



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

MAR 06 2018

Quentin Yarbrough  
EHS&S Specialist  
Entegris  
706 Houston Clinton Drive  
Burnet, TX 78611

Reference No. 17-0070

Dear Mr. Yarbrough:

This letter is in response to your July 7, 2017, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to shipping samples of hazardous materials. Specifically, you ask whether samples of hazardous materials that are shipped using a tentative proper shipping name, hazard class, identification number, or packing group in accordance with § 172.101(c)(11) may use the provisions in § 173.4a for excepted quantities, and if so, whether provisions pertaining to the proper shipping name in § 172.101(c)(11) are applicable.

The answer is yes, provided that the shipper is reasonably certain that the material's hazard classification does not fall outside of the scope of materials authorized for transportation as an excepted quantity as outlined in § 173.4a(b). In accordance with § 172.101(c)(11), a material for which the hazard class is uncertain and which must be determined by testing may be assigned a tentative proper shipping name, hazard class, identification number and packing group, if applicable, based on the shipper's tentative determination. Based on the tentative class and description, the material may qualify to be shipped under the excepted quantities provisions in § 173.4a, subject to conditions outlined in that section. Further, to the extent that the sample is shipped as an excepted quantity, the shipping paper requirements do not apply, and therefore, the provisions pertaining to the proper shipping name in § 172.101(c)(11) no longer apply.

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

Sincerely,

Dirk Der Kinderen  
Chief, Standards Development Branch  
Standards and Rulemaking Division

Casey  
\$172.7016  
Packaging Excepted  
17-0078

**Dodd, Alice (PHMSA)**

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**From:** INFOCNTR (PHMSA)  
**Sent:** Monday, July 10, 2017 3:34 PM  
**To:** Hazmat Interps  
**Subject:** FW: Samples related to EQ

Hi Shante/Alice,

Please submit this as a letter of interpretation. Mr. Yarbrough spoke with Eamonn.

Please let me know if you have any questions.

Thanks,  
Jodi

**From:** Quentin Yarbrough [mailto:quentin.yarbrough@entegris.com]  
**Sent:** Friday, July 07, 2017 3:56 PM  
**To:** INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>  
**Subject:** Samples related to EQ

Dear Sir/Madam,

The 49CFR has 'samples' addressed in 172.101(c).

- Tentatively assign a Proper Shipping Name, Hazard Class, Identification Number (UN), and packing group based on your knowledge of the material and hazard class criteria defined in the precedence table. (173.2a)
- The material must be packaged in a combination package
- Not to exceed 2.5Kg (5.5 lbs)
- You must add the word "sample" to the PSN on the package markings and shipping papers

**I could not find clear reference to excepted quantities related to samples.**

Question:

If a material is tentatively classified and that shipment meets excepted quantity requirements can the "Sample" be shipped EQ?

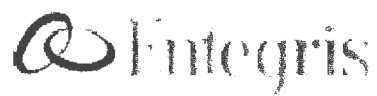
If it can be shipped EQ do the statements in 172.101(c)11(iv)(A) & 172.101(c)11(iv)(B) ?

Thank you,

Quentin Yarbrough

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