

**From:** [INFOCNTR \(PHMSA\)](#)  
**To:** [Baker, Yul \(PHMSA\)](#)  
**Cc:** [Hazmat Interps](#)  
**Subject:** FW: Letter of Interpretation Request  
**Date:** Monday, September 22, 2025 14:44:18

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Good Afternoon,

Please see the following interpretation request. Let us know if you need anything else.

Best,

Aminah

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**From:** Sam Burton  
**Sent:** Monday, September 22, 2025 1:46 PM  
**To:** INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>  
**Subject:** RE: duplicate request with phone contact and footnote added

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On Mon, Sep 22, 2025 at 12:10 PM, INFOCNTR (PHMSA)  
<[INFOCNTR.INFOCNTR@dot.gov](mailto:INFOCNTR.INFOCNTR@dot.gov)> wrote:

Dear Mr. Burton,

We have received your request for a written letter of interpretation regarding the hazardous materials regulations (49 CFR Parts 171-180). The hazardous materials regulations are available at the following URL:

<https://www.phmsa.dot.gov/phmsa-regulations>

However, before we can submit your request for processing, please respond to this email with:

- Physical Mailing Address

Sincerely,

Aminah, Hazardous Materials Specialist

An e-mail response from this office is considered informal guidance. Formal guidance may be requested in accordance with 49 CFR 105.20. <https://www.phmsa.dot.gov/standards-rulemaking/hazmat/hazardous-materials-information-center>

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**From:** >

**Sent:** Monday, September 22, 2025 10:48 AM

**To:** INFOCNTR (PHMSA) <[INFOCNTR.INFOCNTR@dot.gov](mailto:INFOCNTR.INFOCNTR@dot.gov)>

**Subject:** duplicate request with phone contact and footnote added

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Mr. Shane Kelley

Director, Standards and Rulemaking Division  
U.S. DOT/PHMSA (PHH-10)  
1200 New Jersey Avenue, SE East Building, 2nd Floor  
Washington, DC 20590

RE: Clarification of the package marking, labeling and/or shipping paper documentation requirements for forwarding/reshipment of imported materials

We are seeking clarification of the package marking, labeling and/or shipping paper documentation requirements for the transport of materials described in the scenarios listed below when they are first imported into the United States, in compliance with IMDG Code regulations or ICAO Technical Instructions. When transported under international dangerous goods regulations, some of these dangerous goods require Class 1-9 labels on the outer package and must be accompanied by a shipping paper. However, the hazardous materials regulations (HMR) provide exceptions when transporting the mentioned materials under certain conditions, exempting shipments of these materials from shipping paper and Limited Quantity overpack requirements when transported via domestic road or rail transport within the US under 49 CFR.

Using the following scenarios, upon arrival at the US port of entry, all materials would be loaded for forwarding/reshipment by domestic ground transport (i.e., highway or rail) and placed in dedicated exclusive use semi-trailer or CTU container for rail (i.e. no other consignments from other shippers will be included in the transportation of these materials):

**Scenario #1:**

One package containing two inner packagings, each containing 6 liters of UN3077, ENVIRONMENTALLY HAZARDOUS SUBSTANCE, SOLID, N.O.S., Class 9, because it is a characteristic marine pollutant, imported into the US via cargo ocean transport in compliance with IMDG Code regulations. The package displays the Class 9 label per 172.446, UN#, PSN and the marine pollutant mark per 172.322 on the package. This same material is classified as “Not Regulated” in US for domestic transport, in

accordance with 171.4(c).<sup>[1]</sup>

**Scenario #2:**

One package containing six inner packagings, each containing one UN3481, Lithium-ion battery contained in equipment, Class 9. Each equipment contains one installed 200Wh battery (1.0Kg net weight per battery), imported into the US via cargo ocean transport in compliance with IMDG regulations. The package displays the Class 9 label per 172.446, UN# and PSN are displayed on the package. The package does not display any of the “forbidden” marks as referenced in 173.185(c)(1)(iv) or the lithium battery mark in 173.185(c)(3). This same packaged material meets the medium lithium battery size limits of 173.185(c)(1)(iv) for US domestic transport (less than 300 Wh).

**Scenario #3:**

One package containing a one 1-liter inner packaging of UN1716, Acetyl bromide, PGII, Class 8, PI 851, imported into the US via air transport in compliance with ICAO TI. The package displays the Class 8 label per 172.442, UN# and PSN and does not display either of the LQ marks as outlined in 172.315. This same packaged material meets the 173.154 LQ provision for US domestic surface transport.

**Scenario #4:**

One overpacked pallet containing 50 packages, each with four 1-liter inner packages of UN1716 Acetyl bromide, PGII, Class 8, packaged according to packing instruction P001, imported into the US via ocean transport in compliance with India surface transport dangerous goods regulations and IMDG Code regulations. Each outer package weights 5kg GW. The IMDG overpack properly displays a Class 8 label, UN#, PSN and the overpack markings, as required. Each of the 50 packages within the IMDG overpack displays a Class 8 label per 172.442, UN#, PSN and does not display an LQ mark as outlined in 172.315. This same packaged material meets the 173.154 LQ provision for US domestic transport.

I am seeking clarification if above Scenarios #1, #2, and #3 could similarly be transported via forwarding/reshipment in the US:

- a. Is it permissible, without any alteration to the outer package marks and labels, to reoffer the described scenarios #1, #2 and #3, but without shipping papers?

I am also seeking clarification if the above scenario #4 could be transported forwarding/reshipment in the US:

- a. When the original IMDG overpack is broken down and consolidated into new overpacks at a US domestic cross dock for convenience to reoffer the material to multiple sites under US LQ overpack 173.25. Is it permissible to offer without a shipping paper as a US LQ overpack even though the IMDG Class 8 labels are clearly present and visible from the original international vessel shipment under IMDG shipment?

[1] Above reference "Product #1" shipment closely resembles the scenario referenced associated to PHMSA's letter of interpretation Ref. No.:13-0097, in which PHMSA advised that this outer package could be onward transported via highway within the United States as "not regulated" without removal of the affixed marking and labeling.

<https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/legacy/interpretations/Interpretation%20Files/2013/130097.pdf>

Best Regards,

Sam Burton

President

GSI Training Services, Inc