



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

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

FEB 26 2003

Mr. Cliff Bartley
Corporate Manager Hazardous Materials/Maintenance
CSX Lines, LLC
5800-1 William Mills Road
Blount Island
Jacksonville, FL 32226

Ref No. 02-0311

Dear Mr. Bartley:

This is in response to your November 21, 2002 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to shipping papers and segregation requirements. Your questions are paraphrased and addressed as follows:

Q1. Is the flash point required on shipping papers for limited quantities of Class 3 shipments transported by vessel?

A1. Yes. In accordance with § 172.203(i)(5), the minimum flash point if 61 degrees Celsius or below (in degrees Celsius closed cup) is required as an additional shipping paper entry in association with the basic description for each shipment transported by water.

Q2. If the flash point is required on the shipping papers for limited quantities of Class 3 cargo, is stowage still restricted to the requirements of § 173.305(c)(1) or is stowage negated by § 176.80(b)?

A2. Section 173.305, referenced in your letter, pertains to the charging of cylinders with a mixture of compressed gas and other material, not stowage of Class 3 (flammable liquid) shipments. Section 176.305(c)(1) provides for stowage in non-ventilated holds of non-bulk packages of Class 3 (flammable liquid) shipments with a flash point above 23 degrees Celsius. Section 176.80(b) does not affect the applicability of § 173.305, rather it provides an exception from the segregation requirements of hazardous materials in limited quantities when loaded in



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172.203

transport vehicles and freight containers for transportation by vessel. The definitions of "limited quantity" and "non-bulk packaging" are found in § 171.8.

I hope this information is helpful. If we can be of further assistance, do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Delmer F. Billings".

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



Thursday, November 21, 2002

Mr. Edward Mazullo
US DOT / RSPA / DHM-10
400 7th Street SW
Washington, DC 20590

Subject: Shipping Papers for Limited Quantities

Dear Mr. Mazullo:


In 49CFR172.203(i)(5), the regulation require that the flash point in degree "C" be included on the shipping papers for cargo shipped by vessel. Under 49CFR176.80(b) subpart D, "Hazardous materials in limited quantities when loaded in a transport vehicle and freight containers are excepted from the segregation requirements of this subpart and any additional segregation specified in this subchapter for transportation by vessel". Under 49CFR173.305(c)(1), the regulations allow class 3 cargos to be stowed below deck in non-ventilated holes if the flash point is above 23C.

This leads me to two questions.

- ✱ If class 3 cargos in limited quantities are exempt from the segregation requirement, is the flash point required on the shipping papers.
- ✱ If the flash point is required on the shipping papers for "limited quantities" of class 3 cargo, is stowage still restricted to the requirements of 49CFR173.305(c)(1) or is stowage negated by 49CFR176.80(b)

Thank you for taking the time to examine my problem and in providing guidance on this matter.

Respectfully yours,


Cliff Bartley
Corporate Manager Hazardous Materials/ Maintenance
CSX Lines, LLC
Cb

Foster
§ 172.203
§ 176.80
Shipping Papers
Vessel
02-0311