



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

1200 New Jersey Avenue, SE
Washington, DC 20590

October 19, 2021

Mr. James V. McManus
Entegris
7 Commerce Drive
Danbury, CT 06810

Reference No. 21-0091

Dear Mr. McManus:

This letter is in response to your September 9, 2021, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the transportation of marine pollutants. Specifically, you ask for clarification of the exceptions provided for marine pollutants in § 171.4(c)(2) and Chapter 2.10.2.7 of the International Maritime Dangerous Goods (IMDG) Code when shipping a diluted liquid mixture of potassium permanganate. You state that the material has been classed and described as “UN3082, Environmentally hazardous substance, liquid, n.o.s. (contains potassium permanganate), 9, PG III” and prepared for transportation in packagings containing a net quantity per inner packaging of 5 L or less.

We paraphrased and answered your questions as follows:

- Q1. As described, you ask whether the shipment is excepted from the shipping paper requirements specified in Subpart C of Part 172 of the HMR.
- A1. The answer is yes. In accordance with § 171.4(c)(2), single or combination packagings containing a net quantity per single or inner packaging of 5 L or less for liquids are not subject to any other requirements of the HMR, provided the packagings meet the general requirements in §§ 173.24 and 173.24a and the marine pollutant is not a hazardous waste, a hazardous substance, or meet any other hazard class.
- Q2. You ask whether the shipment is excepted from the documentation requirements specified in Chapter 5.4 of the IMDG Code.
- A2. The answer is yes. In accordance with Chapter 2.10.2.7 of the IMDG Code, marine pollutants packaged in single or combination packagings containing a net quantity per

single or inner packaging of 5 L or less for liquids or having a net mass per single or inner packaging of 5 kg or less for solids are not subject to any other provisions of the IMDG Code relevant to marine pollutants, provided the packagings meet the general provisions of 4.1.1.1, 4.1.1.2, and 4.1.1.4 to 4.1.1.8.

Q3. You ask whether the shipment is excepted from the marking, labeling, and placarding requirements of Subparts D, E, and F of Part 172 of the HMR.

A3. The answer is yes. See answer A1.

Q4. You ask whether the shipment is excepted from the marking and labeling of packages, and placarding and marking of cargo transport units, as specified in Chapters 5.2 and 5.3 of the IMDG Code.

A4. The answer is yes. See answer A2.

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', is written over a light blue horizontal line.

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

From: [INFOCNTR \(PHMSA\)](#)
To: [Hazmat Interps](#)
Subject: FW: Request for Interpretation
Date: Friday, September 10, 2021 3:15:18 PM
Attachments: [image001.png](#)
[image002.png](#)
[Entegris Request for Interpretation-Exceptions for Marine Pollutants.pdf](#)

See Attached Request for Letter of Interpretation.

Thanks,

Jonathon, HMIC

From: Jim McManus <Jim.McManus@entegris.com>
Sent: Thursday, September 9, 2021 5:08 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Request for Interpretation

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello,

In accordance with 49 CFR §105.20, Entegris is submitting the attached letter requesting a letter of interpretation of the Hazardous Materials Regulations.

Regards,

Jim

Jim McManus

Sr. Principal Engineer

Dangerous Goods Safety Advisor (DGSA)

M 203-482-1606

T 203-207-9307

E jim.mcmanus@entegris.com



entegris.com
PURE ADVANTAGE

7 Commerce Drive
Danbury, CT 06810 USA



ipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly prohibited.

