



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

SEP 29 2017

Timothy W. Kenney
Valley View Industries, Inc.
8785 E 2500 North Road
Cornell, IL 61319

Reference No. 16-0202

Dear Mr. Kenney:

This letter is in response to your December 15, 2016, email and our subsequent phone conversation with your colleague requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the transportation of Class 1 material on a multipurpose bulk truck (MBT). Specifically, you indicate that you transport "UN0332, Explosive blasting, type E, 1.5D" and ask if the HMR allows for the transportation of "UN0042, Boosters, *without detonator*, 1.1D," "UN0030, Detonators, electric, *for blasting*, 1.1B," and "UN0361, Detonator assemblies, non-electric, *for blasting*, 1.4B" on the same MBT.

The answer is yes. Class 1 material, as authorized in § 172.101, may be transported in a MBT when packaged in accordance with § 173.66. Section 177.835(d) excepts MBTs from segregation requirements of § 177.848 when transported in accordance with § 173.66. Section 177.835(d) also requires that MBTs transporting Class 1 material with a Division 5.1, Class 8, or "NA1993, Combustible liquid, n.o.s., PG III" comply with segregation requirements of § 177.835(g). Since you are not transporting a Division 5.1, Class 8, or "NA1993, Combustible liquid, n.o.s." with authorized Class 1 material, you are not subject to the requirements on § 177.835(g). Therefore, as long as all other requirements of the HMR and IME Standard 23 are met, "UN0332, Explosive blasting, type E, 1.5D," "UN0042, Boosters, *without detonator*, 1.1D," "UN0030, Detonators, electric, *for blasting*, 1.1B," and "UN0361, Detonator assemblies, non-electric, *for blasting*, 1.4B" may be transported on the same MBT.

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

Sincerely,

Dirk Der Kinderen
Chief, Standards Development
Standards and Rulemaking Division

Goodall, Shante CTR (PHMSA)

Geller
177.835
Class 1 Material
16-0202

From: INFOCNTR (PHMSA)
Sent: Friday, December 16, 2016 4:59 PM
To: Hazmat Interps
Subject: FW:
Attachments: Scan0091.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Shante/Alice,

Please submit this as a letter of interpretation. Please let me know if you have any questions.

Thanks,
Jordan

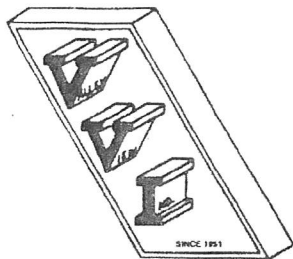
From: twkenney@valleyviewindustries.com [mailto:twkenney@valleyviewindustries.com]
Sent: Thursday, December 15, 2016 4:50 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject:

Please see attachment above in which we are requesting an interp response regarding a D.O.T. regulation of transporting hazardous materials.

We will wait for your response.

Thank you in advance.

Timothy W. Kenney
Valley View Industries, Inc.
Phone 815-358-2236
Mobile 815-848-2269



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December 14, 2016

U.S. DOT
PHMSA Office of Hazardous Materials Standards
Attn: PHH-10
East Building
1200 New Jersey Avenue, SE
Washington, DC 20590-0001

To whom it may concern:

We are requesting an interp response to the following scenario.


We currently operate for private use under HM Safety Permit ID: US-150378-IL-HMSP transporting on an inspected motor vehicle just 1.5D UN0332 blasting agent (emulsion) in a certified 500 gallon tank. However, in addition to the 1.5D UN0332 blasting agent (emulsion), we wish to also transport simultaneously on this same motor vehicle 1.1B UN0030 electric detonators, 1.1D UN0042 boosters without detonators, and 1.4B UN0361 non-electric detonators which would be stowed in two additional separate stationary magazines designed for their safe carriage.

49 CFR 177.835 states that "No detonator may be transported on the same motor vehicle with any Division 1.1, 1.2 or 1.3 material (except other detonators, detonator assemblies or boosters with detonators), detonating cord Division 1.4 material or Division 1.5 material unless...." It goes on to elaborate on the exceptions but then later states in (i) "There is no Division 1.1, 1.2 1.3 or 1.5 material loaded on the motor vehicle."

Please advise if it possible to transport this combination of Class 1 materials simultaneously yet be in compliance with the above passage. In addition, what specific requirements must we adhere to in order to be in compliance such as in special permits, etc.?

Thank you for your time and consideration.

Sincerely,



Timothy W. Kenney