



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

APR 13 2018

Andrew Booton
Operations Manager
Tracerco
4106 New West Drive
Pasadena, TX 77507

Reference No. 17-0096

Dear Mr. Booton:

This letter is in response to your August 24, 2017, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to limited quantities of compressed gas. You describe a scenario in which your facility will be shipping "UN1971, Natural gas, compressed" in U.S. Department of Transportation (DOT) 3E specification cylinders to your laboratories for analysis. Each cylinder will have a volume (meaning capacity) of less than 4 fluid ounces; will have a service pressure of 1,800 psi; and will be placed in hard-plastic cases with foam inners to meet the strong outer packaging requirements.

We have paraphrased and answered your questions as follows:

- Q1. You ask if a shipment of approximately 20 cylinders in hard-plastic cases, with each case having a gross weight of less than 30 kg (66 pounds), would be excepted from the labeling and shipping paper requirements as prescribed in § 173.306.
- A1. Based on the scenario you provided, the subsequent phone conversation with a member of my staff regarding the clarification and meaning of the word "volume" versus "capacity," and the provisions found in § 173.306(a)(1), your shipment would be excepted from the labeling (unless the material is offered for transportation or transported by aircraft) and specification packaging requirements. The material must be packaged in containers meeting the capacity requirements of § 173.306(a)(1) of not more than 4 fluid ounces and the completed package may not exceed 30 kg (66 pounds) gross weight. Additional exceptions for limited quantities of compressed gas meeting (a)(1) are found in § 173.306(i) including exception from shipping paper requirement, if the package and transport meets the conditions in paragraph (i). Note, you are not required to use specification packaging (e.g., DOT 3E); however, if you choose to use this type of packaging as the container and represent it as a DOT 3E as qualified for transportation, you must adhere to the specification and continued service requirements for a DOT 3E cylinder. Otherwise, you must obliterate or cover the markings that indicate it is a DOT 3E cylinder qualified for transportation.

Q2. You ask if § 173.306(a)(2) would be applicable to your packaging of “UN1971.”

A2. The requirements of § 173.306(a)(2) are for refillable metal containers that are filled with a material that is not classed as a hazardous material and then charged with a non-flammable (non-poisonous), non-liquefied gas. Based on the information you have provided, the material you have is a Division 2.1 flammable gas and, therefore, would not be eligible for § 173.306(a)(2).

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".

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

Baker
§ 173.306
Limited Quantity
17-0096

Dodd, Alice (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Thursday, September 14, 2017 10:47 AM
To: Hazmat Interps
Subject: FW: Letter of Interpretation Request regarding 49 CFR 173.306.

Hi Alice,

Please submit this as a letter of interpretation. I was not able to reach Mr. Booton via telephone or email to confirm he needed a written response to his questions. Please let me know if you have any questions.

Thank you,
Jodi

From: Andrew Booton [mailto:Andrew.Booton@tracerco.com]
Sent: Thursday, August 24, 2017 6:59 PM
To: PHMSA HM InfoCenter <PHMSAHMInfoCenter@dot.gov>
Subject: Letter of Interpretation Request regarding 49 CFR 173.306.

My request for interpretation is in regards to limited quantity shipments of compressed gases, flammable Class 2.1

As part of our operations we intend to ship by ground, compressed gas samples UN1971 Natural Gas (Hazard Class 2.1) from various location across USA to our laboratory for analysis. We intend to use DOT-3E Specified Cylinders with a volume less than 4 fluid ounces with a service pressure of 1800psi. Approximately 20 cylinders with compressed gas (Flammable Typically UN1971) with internal pressure up to 1800 PSI would be placed in a hard plastic case that meets 49CFR 173 subpart B (strong outer packaging, with foam inner to provide stable support of the cylinders). With a gross weight of the package less than 30 KG.

- 1) Referring to 49 CFR 173.306 we believe that it is possible to ship this package by ground transport in limited quantities and be excepted from labelling requirements and not subject to shipping paper requirements but should show the limited quantity marking. Is this interpretation correct?
- 2) Does 49 CFR 173.306(a)(2) pertain to this type of shipment? If so in what ways? Your interpretation on this part would be helpful.

Your responses to the above 2 question would be greatly appreciated. If you have any further questions for clarification please contact me by email or telephone.

Regards

Andrew Booton
Operations Manager



Providing Insight Onsite

Tracerco
4106 New West Drive
Pasadena, TX 77507

T: 281-291-7769
M: 281-682-2956
Andrew.Booton@tracerco.com
www.tracerco.com

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