



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

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

MAR -7 2002

Mr. Timothy Roberts
1106 Glendora Avenue
Oakland, CA 94602

Ref. No. 02-0033

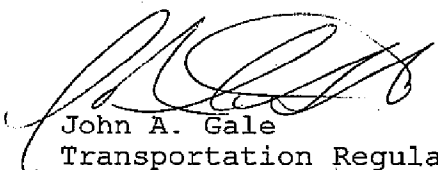
Dear Mr. Roberts:

This is in response to your letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) concerning the requirements in § 173.29 for empty packagings. Specifically, you ask whether cooking stoves and empty bottles previously containing white gas are excepted from the HMR. You state the stoves and bottles are drained and dried by exposure to air prior to being offered for transportation and you plan to pack these items in your checked baggage.

Section 173.29(b)(2) excepts an empty packaging that previously contained a hazardous material from all HMR requirements provided it is cleaned of residue and purged of vapors so that no hazard remains. The methods that can be used to clean and purge a packaging are intentionally not defined in the HMR because they vary greatly depending on the nature of the hazardous material and the type of packaging. In some instances, a packaging can be emptied of hazardous material, including residue, without undergoing a cleaning process and be considered cleaned and purged. In other instances, an active cleaning process may be necessary to clean and purge a packaging of hazardous residue. Provided there is no residue or vapor meeting any of the hazard class definitions in Part 173, Subpart D, the cooking stoves and bottles you describe in your letter are not subject to the requirements of the HMR.

I hope this information is helpful. Please contact this office if you need additional assistance.

Sincerely,



John A. Gale
Transportation Regulations Specialist
Office of Hazardous Materials Standards



020033

173.29(b)
(2)

January 2, 2002

Edward Mazzullo
Division of Hazardous Material Standards
US-DOT Research and Special Programs Administration
DHM-10
400 7th St. SW
Washington, D.C. 20590-001

McIntyre
§173.29 (b)(2)(ii)
Empty Packagings
02-0033

Rear Mr. Mazzullo:


As a Safety Professional and an Assistant Scoutmaster (Troop 206, Oakland, California) I am interested in getting an interpretation and clarification of a Department of Transportation requirement. As a Troop, we take an out-of-state backpacking trip during alternate summers. When doing this, we normally plan to travel via a regularly scheduled commercial airline.

We are fully aware that it is not allowed to carry cooking fuel (such as, white gas) and "strike anywhere" matches on passenger aircraft, so we plan to obtain them when we arrive at our location. Our primary concern is the transport of our cooking stoves and our empty fuel bottles (these are one liter size aluminum bottles that we use them to carry the white gas during our hike). Our plan is to fully drain them, and allow them to air dry for approximately 24 hours prior to our return flight. Prior to our trip to the location, we will empty the bottles and stoves and air them out for approximately one month. We plan to check these on in our baggage and, of course, leave the caps off of the bottles and integral tanks on the stoves.

I recently had a conversation with a member of your staff, and that person indicated that these are exempt, under 49 CFR 173.29 "Empty Packagings" section (b)(2)(ii), but suggested that I contact you for an official clarification letter that we can carry with us in case any question arises at our departure airport. Should you have any question or need additional information, please do not hesitate to contact me at (925) 423-3981.

Thank you in advance for your attention to this matter.

Sincerely,



Timothy Roberts, CSP, CIH
1106 Glendora Ave.
Oakland, CA 94602