



Letter Sent via Email

December 5, 2025

U.S. Department of Transportation
PHSMA Office of Hazardous Materials Standards
Attn: PHH-10
East Building
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: Request for Letter of Interpretation: Use of the word “Recycled” after the basic shipping description when shipping safety devices to a recycler under 49CFR173.166

I am requesting that the Pipeline and Hazardous Materials Safety Administration provide clarification in a Letter of Interpretation as to when the word “Recycled” must be used after the basic shipping description when shipping safety devices to a recycling facility. Specifically, as it concerns 173.166(d)(4), which says in relevant part:

...a serviceable safety device classed as either Class 9 (UN3268) or Division 1.4G removed from a motor vehicle that was manufactured as required for use in the United States may be offered for transportation and transported without compliance with the shipping paper requirement prescribed in paragraph (c) of this section. However, when these articles are shipped to a recycling facility, the word “Recycled” must be entered on the shipping paper immediately after the basic description prescribed in § 172.202 of this subchapter.

Would PHMSA please address these questions:

1. The shipping paper requirement referenced in 173.166(d)(4) (*paragraph c*) states, in summary, that the EX number or product code must be included in the shipping description, unless the safety device is Class 9. Does it follow then, that safety devices that *are* Class 9 do *not* need to include the word “Recycled” after the basic shipping description when sent to a recycling facility?
2. If that is not the case, that is, if the word “Recycled” must follow the basic shipping description when a Class 9 safety device is sent to a recycling facility, then does this requirement apply to Class 9 safety devices that have never been installed in a motor vehicle?
3. If a safety device being sent to a recycling facility does not need to include the word “Recycled”, is it a violation of the HMR or otherwise problematic if it does?

By way of illustration, please consider the following situations:

1. A vehicle assembly plant purchases only Class 9 safety devices. A safety device is removed from a vehicle that has not yet left the assembly plant and sent to a recycling facility. Is the correct proper shipping name:

UN3268, Safety Device, 9

Or

UN3268, Safety Device, 9, Recycled

2. An automotive parts distribution center purchases only Class 9 safety devices. When one of these safety devices, which has never been installed in a vehicle, is to be sent to a recycling facility, is the correct proper shipping name:

UN3268, Safety Devices, 9

Or

UN3268, Safety Devices, 9, Recycled

If in these examples the correct proper shipping description is “UN3268, Safety Devices, 9” is it a violation of the HMR or otherwise not advisable to use “UN3268, Safety Devices, 9, Recycled”?

Thank you in advance for your assistance. Please call or email me if you have any questions or require additional information. I can be reached at (313) 759-9401 or cwalczak@mpsgrp.com

Sincerely,



Cynthia M. Walczak, P.E.