipment contains one package (i.e., a drum) for the entire consignment (i.e., paint kit) as shown below:

# Packages	HM	Quantity	Pack Description	Classification Description	Weight
1	X	3.79 L	ALL ONE DRUM	UN2735, AMINES, LIQUID, CORROSIVE, N.O.S. (FATTY ACIDES, TALL OIL, REACTION PRODUCTS WITH TETRAETHYLPENTAMINE, TETRAETHYLPENTAMINE), 8, PGIII	9 LBS
		15.14 L		UN1263, PAINT, 3, PGIII	91 LBS

The answer is yes. It is the opinion of this Office that for a combination package, it is appropriate to list the outer packaging as the package type on the shipping paper. Additionally, where

multiple hazardous materials described by differing § 172.101 Hazardous Materials Table entries are contained in a combination packaging, they should be entered on sequential rows so that the total quantity associated with each description is clearly identified.

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 1:57 PM
To: Dodd, Alice (PHMSA)
Cc: Hazmat Interps
Subject: FW: Letter Of Interpretation
Attachments: Drum with 2 HMs.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Alice,

Please see the below interpretation request and the attachment.

Please let me know if you have any questions on anything.

Regards,

-Breanna

From: Joe Guzman <Joe.Guzman@oakh.com>
Sent: Friday, May 31, 2024 1:10 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: 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.

Good Morning,

I am requesting a letter of interpretation on multiple shipping descriptions on 1 BOL placed in an overpack with only 1 piece count and 1 package type. See attachment. There are 2 different but compatible hazard classes in their own containers (not mixed) and have been placed in one drum. The shipper is only offering 1 piece count and 1 package type.

My question is, is this a compliant BOL?

Thank you for your time and assistance.

Thank you

Joe Guzman
Central/Southern Districts Safety Supervisor
www.oakh.com
P 916-371-2564 x12539 | C 209 298 9407



Oak Harbor
FREIGHT LINES
"Bringing Peace of Mind Since 1916"

Ship to attention:

# of Packages	HM	Quantity	UM	Pack Description	Classification Description	Class/Sub	Weight
1	X	3.79 L			UN2735, AMINES, LIQUID, CORROSIVE, N.O.S. (FATTY ACIDS, TALL OIL, REACTION PRODUCTS WITH TETRAETHYLENEPENTAMINE, TETRAETHYLENEPENTAMINE), 8, PG III		9 LBS
		15.14 L		ALL ONE DRUM	UN1263, PAINT, 3, PG III		91 LBS

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Shipping Instructions

For chemical emergencies involving spill, leak, fire, exposure or accident, phone:
CHEM-TEL - 24 hours @ 1-800-255-3924 (North America) +1-813-248-0585
(International); Contract #MIS0003110

Remit COD to Address	COD Fee	For freight collect shipments	Total Charges
COD Amount	Total Charges	If this shipment is to be delivered to the consignee, without recourse on the consignor, the consignor shall sign the following statement:	Freight Charges
Note: Where the rate is dependent on value, shippers are required to state in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding _____ per _____		The carrier may decline to make delivery of this shipment without payment of freight and all other lawful charges.	PREPAID
		(Signature of Consignor)	

RECEIVED, subject to individually determined rates or contracts that have been agreed upon in writing between the carrier and shipper, if applicable, otherwise to the rates, classification and rules that have been established by the carrier and are available to the shipper, on request, the property described above, in apparent good order except as noted (contents and condition of contents of package unknown) marked, consigned, and destined as shown above, which said carrier agrees to carry to destination, if on its route, or otherwise to deliver to another carrier on the route to destination. It is mutually agreed, as to each carrier of all or any of said property overall or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Bill of Lading set forth in the National Motor Freight Classification 100-X and successive issues. The shipper hereby certifies that his familiar with all terms and conditions the said bill of lading, including those on the back thereof, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

Shipper _____ Carrier _____

Per SUVIRO B. PAOLIM _____ Per _____

Shipper Certification	Carrier Certification
This is to certify that the above-named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation. Per _____ Date 05/24/24	Carrier acknowledges receipt of package and required placards. Carrier certifies emergency response information was made available and/or carrier has the Department of Transportation emergency response guidebook or equivalent document in the vehicle. Per _____ Package Nos. _____ Date _____

HAZARDOUS
MATERIALS



HAR

Don't Forget Labels



A-2302015005
B-2302205029

FLAMMABLE LIQUID
3
UNITED
PAINT

DANGER
CORROSIVE
8

AMERICAN SAFETY
Underserved Freight Report