



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

NOV 30 2005

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

Mr. Dennis Stauch
Vice President of Engineering and Manufacturing
Shindaiwa, Inc.
11975 S.W. Herman Road
Tualatin, OR 97062

Ref. No.: 05-0281

Dear Mr. Stauch:

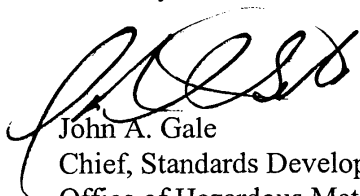
This is in response to your letter and subsequent telephone conversation with Ben Supko of my staff concerning the regulation of outdoor power equipment containing two and four cycle single cylinder internal combustion engines under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

You state that before these products are shipped, they are tested by starting the engines using a fuel line directly inserted into the carburetor, bypassing the fuel tank. After confirmation that the engine is operating properly, the fuel line is disconnected and the engine runs until all the fuel is consumed and the engine stops. You indicate that this method of emptying and purging the fuel system meets the requirements in § 173.220(a)(1).

An engine may be considered empty if the fuel tank, lines, and engine components have been drained, sufficiently cleaned of residue, and purged of vapors to remove any potential hazard. While it is the responsibility of the shipper to properly classify their materials for transportation, it is the opinion of this Office that the methods you employ sufficiently clean and purge the engines and remove any potential hazards, thus meeting the requirements in § 173.220(a)(1) to be considered empty.

I hope this satisfies your request.

Sincerely,



John A. Gale
Chief, Standards Development
Office of Hazardous Materials Standards



050281

173.220(a)(1)

Shindaiwa Inc.

11975 S.W. Herman Road
Tualatin, Oregon 97062

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Internet www.shindaiwa.com

*Supko
§173.220(a)(1)
Engines
05-0281*

November 3, 2005

Mr. Edward T. Mazzullo
Director, Office of Hazardous Materials Standards
U.S. DOT/PHMSA (PHH-10)
400 7th Street S.W.
Washington, D.C., 20590-0001
Phone: 1-800-467-4922 Fax: 1-202-366-3012

shindaiwa

Re: Air Transport of two cycle and single cylinder 4 stroke engines

Dear Sir:

Shindaiwa Inc. is a manufacturer of outdoor power equipment, i.e., grass trimmers, backpack & handheld leaf blowers, chain saws, hedge trimmers, etc. Our products are powered by two-cycle and 4-cycle single cylinder internal combustion engines, which are fueled by 50:1 gas/oil mixture. We have been manufacturing and distributing these products for 25 years.

We have been given verbal opinions that our equipment is hazardous and should be classified as a potential hazard for air shipment. We certainly wish to comply with all transport regulations. It is our interpretation that Shindaiwa equipment is not a potential hazard and would appreciate your interpretation.

Our manufacturing process includes testing/starting of each engine from the production line. At no time during these test procedures is any fuel/oil mix put into the gas tank. The engine testing is accomplished by:

1. Inserting a fuel line directly to the engine carburetor or fuel line leading to the carburetor bypassing the fuel tank.
2. Introducing fuel to the carburetor
3. Pulling the starter cord, which starts the engine.
4. Run the engine for less than 5 minutes.
5. Stop the engine
6. Disconnect the external fuel line to the carburetor.
7. Pull the starter cord which starts the engine.
8. Run the engine (less than 5 minutes) until all the fuel has been consumed and the engine stops.

We have researched the federal regulations regarding shipment of hazardous materials, HMR; 49 CFR parts 171-180, section 173.220 (a) (1). This appears to be the current pertinent regulation.

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We have also researched the DOT web site and have noted that one of our competitors in this industry (Echo Inc.) communicated with DOT on this subject matter early in 2000 (ref. No. 00-0030) and again in 2004 (ref. No. 04-0076). Finally, we have reviewed the IATA Dangerous Goods Regulations 2005 and our interpretation indicates that the federal and IATA regulation are similar in regards to this subject.

We would appreciate a written opinion regarding shipping classification and requirements based on the information given above.

shindaiwa

Thank you in advance for looking into this matter and for your response .

Regards,



Dennis Stauch
Vice President of Engineering and Manufacturing

Cc: Sue Turner, Logistics Manager

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VIA FAX

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shindaiwa

Re: Shindaiwa request for interpretation, Air Transport of two cycle and single cylinder 4 stroke engines

Dear Sir:

Today we had a brief phone conversation with Jessica in regards to how to submit a request for interpretation. Per her suggestion please refer to the 2 page memo attached to this cover letter.

If there is any other information we can provide please do not hesitate to contact us. We look forward to your quick response.

Regards,



Dennis Stauch
Vice President of Engineering

Attachment: shipping classification 05_11_03