



U.S. Department  
of Transportation

1200 New Jersey Avenue SE  
Washington, DC 20590

**Pipeline and Hazardous  
Materials Safety  
Administration**

JUL 28 2015

Mr. Jerry Freeman  
Director, Transportation Compliance  
Air Liquide (USA) LLC  
2700 Post Oak Blvd., Suite 325  
Houston, TX 77056

Reference No. 15-0032

Dear Mr. Freeman:

This is in response to your February 9, 2015 e-mail requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to labeling requirements. You provide a scenario where multiple sizes of UN specification cylinders containing a non-flammable gas UN1956. You note the UN pressure vessels meet all specification requirements found in § 178.71 and are marked and labeled in accordance with Compressed Gas Association (CGA) C-7, Appendix A. You further note that each cylinder will be packaged in a strong outer package in accordance with § 173.301b(c)(2)(vi). Each cylinder will be placed inside an inner packaging and multiple cylinders, in these inner packagings, will be placed inside of a strong outer package. You state the outer completed package will be properly marked and labeled, but ask if the inner packaging described in your request must be marked and labeled in accordance with subparts D and E of part 172.

The answer to your question is no. In the situation you describe the cylinder itself is the package and would require appropriate marks and labels. The definition of "overpack" from § 171.8 means "an enclosure that is used by a single consignor to provide protection or convenience in handling of a package or to consolidate two or more packages." In the scenario you have provided marks and labels would only need to be carried over to the outermost overpack.

I trust this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

Duane A. Pfund  
International Standards Coordinator  
Standards and Rulemaking Division

**Goodall, Shante CTR (PHMSA)**

*Webb  
178.71  
Specification for  
UN pressure receptacles  
15-0032*

**From:** Ciccarone, Michael CTR (PHMSA)  
**Sent:** Monday, February 09, 2015 4:14 PM  
**To:** Hazmat Interps  
**Subject:** FW: Clarification of labeling on inner packaging \*\*\*Letter of Interpretation  
**Attachments:** US DOT Guidance Letter\_CalGaz.pdf

Shante/Alice,

Please submit this for a formal letter of interpretation.

Thanks,

Mike

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**From:** Freeman, Jerry [<mailto:jerry.freeman@airliquide.com>]  
**Sent:** Monday, February 09, 2015 9:19 AM  
**To:** PHMSA HM InfoCenter  
**Subject:** Clarification of labeling on inner packaging \*\*\*Letter of Interpretation

**PHMSA Office of Hazardous Materials Standards -**

Please see attached letter of interpretation request regarding the marking and labeling of inner packaging in a non-bulk package. Feel free to reach out to me directly if you have any further questions or if further clarification is needed.

Regards,

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*Jerry W. Freeman*

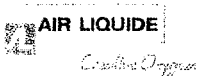
**Director, Transportation Compliance**

Air Liquide (USA) LLC

2700 Post Oak Blvd., Suite 325

Houston, TX 77056

Desk: 713-624-8213 | Email: [jerry.freeman@airliquide.com](mailto:jerry.freeman@airliquide.com)



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February 9<sup>th</sup>, 2015

**Sent via email correspondence – return receipt requested**

US Department of Transportation  
Standards & Rulemaking Division - East Building  
Pipeline Hazardous Materials Safety Administration  
Attn: Office PHH-10  
1200 New Jersey Avenue, SE  
Washington DC 20590-0001

Re: Clarification of labeling on inner packaging

Dear Sir/Madam,

I am writing your office to request a formal letter of interpretation on the required labeling of a non-bulk package containing one or more inner packaging of a Non-Flammable Gas. Our business will be offering for transportation several sizes (0.85L to 4.6L) of UN specification pressure vessels (cylinders) containing Non-Flammable Gas (UN1956). The UN pressure vessels meet all specification requirements outlined in 49 CFR 178.71. Furthermore, each pressure vessel containing the UN1956 substance will be durably marked and labeled in accordance with CGA C-7, Appendix A.

To ensure the pressure receptacle valves are properly protected, the cylinder will be packaged in a strong outer package in accordance with 49 CFR 173.301b(a)(4) and 173.301b(c)(2)(vi). Because multiple cylinders are being offered for transportation, each cylinder will be placed within an inner package, forming a combination package, so that the cylinders are properly protected, secured and do not come in contact. This will ensure the cylinders do not make contact or otherwise compromise the quality and integrity of each cylinder contained in the outer package during the course of transportation.

The outer complete package will be properly marked, labeled and prepared in accordance with all applicable regulations of Title 49CFR. Referring to the multiple definitions of packages found in 49 CFR 171.8, including outer package, combination package, intermediate package, outside package and inner packaging, must the inner packaging described in this letter be marked and labeled in accordance with 49 CFR 172.300 and 172.400?

Air Liquide is committed to the safe and compliant transportation of hazardous materials and wants to ensure that our packages are properly identified, marked and labeled for transportation. Should you have any questions or require further information, please do not hesitate to contact me directly at 713.624.8213 or by email at [jerry.freeman@airliquide.com](mailto:jerry.freeman@airliquide.com)

Respectfully,

A handwritten signature in cursive script that reads 'Jerry W. Freeman'.

Jerry W. Freeman  
Director, Transportation Compliance  
Air Liquide USA LLC