



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

FEB 18 2014

Denise Nguyen  
QC Chemist  
Simpson Strong Tie Company, Inc.  
136 Official Road  
Addison, IL 60101

Ref. No. 13-0052R

Dear Ms. Nguyen:

This is in further response to your February 21, 2013 e-mail to the Hazardous Materials Information Center (HMIC) and March 15, 2013 follow-up letter to this Office requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to shipping paper entries and placarding determinations. Specifically, you asked: (1) how to calculate the total quantity of hazardous material covered by a description as prescribed in § 172.202(a)(5) for transportation by modes other than aircraft; (2) how to calculate the total net mass of hazardous material per package as prescribed in § 172.202(a)(6) for transportation by air; and (3) whether the weight of non-hazardous material should be considered when calculating the "aggregate gross weight" under § 172.504(c)(1) when it is packed in the same outer package with hazardous material. While our responses to the second and third questions were accurate, it appears our response to the first question was in error. Once again, the package you described in your e-mail and letter was as follows:

We place a two-part epoxy kit within the same combination package. Part A is non-hazardous and weighs 10 lbs. Part B is a regulated hazardous material and is described as "UN2735, Amines, liquid, corrosive, n.o.s. (Technical name), 8, II" and also weighs 10 lbs. For simplicity, we assume the gross weight of the completed package is 25 lbs.

- A1. Except as otherwise provided in § 172.202(a)(5), the total quantity of hazardous material covered by a description for transportation by modes other than aircraft may be indicated as the net sum of hazardous materials or the gross weight covered by an individual description. For example:

UN2735, Amines, liquid, corrosive, n.o.s. (Technical name), 8, II, 1 box, 10 lbs. or,

UN2735, Amines, liquid, corrosive, n.o.s. (Technical name), 8, II, 1 box, 25 lbs.

A2. The total net mass of hazardous material per package for transportation by air is indicated as the net sum of hazardous materials only, covered by the same description, type of packaging and quantity of hazardous material per package, as prescribed in § 172.202(a)(6). For example:

UN2735, Amines, liquid, corrosive, n.o.s. (Technical name), 8, II, 1 box, 10 lbs.

A3. As provided by § 172.504(c), except for bulk packagings and hazardous materials subject to § 172.505, a transport vehicle carrying less than 454 kg (1,001 pounds) aggregate gross weight of Table 2 hazardous materials need not be placarded. When calculating the 454 kg (1,001 pounds) aggregate gross weight, the tare weight of each individual packaging plus the weight of its Table 2 hazardous material content is used to determine whether placarding is required. Generally, tare weight consists of the packaging and its various components (e.g., cushioning, liner, absorbent, inner packaging). However, in the scenario you describe, tare weight also includes non-hazardous articles or substances packed in the same outer package as the hazardous articles or substances.

I trust this information is helpful and apologize for any inconvenience this correction may have caused. Please contact us if we can be of further assistance.

Sincerely,



T. Glenn Foster  
Chief, Regulatory Review and Reinvention Branch  
Standards and Rulemaking Division



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

1200 New Jersey Ave, S.E.  
Washington, D.C. 20590

APR 25 2013

Denise Nguyen  
QC Chemist  
Simpson Strong Tie Company, Inc.  
136 Official Road  
Addison, IL 60101

Ref. No. 13-0052

Dear Ms. Nguyen:

This responds to your February 21, 2013 e-mail to the Hazardous Materials Information Center (HMIC) and March 15, 2013 follow-up letter to this Office requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to shipping paper entries and placarding determinations. Specifically, you ask: (1) how to calculate the total quantity of hazardous material covered by a description as prescribed in § 172.202(e)(5) for transportation by modes other than aircraft; (2) how to calculate the total net mass of hazardous material per package as prescribed in § 172.202(e)(6) for transportation by air; and (3) whether the weight of non-hazardous material should be considered when calculating the "aggregate gross weight" under § 172.504(c)(1) when it is packed in the same outer package with hazardous material. The package you describe in your e-mail and letter and our responses to your aforementioned questions are as follows:

We place a two-part epoxy kit within the same combination package. Part A is non-hazardous and weighs 10 lbs. Part B is a regulated hazardous material and is described as "UN2735, Amines, liquid, corrosive, n.o.s. (Technical name), 8, II" and also weighs 10 lbs.

- A1. The total quantity of hazardous material covered by a description for transportation by modes other than aircraft is indicated as the net sum of hazardous materials only, covered by an individual description, as prescribed in § 172.202(e)(5). For example:

UN2735, Amines, liquid, corrosive, n.o.s. (Technical name), 8, II, 1 box, 10 lbs.

- A2. The total net mass of hazardous material per package for transportation by air is indicated as the net sum of hazardous materials only, covered by the same description, type of packaging and quantity of hazardous material per package, as prescribed in § 172.202(e)(6). For example:

UN2735, Amines, liquid, corrosive, n.o.s. (Technical name), 8, II, 1 box, 10 lbs.

A3. As provided by § 172.504(c), except for bulk packagings and hazardous materials subject to § 172.505, a transport vehicle carrying less than 454 kg (1,001 pounds) aggregate gross weight of Table 2 hazardous materials need not be placarded. When calculating the 454 kg (1,001 pounds) aggregate gross weight, the tare weight of each individual packaging plus the weight of its Table 2 hazardous material content is used to determine whether placarding is required. Generally, tare weight consists of the packaging and its various components (e.g., cushioning, liner, absorbent, inner packaging). However, in the scenario you describe, tare weight also includes non-hazardous articles or substances packed in the same outer package as the hazardous articles or substances.

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

Sincerely,

A handwritten signature in black ink, appearing to read "T. Glenn Foster", with a long horizontal flourish extending to the right.

T. Glenn Foster  
Chief, Regulatory Review and Reinvention Branch  
Standards and Rulemaking Division

**Drakeford, Carolyn (PHMSA)**

Stevens  
§171.8  
Definitions

**From:** INFOCNTR (PHMSA)  
**Sent:** Friday, February 22, 2013 9:32 AM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: Request For Interpretation Letter

13-0052

Hi Carolyn,

We received the following request for a letter of interpretation. The caller spoke with both Mike Pagel and Adam Lucas in the Info Center, and Dirk DerKinderen also provided them with guidance on their phone response.

Thanks,  
Victoria

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**From:** Denise Nguyen [<mailto:dtnguyen@strongtie.com>]  
**Sent:** Thursday, February 21, 2013 10:01 AM  
**To:** Pagel, Michael.CTR (PHMSA)  
**Subject:** Request For Interpretation Letter

Hi Mike,

I recently contacted your office regarding the definition of "aggregate gross weight". The answer that I received was different than what we were told a few years ago. For that reason, I was told to request for an Interpretation Letter from your office. Here is my question.

If a non-regulated material is packed together with a hazardous material in a same box, do we need to include the weight of the non-regulated material?

Regards,

*Denise Nguyen*  
QC Chemist  
Simpson Strong Tie Company, Inc.  
136 Official Road  
Addison IL, 60101  
Phone: (630) 613-5120  
E-mail: [dtnguyen@strongtie.com](mailto:dtnguyen@strongtie.com)

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March 15, 2013

U.S. Department of Transportation  
Pipeline and Hazardous Materials Safety Administration  
1200 New Jersey Ave., SE  
Washington, DC 20590

To Whom It May Concern:

I recently contacted your office regarding the definition of "aggregate gross weight". The answer that I received was different than what we were told a few years ago. For that reason, I was told to request for an Interpretation Letter from your office. Here is our scenario.

We have a 2-part epoxy kit in the same box. Part A weighs 10 lbs. and Part B weighs 10 lbs. The total package weight is 22 lbs.

Part A is NOT REGULATED since it does not meet the definition of a hazardous material as defined in 49 CFR 171.8.

Part B is regulated as a Class 8 corrosive material and is classified as UN2735, AMINES, LIQUID, CORROSIVE, N.O.S. (), 8, II.

49 CFR 172.202(e)(5) states, "*Except for transportation by aircraft, the total quantity of hazardous materials covered by the description must be indicated (by mass or volume, or by activity for Class 7 materials) and must include an indication of the applicable unit of measurement, for example, "200 kg" (440 pounds) or "50 L" (13 gallons)...*"

Question 1: For **Ground** shipments, how do we declare the total quantity of the hazardous materials on the shipping paper as required in 49 CFR 172.202(e) (5)?

49 CFR 172.202(e) (6) states, "*For transportation by aircraft, the total net mass per package, must be shown unless a gross mass is indicated in Columns (9A) or (9B) of the § 172.101 table in which case the total gross mass per package must be shown; or, for Class 7 materials, the quantity of radioactive material must be shown by activity.*"

Question 2: For **Air** shipments, how do we declare the total net mass per package of the hazardous materials on the shipping paper as required in 49 CFR 172.202(e)(6)?



For placarding purposes, please define "aggregate gross weight of hazardous materials" as referenced in 49 CFR 172.504(b) & 172.504(c).

Question 3: Do we list the weight on the shipping paper (Bill of Lading) of the whole package (the 1 gallon of hazardous and 1 gallon of non-hazardous material) as 22 lbs. or do we list it as only the weight of the Part B hazardous material (10 lbs.) plus the packaging (e.g. 2 lbs.) and skip the 10 lbs. of the Part A 1 gallon non-hazardous material so the weight would be (12 lbs.)?

Question 4: If pallet and stretch wrap were used, do we need to include these weights as part of the aggregate gross weight?

Thank you in advance for your time and input on these questions. Any guidance you may give is greatly appreciated and we look forward to your response. Please contact me at [dtnguyen@strongtie.com](mailto:dtnguyen@strongtie.com) or 630-613-5120 if there is a need for clarification to adequately address these questions.

Sincerely,

Denise Nguyen  
QC Chemist  
Simpson Strong Tie Company, Inc.  
136 Official Road  
Addison IL, 60101