



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

AUG 4 1999

Mr. Martin J. Tremblay
Ocenco, Inc.
10225 82nd Avenue
Pleasant Prairie, WI 53158-5801

Ref. No. 99-0115

Dear Mr. Tremblay:

This is in response to your letter dated May 5, 1999, regarding the proper shipping description for your emergency escape breathing devices (EEBD). Specifically, you ask if the proper shipping description for the EEBD's described in your letter is "Life-saving appliances, not self-inflating, 9, UN3072".

Under 49 CFR 173.22, it is the shipper's responsibility to properly classify and describe a material in accordance with Parts 172 and 173. Such determinations are not required to be verified by this Office. It is the opinion of this office that the proper shipping description for the EEBD's described in your letter, that utilize a compressed oxygen cylinder, and otherwise comply with the conditions and limitations of § 173.219, is "Life-saving appliances, not self-inflating, 9, UN3072".

I hope this satisfies your request.

Sincerely,

Thomas G. Allan
Acting Director
Office of Hazardous Materials Standards



990115

173.219



LakeView Corporate Park
10225 82nd Avenue
Pleasant Prairie, WI U.S.A.
53158-5801

Phone: (414) 947-9000
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May 5, 1999

Edward Mazzullo
Director of OHMS
Department of Transportation
400 7th Street SW
Washington D.C. 20590

*Called 7/27/99
C 1:45pm.
and confirmed that
the O₂ device
was not an oxygen
generator.*

REF: Letter of Interpretation; Ocenco, Inc. M-20 Emergency Escape Breathing Device
Title 49 Chapter I Part 173 Section 173.219

Dear Sir:

Please accept this letter as a request to confirm our interpretation of Title 49/
Chapter I/Part 173/Section 173.219 as it applies to the Ocenco, Inc. M-20 family of
Emergency Escape Breathing Devices (EEBD).

The attached information describes the M-20.2 EEBD's purpose as providing the user
"...their own personal supply of breathable air for escape from spaces aboard Navy ships
where atmospheres are classified as "Immediately Dangerous to Life or Health".
We interpret this to mean a "Life-saving appliance, not self-inflating" as described in
Section 173.219. The unit contains only "small quantities of hazardous materials" as
outlined in paragraph (a) and the entire functioning unit weighs only approximately 3.1
pounds.

Based on the above interpretation we believe the following applies to these products:

1. The shipping description is: Life-saving appliance, not self-inflating
(containing dangerous goods as equipment)
2. Hazard class or Division : 9
3. Identification Number: UN3072
4. Label Codes: None
5. Packaging: Per 173.219
6. Quantity Limitations: No limit

After your review of the above as well as the attached information, please confirm our interpretation of 49CFR173.219 as it applies to the Ocenco, Inc. family of EEBD's. Please feel free to contact me concerning any questions regarding our interpretation.

We thank you in advance for your timely assistance in confirming our interpretation.

Best regards,

Martin J. Tremblay
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10225 82nd Avenue
Pleasant Prairie, WI 53158-5801

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CC: Material Control
DOT File
EEBD File
NAVICP File