



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

May 5, 2021

Cary Krickeberg
Safety Manager
N&M Transfer Co., Inc.
630 Muttart Rd.
Neenah, WI 54956

Reference No. 21-0003

Dear Mr. Krickeberg:

This letter is in response to your January 7, 2021, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to transporting limited quantities of Class 1 (explosive) materials in a motor vehicle equipped with a cargo heater. In your email, you note that § 177.834(l)(1) specifies that a motor vehicle equipped with a cargo heater of any type may transport Class 1 (explosive) materials only if the cargo heater is rendered inoperable. You ask whether there is a provision in the HMR that permits limited quantities of “UN0012, Cartridges, small arms, 1.4S” to be transported in a motor vehicle equipped with a cargo heater that is fully functioning and active.

The answer is no. There are no provisions in the HMR that allow limited quantities of “UN0012, Cartridges, small arms, 1.4S” to be transported in a motor vehicle equipped with an operable cargo heater.

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

Sincerely,

A handwritten signature in blue ink that reads "T. Glenn Foster".

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

From: [Dodd, Alice \(PHMSA\)](#)
To: [Hillman, Kenetha CTR \(PHMSA\)](#)
Subject: FW: FROM: N&M TRANSFER CO., INC, NEENAH, WI RE: INTERPRETATION REQUEST LIMITED QUANTITY 1.4 SHIPMENTS LOADED IN ACTIVE HEATED TRAILERS
Date: Monday, January 11, 2021 6:10:53 AM

Morning Kenetha,

Can you log this in and assign. I'm out of the office today. Thanks

From: INFOCNTR (PHMSA)
Sent: Thursday, January 7, 2021 4:51 PM
To: Hazmat Interps <hazmatinterps@dot.gov>
Subject: FW: FROM: N&M TRANSFER CO., INC, NEENAH, WI RE: INTERPRETATION REQUEST LIMITED QUANTITY 1.4 SHIPMENTS LOADED IN ACTIVE HEATED TRAILERS

Hello,

Below is a request for letter of interpretation.

Thanks,

Jonathon, HMIC

From: Cary S. Krickeberg [<mailto:CKRICKEBERG@nmtransfer.com>]
Sent: Thursday, January 7, 2021 1:31 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: FROM: N&M TRANSFER CO., INC, NEENAH, WI RE: INTERPRETATION REQUEST LIMITED QUANTITY 1.4 SHIPMENTS LOADED IN ACTIVE HEATED TRAILERS

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ATTN: PHMSA;

I am requesting an interpretation regarding the transport of cartons of 1.4 explosives, UN0012, cartridges small arms, that are loaded and transported and marked as a **LIMITED QUANTITY**.

My question is this, can these **LIMITED QUANTITY** cartons of cartridges be loaded in a fully functioning and active heated trailer.

177.834(l)(1) listed below notes the explosive heated trailer restriction. Is there an exception for Limited Quantity shipments?

l) **Use of cargo heaters when transporting certain hazardous material.** Transportation includes loading, carrying, and unloading.

(l)(1) *When transporting Class 1 (explosive) materials.* A motor vehicle equipped with a cargo heater of any type may transport Class 1 (explosive) materials only if the cargo heater is rendered inoperable by: (i) Draining or removing the cargo heater fuel tank; and (ii) disconnecting the

heater's power source.

Cary Krickeberg "C.K."

Safety Manager

N&M Transfer Co., Inc.

630 Muttart Rd.

Neenah, WI 54956

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“ In the beginning God created the heavens and the earth.” Genesis 1:1