



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

April 15, 2020

Ms. Danielle Heaney
Compliance Specialist
AECOM
1600 Perimeter Park
Morrisville, NC 27560

Reference No. 19-0123

Dear Ms. Heaney:

This letter is in response to your October 16, 2019 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171–180) applicable to the proper shipping description for internal combustion engines. Specifically, you seek confirmation that interpretation letters issued under Reference Nos. 04-0249 and 13-0125 pertaining to exceptions to the HMR for a cleaned and purged jet engine with a “spark gap” contained in a securely installed exciter box remain valid, regardless of the changes in proper shipping name and United Nations (UN) number and a more representative hazard class for engines, internal combustion.

The answer is yes. The letters of clarification issued under Reference Nos. 04-0249 and 13-0125 remain valid. The Pipeline and Hazardous Materials Safety Administration (PHMSA) would consider a cleaned and purged jet engine with a “spark gap” contained in a securely installed exciter box to be excepted from the requirements of the HMR, provided the applicable requirements in 49 CFR § 173.220 are met.

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

Sincerely,

T. Glenn Foster

T. Glenn Foster
Chief, Standards and Rulemaking Division
Office of Hazardous Material Standards

Andrews

19-0123

Dodd, Alice (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Wednesday, October 16, 2019 3:16 PM
To: Hazmat Interps
Subject: FW: Request for Letter of Interpretation
Attachments: Request for Letter of Interpretation.pdf

Hello Alice and Ikeya,

Please see attached for letter of interpretation request. The requester spoke with Breanna in the HMIC. Breanna checked with Mike Ciccarone who confirmed that the letter she asked about was still valid, and that it was ultimately the shipper's responsibility to classify the material and ensure the material is meeting the requirements of the section.

Please contact our office with any questions.

Thanks,
Kathryn, HMIC

From: Heaney, Danielle [mailto:Danielle.Heaney@aecom.com]
Sent: Wednesday, October 16, 2019 2:34 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Request for Letter of Interpretation

Good Afternoon,

I have attached a request for a letter of interpretation.

Thanks,

Danielle Heaney
Environmental Scientist
Dangerous Goods Shipping Compliance / EHS Department
D +1-919-461-1324
danielle.heaney@aecom.com

AECOM
1600 Perimeter Park Drive
Suite 400
Morrisville, NC 27560, USA
T +1-919-461-1100
aecom.com

Built to deliver a better world

[LinkedIn](#) [Twitter](#) [Facebook](#) [Instagram](#)

October 16, 2019

Mr. Shane Kelley
Director, Standards and Rulemaking
Division
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East
Building, 2nd Floor
Washington, DC 20590

Clarification on DOT Letter of Interpretation 04-0249

Dear Mr. Shane Kelley,

I am writing to confirm that the DOT regulatory interpretation 04-0249 (issued on February 10, 2005) and DOT regulatory interpretation 13-0125 (issued on July 31, 2013) remain valid, due to a change in the Proper Shipping Name and UN Number and a more representative hazard class for engines, internal combustion.

For example:

The previous DOT Basic Description UN3166, Engines, internal combustion, Class 9 was changed to UN3528, Engine, internal combustion flammable liquid powered, Class 3. Both the old and new UN Numbers still reference 49 CFR 173.220.

I spoke with a DOT representative at the Hazardous Materials Information Center on September 20, 2019 and the representative confirmed that the DOT Letter Interpretation 04-0249 was still valid.

Please confirm that a cleaned and purged jet engine with a "spark gap" contained in a securely installed exciter box is still excepted from the requirements of the Hazardous Material Regulations, provided the applicable requirements in 49 CFR 173.220 are met.

Carriers and freight forwarders are questioning the validity due to the change of the Proper Shipping Name and the UN Number. Please note that this is a frequently used interpretation.

I would appreciate your assistance with these questions.

Sincerely,



Danielle Heaney
Environmental Scientist III/Dangerous Goods Shipping
Compliance Specialist
AECOM
T: (919) 461-1100
E: danielle.heaney@aecom.com