



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, D.C. 20590

SEP 06 2013

Mr. Phillip Zimmerman
Royal Oak Enterprises LLC
One Royal Oak Ave.
Roswell, GA 30076

Ref No.: 13-0161

Dear Mr. Zimmerman:

This is a response to your July 31, 2013 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) with regard to the classification of Division 4.2 (spontaneously combustible) materials. Specifically, you seek clarification on whether charcoal briquettes you produce meet the definition of a Division 4.2 (spontaneously combustible) material per § 173.124(b)(2) of the HMR. In your email, you provide data on the testing of self-heating substances for three of your products.

In accordance with § 173.124(b)(2), a self-heating material is a material that through a process where the gradual reaction of that substance with oxygen (in air) generates heat. If the rate of heat production exceeds the rate of heat loss, then the temperature of the substance will rise which, after an induction time, may lead to self-ignition and combustion. A material of this type which exhibits spontaneous ignition or if the temperature of the sample exceeds 200 °C (392 °F) during the 24-hour test period, when tested in accordance with UN Manual of Tests and Criteria, is classified as a Division 4.2 hazardous material.

In accordance with § 173.22, it is the shipper's responsibility to properly classify a hazardous material. This Office does not generally perform that function. However, based on the data you provided, the three charcoal briquette products do not meet the definition of a Division 4.2 (spontaneously combustible) material.

I hope this information is helpful. If you have any more questions, please do not hesitate to contact this office.

Sincerely,

Robert Benedict
Chief, Standards Development
Standards and Rulemaking Division

Drakeford, Carolyn (PHMSA)

Suchak
§ 171.1
§ 172.101

From: INFOCNTR (PHMSA)
Sent: Friday, August 02, 2013 1:16 PM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: Letter of Interpretation Request
Attachments: Report 13048 Royal Oak_001.pdf

Applicability
13-0161

Hi Carolyn,

This caller requested we submit this e-mail as a formal letter of interpretation.

Thanks,
Victoria

From: pzingleman@royal-oak.com [<mailto:pzingleman@royal-oak.com>]
Sent: Wednesday, July 31, 2013 4:53 PM
To: INFOCNTR (PHMSA)
Subject: Letter of Interpretation Request

Good afternoon,

I have received a request from a customer to whom we ship charcoal briquettes for a letter from the DOT that our product is not considered hazmat. They reference CFR 172 which states that charcoal briquettes are a class 4.2 hazard for spontaneous combustion and self heating.

My understand is that once the product passes a self-heating test it no longer falls under the hazmat regulations as a class 4.2 hazard. I've attached a copy of the self-heating test I had run earlier this year for reference.

In your interpretation is this product considered a hazardous material?

Thanks,
Phillip

Phillip Zingleman

Director of Purchasing
Royal Oak Enterprises LLC
One Royal Oak Ave.
Roswell, GA 30076
P - 678-461-3200 x 3322
Pzingleman@royal-oak.com

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