



U.S. Department of Transportation
**Pipeline and Hazardous Materials
Safety Administration**

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

JAN 15 2010

Mr. Neil M. Canter
Chemical Solutions
1836 Patricia Avenue
Willow Grove, PA 19090

Ref. No. 09-0298

Dear Mr. Canter:

This responds to your December 3, 2009 request for clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if you may ship your windshield washer fluid as a Consumer Commodity, ORM-D material, as authorized under § 173.150.

According to your letter, your product contains between 30-100% of methanol and 1-5% of propylene glycol. The material meets the definition for a Class 3 material and is most appropriately described as "Flammable liquid, n.o.s. (methanol), UN 1993, III."

For purposes of the HMR, a "consumer commodity" is defined as a material that is packaged and distributed in a form intended or suitable for resale through retail sales agencies for individual personal care or household use. If your product is packaged and suitable for retail sale and conforms with the limited quantity provisions in §173.150, you may rename your product "Consumer Commodity" and re-class the product as an ORM-D material.

I hope this answers your inquiry. If you need further assistance, please contact this Office at 202-366-8553.

Sincerely,

Charles E. Betts
Chief, Standards Development
Office of Hazardous Materials Standards

CHEMICAL SOLUTIONS

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Boothe
§173.150
Exceptions
09-0298

December 3, 2009

Mr. Edward T. Mazzullo
Director, Office of Hazardous Materials Standards
US DOT PHMSA
Office of Hazardous Materials Standards
ATTN: PHH-10 East Building
1200 New Jersey Avenue SE
Washington, DC 20590-0001

Dear Mr. Mazzullo:

I am writing on behalf of my client who is developing a new consumer, windshield washer fluid product that contains methanol at a level between 30% and 100%. We are also including propylene glycol at a treat rate between 1% and 5%.

We would like to ship this consumer product by ground with the US and claim ORM-D status. We would also like to classify the product as "Flammable Liquids, n.o.s. (methanol), UN 1993 III and use inner packaging not over 5.0 liters (1.3 gallons) as indicated in 49 CFR 173.150.

We are requesting a letter of interpretation to verify that if we follow these guidelines, then we can ship our consumer windshield washer fluid as a Consumer Commodity utilizing ORM-D status.

If you have any questions, please do not hesitate to contact me at (215) 659-8206.

Thank you for your prompt attention to this matter.

Sincerely,



Neil M. Canter

NMC:jl