



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

APR 18 2017

Mr. John Gaudreau
Entegris
10 Forge Park
Franklin, MA 02038

Reference No. 16-0150

Dear Mr. Gaudreau:

This letter is in response to your September 9, 2016, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the proper hazard classification of a product that you manufacture. You describe the product as being a pleated air filter that contains chemically treated carbon granules that are suspended in a non-woven polymer fiber. In your email, you note that tests conducted in accordance with the United Nations (UN) Manual of Tests and Criteria show that the polymer fiber qualifies for exemption from the HMR if it is transported in packages of not more than 450-liter volume. The chemically treated carbon granule embedded in the filter, however, was assigned to "UN3088, Self-heating solid, organic, n.o.s., 4.2, PG II."

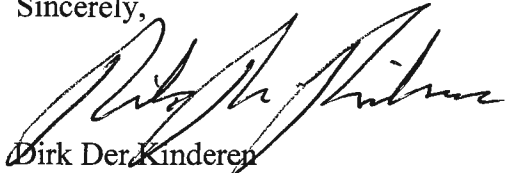
We have paraphrased and answered your questions as follows:

- Q1. You ask for confirmation of your understanding that the product as described is not subject to the requirements of the HMR because the Division 4.2 hazard posed by the carbon granules is negated in the product's final form.
- A1. In accordance with § 173.22 of the HMR, it is the shipper's responsibility to properly classify a hazardous material. This Office generally does not perform this function. However, you may rely on results from tests performed on the product in the form in which it will be offered for transportation rather than the hazard determination for individual components of the product.
- Q2. You ask for confirmation of your understanding that nothing prohibits the use of an overpack of the item you described when contained in packages of 450 liters or less.

A2. Your understanding is correct for the purposes of the HMR. The use of the term “overpack” is associated with shipping a hazardous material. If the shipment is not a hazardous material, it is not subject to the HMR and the method of package consolidation is left to the shipper’s discretion.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Dirk Der Kinderen". The signature is fluid and cursive, with a large initial "D" and "K".

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division

Casey
§ 173.125(c)(2)
Class
16-0150

Dodd, Alice (PHMSA)

From: Rivera, Jordan CTR (PHMSA)
Sent: Tuesday, September 13, 2016 5:22 PM
To: Hazmat Interps
Subject: FW: Entegris AMC Interpretation request

Hi Shante/Alice,

Please submit this as a letter of interpretation. Mr. Gaudreau spoke with Eamonn. Please let me know if this email is a duplicate.

Please let me know if you have any questions.

Thanks,
Jordan

From: John Gaudreau [<mailto:John.Gaudreau@entegris.com>]
Sent: Friday, September 09, 2016 2:25 PM
To: PHMSA HM InfoCenter
Cc: Michael Ryan; Michael Bolko
Subject: Entegris AMC Interpretation request

Dear Director of Hazardous Materials Standards,

I am hoping that you can assist in determining the proper hazard classification of a product. Our situation concerns Class 4.2 testing of our material.

The product being developed is a pleated air filter that contains filter media we manufacture. This media comprises of chemically treated carbon granule material suspended in non-woven polymer fiber. Our filter media was tested for classification as a self-heating material in accordance with §173.125(c)(2) of the Hazardous Materials Regulations (HMR) and Test N.4 of the UN Manual of Tests and Criteria (Section 33.3.1.6). The result was that the material is exempted if transported in packages of not more than 450 liter volume (see Figure 33.3.1.3.3.1 and 33.3.1.6.4.2(c) in the UN Manual of Tests and Criteria). The chemically treated carbon granule material supplied to Entegris, on the other hand, was assigned to packaging group II, UN3088, on the basis of these tests and criteria.

Based on the result achieved on the Entegris filter media, we believe it is appropriate to consider this material, which represents the form of the material as offered for transport, as not subject to the requirements of the HMR for a Division 4.2 material notwithstanding the classification of the coated carbon granule itself because the granular material is, in effect, diluted by the non-hazardous polymer fiber in which it is imbedded within the filter media. We ask that you confirm our understanding in this regard.

Further, we understand that nothing in the HMR prohibits the over-packing of such exempted packages, and request your confirmation of this understanding.

Sincerely,

John Gaudreau

Mgr, Product Design
GMC Franklin Eng - Product Development

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