



U.S. Department
of Transportation

Pipeline and Hazardous
Materials Safety
Administration

JAN 30 2020

1200 New Jersey Avenue, SE
Washington, DC 20590

Erik W. Steinbeck
Global Logistics Manager
LORD Corporation, Saegertown Operations
601 South Street
Saegertown, PA 16433

Reference No. 19-0075

Dear Mr. Steinbeck:

This letter is in response to your June 7, 2019, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to international transport of flammable liquids by vessel.

You acknowledge that for vessel transport of hazardous materials with a flashpoint of 60 °C or below (in °C closed-cup (c.c.)), the minimum flashpoint must be listed on the shipping document “adjacent” to the basic description. However, you note that the consignment procedures in the International Maritime Dangerous Goods (IMDG) Code do not specify how this should be done. You explain that when your company has hazardous materials identified by the same hazardous materials description, but differing with respect to the flashpoint, your company will “group these items together and list the lowest flashpoint.” You provide an example of how your company implements this, and you seek confirmation that it is compliant with the IMDG Code.

Example provided:

Product A—

UN1133, Adhesives, 3, PGII. (15 °C (c.c.)), packaged into ten 55 gallon open-top drums.

Product B—

UN1133, Adhesives, 3, PGII. (11 °C (c.c.)), packaged into five 55 gallon open-top drums.

Dangerous goods declaration (shipping paper) would read—

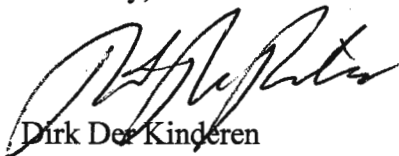
15 steel drums – UN1133, Adhesives, 3, PGII. (11 °C (c.c.)) – 3,300 liters – 7,100 kg net/1,500 kg gross.

The answer is no. Based on the information you provided, your example of the shipping description would not be compliant. In accordance with the IMDG Code (see 5.4.1.4.3.6) and the HMR (see § 172.203(i)(2)), if the hazardous material has a flashpoint of 60 °C (140 ° F) or

below (in °C closed-cup (c.c.)), the flash point must be listed in association with the basic description. This applies to each flammable liquid with a different flash point. In your scenario, a basic description for each of the two materials with different flashpoints shall be indicated on a shipping paper. It is not enough to include the lowest flashpoint for different materials described by the same proper shipping name.

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

Baker

19-0075

Dodd, Alice (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Monday, June 10, 2019 4:12 PM
To: Hazmat Interps
Subject: FW: Request for letter of interpretation

Hello Alice and Ikeya,

Please see the request for a letter of interpretation below. We were not able to find any existing letters of interpretation about this.

Sincerely,

Lynsie
HMIC

From: Steinbeck, Erik W [mailto:Erik_Steinbeck@LORD.COM]
Sent: Friday, June 7, 2019 3:01 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: IMDG question. Chapter 5.4 documentation. Interpretation requested

We offer for transport flammable liquids by ocean (US to China). For materials with a flashpoint of 60c or less the minimum flashpoint must be listed on the transport document, adjacent to the basic description. Historically, if we have materials which are **identical** in terms of packaging type, UN number, proper shipping name and packing group, but which differ only with respect to the flashpoint....we group those items together and list the lowest flashpoint. Reasoning from an emergency response standpoint I think this makes sense, but consignment procedures in the IMDG code are not that explicit in how this should be executed. An example:

Product A. Packaged into **ten** 55 gallon open-top drums. UN1133, Adhesives, 3, PGII. FP (Cc) = 15C

Product B. Packaged into **five** 55 gallon open-top drums. UN1133, Adhesives, 3, PGII. FP (Cc) = 11C

The dangerous goods declaration would then read as follows:

15 steel drums - UN1133, Adhesives, 3, PGII. (11C c.c) - 3,300 liters - 7,100 kg net/1,500 kg gross

Is this compliant, or should we list each item separately due to the difference in FP?

Your help is appreciated.

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