



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

January 18, 2022

Charles A. White
Air General, Inc.
403 The Hill
Portsmouth, NH 03801

Reference No. 21-0071

Dear Mr. White:

This letter is in response to your July 2, 2021, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to UN specification markings for non-bulk packagings when transported by air. In your letter, you provide a photograph of a UN 4G fiberboard box with three UN specification markings—differing only in the marked maximum gross mass (in kilograms). You ask how an air carrier is supposed to determine which maximum gross mass is applicable when evaluating whether a shipment is offered within its specified gross weight limits.

A UN specification marking indicates that a packaging is manufactured to a UN specification standard as prescribed in part 178 of the HMR and should not be solely used to determine the specified gross weight limits of a material; instead, information provided on the shipping paper should aid in the determination. For transportation by aircraft, § 172.202(a)(6) requires the total net mass of the hazardous material per package to be indicated on the shipping paper—unless a gross mass is indicated in Columns (9A) or (9B) of the § 172.101 Hazardous Materials Table, in which case the total gross mass per package must be indicated.

Multiple specification markings are not prohibited on a packaging, such as a UN 4G box tested and rated for multiple gross masses (See §178.3(c)). This Office recommends that non-applicable standard markings be covered, removed, or obliterated when practical, in order to avoid the potential frustration of a shipment by carrier or enforcement personnel.

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".

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

From: [INFOCNTR \(PHMSA\)](#)
To: [Dodd, Alice \(PHMSA\)](#)
Cc: [Hazmat Interps](#)
Subject: FW: Interpretation Ruling request letter
Date: Tuesday, July 6, 2021 3:41:37 PM
Attachments: [PHMSA Ruling request letter 02072021.pdf](#)
[RE Interpretation Letters.msg](#)

Hello Alice,

Please see the attached LOI request as well as the e-mail from Donald Burger for additional information.

Do not hesitate to reach out should you need anything from us.

Regards,

-Breanna

From: Charles White <charles.white@airgeneral.com>
Sent: Friday, July 2, 2021 2:55 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Cc: Jeff Lyter <dssc@airgeneral.com>; Thomas Clark <Thomas.Clark@airgeneral.com>
Subject: Interpretation Ruling request letter

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Good Afternoon Sir(s)/Madam(s),

I have attached my formal letter of request for ruling in the matter of the use of multi-spec package marks. Thank You in advance for your consideration in the matter.

Best regards,

Charles A White

Charles White Manager DG and Environmental Compliance Air General, Inc. <i>"Delivering Cargo Peace of Mind"</i>	403 The Hill Portsmouth, NH 03801 www.airgeneral.com	Mobile: 704-226-2570 Email: Charles.White@airgeneral.com
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Date **2 July 2021**

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

U.S. DEPARTMENT OF TRANSPORTATION
1200 NEW JERSEY AVENUE, SE
WASHINGTON, DC 20590

Dear Sir(s)/Madam(s),

I am writing this letter to gain further guidance and clarification, with the use of multi-spec UN spec packaging, for shipping of hazardous materials via aircraft, to, from, and through the United States of America. See the photo below of the multi-spec package marking, which when tendered to the airline, neither shipper nor freight forwarder indicated which applicable specification gross weight limit was applicable to this shipment. Upon acceptance on behalf of the operator, when we use our acceptance checklist and are evaluating the question as to whether the shipment is within the specified gross weight limits, we are now questioning which weight is applicable when all specifications have the same packing group assignment.

"NOTICE TO CONSIGNEE"
"IF THIS CONTAINER SHOWS SIGNS OF LOSS, OR DAMAGE OPEN AT ONCE,
INSPECT CONTENTS AND HAVE CARRIER NOTE NATURE OF DAMAGE ON
ALL DELIVERY RECEIPTS"


"YOU ARE RESPONSIBLE FOR IMMEDIATE ACTION"
"CONSIGNEE MUST REPORT AND REQUEST INSPECTION FROM THE
DELIVERING CARRIER WITHIN 11 DAYS AFTER DELIVERY, ALL
CONCEALED LOSS OR DAMAGE. CONSIGNEE MUST FILE CLAIM FOR LOSS
OR DAMAGE WITH DELIVERING CARRIER."



AV-C-16813-DG

 4G/Y30/S/21
USA/M5586

 4G/Y22.2/S/21
USA/M5586

 4G/Y14/S/21
USA/M5586

After consulting with one of your agents, Don Burger provided an opinion that the shipper should provide the operator with the indication of which spec marking was applicable. After requesting this from the shipper, this has sparked a spirited debate that only regulators can offer official ruling.

(Pictured below)

From: Burger, Donald (PHMSA)
Sent: Thursday, June 17, 2021 6:47 AM
To: Hallmark, Brad (TSI) <Brad.Hallmark@dot.gov>
Cc: Nicks, Michael (PHMSA) <michael.nicks@dot.gov>; Kelley, Shane (PHMSA) <shane.kelley@dot.gov>
Subject: RE: Multi-Spec packaging

Brad,

Sorry to take a while to you on this question. If there are multiple marks on the packaging, then when the package is placed into transportation, there should be an indication from the shipper to the carrier which marking is applicable for the particular shipment.

I hope this is helpful.

Don Burger (he/him/his)
Chief, General Approvals and Permits Branch
Office of Hazardous Materials Safety

US Department of Transportation
Pipeline and Hazardous Materials Safety Administration
1200 New Jersey Ave., Washington D.C., 20590
Office: 202-366-4535 ♦ Mobile: 202-280-9908



Thank you for the opportunity to share a perspective aimed at ensuring the safe transport of hazardous goods via aircraft.

SINCERELY,



CHARLES A. WHITE

Charles White
Manager DG and Environmental Compliance
Air General, Inc.
"Delivering Cargo Peace of Mind"

403 The Hill
Portsmouth, NH 03801
www.airgeneral.com

Mobile: 704-226-2570
Email: Charles.White@airgeneral.com

From: [Burger, Donald \(PHMSA\)](#)
To: [Raynor, T'Mia \(PHMSA\)](#); [INFOCNTR \(PHMSA\)](#)
Cc: [Kelley, Shane \(PHMSA\)](#); [Nickels, Matthew \(PHMSA\)](#); [DerKinderen, Dirk \(PHMSA\)](#); [Foster, Glenn \(PHMSA\)](#)
Subject: RE: Interpretation Letters
Date: Tuesday, July 6, 2021 8:42:12 AM
Attachments: [RE Multi-Spec packaging.msg](#)
[image.png](#)

This has now gone in a full circle and come back to us (see the attached email). If Mr. White, would like a written interpretation beyond what was provided he will need to write in and request it from us.

Don Burger (he/him/his)
Chief, General Approvals and Permits Branch
Office of Hazardous Materials Safety

US Department of Transportation
Pipeline and Hazardous Materials Safety Administration
1200 New Jersey Ave., Washington D.C., 20590
Office: 202-366-4535 ◊ Mobile: 202-280-9908

From: Raynor, T'Mia (PHMSA) <t'mia.vines@dot.gov>
Sent: Friday, July 2, 2021 1:04 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>; Burger, Donald (PHMSA) <donald.burger@dot.gov>
Subject: Fwd: Interpretation Letters

T'Mia Raynor

Webmaster, Office of the PHMSA CIO

US Department of Transportation

Pipeline and Hazardous Materials Safety Administration

[1200 New Jersey Ave. SE, Washington, D.C., 20590](#)

Office: 202.366.9818 ◊ Mobile: [202.580.9447](#)

From: Charles White <charles.white@airgeneral.com>
Sent: Friday, July 2, 2021 11:59:27 AM
To: PHMSA Website Manager <PHMSAWebsiteManager@dot.gov>
Subject: Interpretation Letters

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Good morning,

I recently received an opinion from a PHMSA agent and would like to get a determination in a formal interpretation. See a snippet of the conversation attached. Can you advise who I should address my

letter to and whether this is the correct email address to use for the formal interpretation letter?

Best Regards,
Charles A White

Charles White Manager DG and Environmental Compliance Air General, Inc. <i>"Delivering Cargo Peace of Mind"</i>	403 The Hill Portsmouth, NH 03801 www.airgeneral.com	Mobile: 704-226-2570 Email: Charles.White@airgeneral.com
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From: [Burger, Donald \(PHMSA\)](#)
To: [Hallmark, Brad \(TSI\)](#)
Cc: [Nicks, Michael \(PHMSA\)](#); [Kelley, Shane \(PHMSA\)](#)
Subject: RE: Multi-Spec packaging
Date: Thursday, June 17, 2021 7:46:00 AM
Attachments: [image005.jpg](#)
[image006.jpg](#)

Brad,

Sorry to take a while to you on this question. If there are multiple marks on the packaging, then when the package is placed into transportation, there should be an indication from the shipper to the carrier which marking is applicable for the particular shipment.

I hope this is helpful.

Don Burger (he/him/his)
Chief, General Approvals and Permits Branch
Office of Hazardous Materials Safety

US Department of Transportation
Pipeline and Hazardous Materials Safety Administration
1200 New Jersey Ave., Washington D.C., 20590
Office: 202-366-4535 ◊ Mobile: 202-280-9908

From: Hallmark, Brad (TSI) <Brad.Hallmark@dot.gov>
Sent: Wednesday, June 16, 2021 4:28 PM
To: Kelley, Shane (PHMSA) <shane.kelley@dot.gov>; Burger, Donald (PHMSA) <dona1d.burger@dot.gov>
Subject: RE: Multi-Spec packaging

Thanks Shane, Don. I appreciate any information you can share.

Brad

Bradley H. Hallmark /CHMM
Program Manager
U.S. Department of Transportation
Transportation Safety Institute
<https://www.transportation.gov/transportation-safety-institute>
Office: 405-954-4554
Cell: 405-795-6495
brad.hallmark@dot.gov



From: Kelley, Shane (PHMSA)
Sent: Sunday, June 13, 2021 5:46 AM
To: Burger, Donald (PHMSA) <donald.burger@dot.gov>
Cc: Hallmark, Brad (TSI) <Brad.Hallmark@dot.gov>
Subject: Fwd: Multi-Spec packaging

Don -

Can someone on your team help?

Shane

From: Hallmark, Brad (TSI) <Brad.Hallmark@dot.gov>
Sent: Saturday, June 12, 2021 11:58:42 AM
To: Kelley, Shane (PHMSA) <shane.kelley@dot.gov>
Subject: Fwd: Multi-Spec packaging

Hi Shane,

Would you have any information on the UN packaging codes in the pictures?

Thanks,

Brad Hallmark

Get [Outlook for iOS](#)

From: Gibbs, Wallace <Wallace.Gibbs@aa.com>
Sent: Friday, June 11, 2021 1:47 PM
To: Hallmark, Brad (TSI); White, Charles
Subject: FW: Multi-Spec packaging

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[Brad,](#)

Have you ever seen a package like this? Charles White (copied in) asked me about this and I didn't know how to answer it.

How do you know which Spec Code to use to validate the shipment?

Wallace Gibbs, Jr.



Wallace Gibbs
Safety Training Specialist
1 Skyview Drive
MD 8B101
Cube: 8B.1W.132D
Fort Worth, TX 76155

817-705-9004-Cell

682-278-4422-Office
682-275-9136 Fax

From: Charles White <charles.white@airgeneral.com>

Sent: Tuesday, June 8, 2021 11:05 AM

To: Gibbs, Wallace <Wallace.Gibbs@aa.com>

Subject: Multi-Spec packaging

Hi Wallace,

Here are a couple of different packages that I have recently encountered in a couple of our stations in TX.

I have also provided test data for one of these packages.

Also, Question 9 of pg 54 in the participant manual, UN2246 cannot be shipped in single packaging under packaging instruction 353.

Regards,

Charles A White

Charles White Manager DG and Environmental Compliance Air General, Inc. <i>"Delivering Cargo Peace of Mind"</i>	403 The Hill Portsmouth, NH 03801 www.airgeneral.com	Mobile: 704-226-2570 Email: Charles.White@airgeneral.com
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