



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

MAR 20 2007

Mr. Anthony A. Anderson
Thompson Coburn LLP
Suite 600
1909 K Street, N.W.
Washington, D.C. 20006-1167

Ref. No. 06-0284

Dear Mr. Anderson:

This responds to your letter regarding the exceptions for limited quantities of compressed gases under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you represent a company who conducts chemical analyses on natural gas samples received from domestic and international sources in small single-use aluminum receptacles that have a volumetric capacity of less than 4 fluid ounces. The company is subject to substantial international shipping delays that occur because the receptacles are non-transparent. You ask whether a clear plastic pressurized receptacle of identical size and shape would be acceptable under the currently used description "Receptacles, small, containing gas (gas cartridges), 2.1, UN2037."

The answer is yes. Under the HMR, containers having a volumetric capacity of 4 fluid ounces (7.22 cubic inches) or less are eligible for the limited quantity exceptions specified in § 173.306(a)(1). These exceptions include the allowance of non-specification pressure vessels (regardless of material of construction) and their outer packaging.



060284

173.24
173.306(a)(1)

The packaging must meet the general requirements for packagings and packages specified in § 173.24. For international transportation by aircraft, similar provisions are contained in the International Civil Aviation Organization's (ICAO's) Technical Instructions for the Safe Transport of Dangerous Goods by Air.

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Mitchell', written over a large, faint circular stamp or watermark.

Hattie L. Mitchell
Chief Regulatory Review and Reinvention
Office of Hazardous Materials Standards

THOMPSON COBURN

Stevens

\$173.306
\$173.304
Limited Quantities Compressed Gases
06-0284

Thompson Coburn LLP
Attorneys at Law

Suite 600
1909 K Street, N.W.
Washington, D.C. 20006-1167
202-585-6900
FAX: 202-585-6969
www.thompsoncoburn.com

Anthony A. Anderson
202-585-6928
FAX 202-508-1003
EMAIL aanderson@
thompsoncoburn.com

December 21, 2006

Via Overnight Courier

Office of Hazardous Material Standards
Pipeline and Hazardous Materials Safety Administration
Attn: PHH-10
U.S. Department of Transportation
400 7th Street, S.W.
Washington, D.C. 20590-001

Re: Transport of Gas Samples in Plastic Receptacles

Dear Sir or Madam:

We represent a U.S. company ("Company") that conducts chemical analyses in the U.S. on natural gas samples that it receives from commercial entities located in the U.S and multiple foreign countries. The natural gas samples (2.1 Flammable Gas) are shipped to the Company in small single-use aluminum receptacles which have a volume of less than 4 fluid ounces, under the shipping name UN2037, which describes "receptacles, small, containing gas (gas cartridges) flammable, without release device, not refillable and not exceeding 1L capacity." U.S. Customs inspections and Homeland Security issues sometime result in substantial shipping delays, which can compromise the usefulness of the samples. The small aluminum receptacles comply with all HazMat shipping regulations, but the Company believes that a transparent container could greatly simplify and speed up Customs clearances because the contents can be seen.

The Company is now considering the feasibility of manufacturing a new sealed receptacle, which is expected to be nearly identical in size (approximately 3.75 fl. oz.) and shape to the current aluminum receptacle. However, it is contemplated that this new receptacle would be constructed out of clear plastic. The Company seeks PHMSA's confirmation that:

The new plastic receptacle, with a volume of less than 4 fluid ounces, may be used to transport natural gas samples under UN 2037 and that the use of this new receptacle for this purpose does not subject the

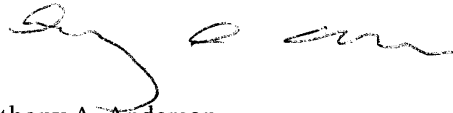
Office of Hazardous Material Standards
Pipeline and Hazardous Materials Safety Administration
December 21, 2006
Page 2 of 2

Company to any PHMSA's container specifications, inspections, and testing, or other PHMSA container regulations or exemption procedures.

We thank you in advance for providing us with the above-requested confirmation. Please do not hesitate to contact me if you have any questions or require additional information.

Very truly yours,

Thompson Coburn LLP

A handwritten signature in black ink, appearing to read 'Anthony A. Anderson', written in a cursive style.

By

Anthony A. Anderson