



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

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

SEP 17 2001

Ms. Jan Johnson  
Supervisor of Business Operations  
Williams Laboratory Services  
1090-A Sunshine Road  
Kansas City, Kansas 66115

Reference No. 01-0220

Dear Ms. Johnson:

This is in response to your August 21, 2001 letter requesting clarification of the definition for "Materials of Trade" under the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180). Specifically you ask if hazardous materials transported between your company's facility and a laboratory for testing purposes, may be considered materials of trade.

One criterion for a material of trade is that a hazardous material is transported by a private carrier in direct support of its principal business which may not be transportation by motor vehicle. Provided all conditions of § 173.6 are met, the materials of trade exception may be applied in your scenario.

I hope this information is helpful.

Sincerely,

Delmer F. Billings  
Chief, Standards Development  
Office of Hazardous Materials Standards



010220

173.6

Beatts  
§171.8  
Definition  
01-0220



Laboratory Services  
1090-A Sunshine Road  
Kansas City, Kansas 66115  
913/621-3603

August 21, 2001

US Dept of Transportation  
Office of Hazardous Materials Standards  
400 Seventh Street, SW  
Washington, DC 20590

The purpose of this letter is to determine whether the hazardous materials carried on company trucks within the Williams Companies apply to Materials of Trade.

Williams, through its subsidiaries, connects businesses to energy. We deliver innovative, reliable products through extensive networks of energy-distributing pipelines. Our primary businesses include:

- Services from wellhead to burner tip
- Nationwide system of interstate natural gas pipelines

Several of our locations transport limited quantities of petroleum products (Class 3) and cylinders containing a gas (Class 2.1) not weighing more than 220 pounds, pressure per container 500-1000 psig. DOT Exemption 8757 and DOT Exemption 7657 apply to the cylinders used for these product samples. These samples are transported by company vehicles on public highways to a laboratory for testing purposes.

Please advise whether the hazardous materials that are carried in our company trucks apply to Materials of Trade. If not, please specify the proper paperwork to be carried by the driver of these trucks carrying non-bulk, combination packaging and less than 1000 lbs. gross aggregate weight.

Your prompt response these questions is appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Jan Johnsen".

Jan Johnsen  
Sup'v of Business Operations