

From: [INFOCNTR \(PHMSA\)](#)
To: [Baker, Yul \(PHMSA\)](#)
Cc: [Hazmat Interps](#)
Subject: FW: Request for formal LOI for Use of existing LOI 13-0129 Nov 2013 by foreign suppliers to DoD (Interpretation Request)
Date: Monday, January 12, 2026 15:53:28
Attachments: [DOT LOI for defense contractors.pdf](#)
[AMR_EX2016080358_CS D C-7 PRP WCU-28B VCAS PN 2268291-2 \(NSN 1420-01-653-9694\)_2016AUG 15 \(3\).pdf](#)
Importance: High

Good afternoon, Yul,

Please see the below and attached interpretation request.

Let us know if you need anything,

-Breanna

From: Steuer, Steven W <Steven.W.Steuer@rtx.com>
Sent: Monday, January 12, 2026 12:25 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Request for formal LOI for Use of existing LOI 13-0129 Nov 2013 by foreign suppliers to DoD
Importance: High

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 Infocenter/Mr Kelley, I wanted to request a formal Letter Of Interpretation (LOI) to add some additional information to existing LOI 13-1029 for whether subsidiaries or companies outside of the US may use explosive approvals issued to DOD, when/after they are recognized as a DOD supplier/contractor. The previous LOI is attached, and an example of one of the DOD Explosive Approval items to be manufactured and transported from the foreign subsidiary is also attached.

We understand that our foreign subsidiary must still work with their respective government for their own in-country compliance for explosive transportation. We further understand that if a similar item was being manufactured commercially, that separate commercial approval processing would be required that would not rely upon the DOD explosive approval.

Thank you

Supporting information: We did receive an email from explosive approvals to respond to the urgent need for our Raytheon United Kingdom and the UK government to issue their temporary approval, provided herein. The requested formal LOI will allow us to work with UK government

for their permanent approval.

Email, 12/9/2025 from Wycko, Patrick (PHMSA) patrick.wycko@dot.gov

Good morning, Mr. Steuer.

The existing EX number is acceptable for Raytheon UK (RUK) to use, provided the items exactly match the configuration covered by the original approval.

V/r

Patrick Wycko

Transportation Specialist, Energetic Materials Branch

US Department of Transportation

Pipeline and Hazardous Materials Safety Administration

1200 New Jersey Avenue, Washington, DC, 20590

Mobile: (202) 819-1905HAZMATINFOCENTER, we are still looking for verbiage somewhere that allows other "persons" companies to use USDOT LOIs for applying those interpretations to their situations when those are applicable. Also for other governments (UK in our recent case) to see that a foreign subsidiary such as Raytheon UK can use the LOI.

Does any language exists somewhere?

Steven W Steuer

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U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

September 3, 2026

Steven Steuer
LCE System Safety Engineer
Raytheon
1151 E Hermans Road
Tucson, AZ 85706

Reference No. 26-0005

Dear Mr. Steuer:

This letter is in response to your January 12, 2026 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) and the applicability of an existing letter of interpretation (LOI). Specifically, you request that our Office supplement previously issued LOI Ref. No. 13-0129 with information on whether the answer in A1 of that letter extends to foreign companies or foreign subsidiaries of American companies that are recognized as Department of Defense (DOD) suppliers or contractors. In addition, you ask whether such foreign companies or subsidiaries may also utilize explosives (EX) approvals issued to the DOD (such as EX2016080358) for the international transportation of the approved explosives to and from the United States. Finally, you note your understanding is that explosives manufactured for commercial purposes unrelated to the DOD would require a separate EX approval for transportation.

The example EX approval provided, as well as others that PHMSA has issued, includes a condition that the item must be “transported or offered for transportation by, or under the direction or supervision of, a component of the U.S. Department of Defense.” A company, including a foreign subsidiary outside of the United States (*i.e.*, a foreign company), acting under the direction or supervision of a component of the DOD, may transport approved items using the EX approval issued to the DOD.

The use of the DOD EX approval does not preclude the procuring of any other required approval(s). Finally, your understanding is correct that a manufacturer must request an EX approval for an item transported or offered for transportation without the direction or supervision of DOD. Such a manufacturer request must comply with § 173.56(b) and cannot be based solely on an EX approval issued to the DOD.

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 and Development Branch
Standards and Rulemaking Division