



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue SE  
Washington, DC 20590

**DEC 15 2015**

Mr. Dennis Franco  
Manager DG Compliance  
Air General  
2200 Columbia Pike, Apt # 7-11  
Arlington, VA 22204

Reference No. 15-0165

Dear Mr. Franco:

This is in response to your August 2, 2015 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to shipping papers. Your questions are paraphrased and answered below:

Q1. Are the words "Limited Quantity" or "LTD QTY" required to be included on a shipping paper if the shipment is prepared in accordance with the International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Technical Instructions)?

A1. No, when offered for transport or transported by air hazardous materials must be described and certified on a shipping paper in accordance with part 172 or as authorized by subpart C of part 171 (see § 175.30(a)). The ICAO Technical Instructions do not require the words "Limited Quantity" or "LTD QTY" to be included on a shipping paper. Consequently, if the shipment is prepared in accordance with the ICAO Technical Instructions any additional information required to be shown on shipping papers is limited to that required by subpart C of part 171.

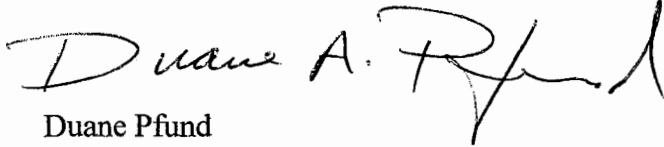
Q2. Are the words "Limited Quantity" or "LTD QTY" required to be included on the notification to the pilot in command if the shipment is prepared in accordance with the ICAO Technical Instructions?

A2. No, if a hazardous material is described by the proper shipping name, hazard class and identification number appearing in the ICAO Technical Instructions any additional information required to be shown on shipping papers is limited to that required by subpart C of part 171 (see § 175.33(a)(1)). Examples of such additional information include additional notations required for hazardous substances and hazardous wastes. If the hazardous material is offered for transport in accordance with the HMR any additional description requirements provided in §§ 172.202 and 172.203 must also be shown on the

notification. One example is the requirement to include the words "Limited Quantity" or "LTD QTY" for limited quantity shipments.

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

Sincerely,

A handwritten signature in black ink that reads "Duane A. Pfund". The signature is written in a cursive style with a large, stylized initial "D".

Duane Pfund  
International Standards Coordinator  
Standards and Rulemaking Division

**Goodall, Shante CTR (PHMSA)**

*O'Leary  
175-33(a)  
Shipping papers  
15-01465*

**From:** Geller, Shelby CTR (PHMSA)  
**Sent:** Monday, August 03, 2015 2:52 PM  
**To:** Hazmat Interps  
**Subject:** FW: Formal written clarification Limited Quantity Provision when transported by Air

Dear Shante and Alice,

Forwarded is a request for a formal letter of interpretation. Mr. Franco's address is:

Dennis Raymund V. Franco  
2200 Columbia Pike, Apt # 7-11  
Arlington, VA 22204

Thanks,  
Shelby

**From:** Dennis Franco [<mailto:dennis.franco@airgeneral.com>]  
**Sent:** Sunday, August 02, 2015 12:21 PM  
**To:** INFOCNTR (PHMSA)  
**Subject:** Formal written clarification Limited Quantity Provision when transported by Air

To whom it may concern,

Our Air General Headquarters office is hereby requesting a formal letter of interpretation of the Hazardous Materials Regulation as outline below:

Title 49 - §175.33 Shipping paper and notification of pilot-in-command. We have some ambiguity if the LTD QTY needs to be on the NOTOC due to the reference in 175.33(a) (1) (i) as quote:

"Section 172.101 of this sub-chapter. Except for the requirement to indicate the type of package or technical name, any additional description requirements provided in §§172.202, and **172.203** of this sub-chapter must also be shown on the notification".

The provision of 49 CFR §172.203 Additional description requirements.

When a material is offered for transportation as Limited Quantity (LTD QTY) – The words "Limited Quantity" or "LTD QTY" following the basic description must be inserted on the transport document.

**Question 1:** Do we need to insert the word Limited Quantity or LTD QTY in the shipping papers (DGD) if the shipment that was prepared in accordance with Limited Quantity/LTD QTY requirement of ICAO and IATA DGR Manual 56<sup>th</sup> Edition?

**Question 2:** Do we need to include the written information "Limited Quantity or LTD QTY" to the pilot-in-command or NOTOC?

In reference to the Technical Instructions for the Safe Transport of Dangerous Goods by air, the "LTD QTY" information is not required to be shown on the Shipper Declaration (DGD). But under the ICAO Technical Instruction Attachment (A3-1-1) as quote below:

"Where such variations result in more restrictive provisions than those contained in these Instructions, they apply to the transport of dangerous goods by air:

- a) To, from or through all territory subject to the sovereignty of the notifying State by all operators; and
- b) Outside the territory of the notifying State to all operators for whom the notifying State is the State of the Operator

Will the provision of the 49 CFR as reflected in USG-01 applies? Thank you in advance for your reply.

Respectfully yours,

Dennis Franco

Manager DG Compliance/IATA ATS DG Instructor

Air General