



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

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

JUL 28 2010

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

Ref. No. 10-0151

Dear Mr. Canter:

This responds to your July 15, 2010 letter requesting clarification on the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if you may ship a new windshield washer fluid containing methanol between 25% to 30% by volume, with propylene glycol and/or glycerine at a treat rate between 1% and 5%, as a consumer commodity, ORM-D with six gallons per inner packaging instead of the 1.3 gallons authorized in § 173.150.

For flammable liquids in Packing Group III and combustible liquids meeting the requirements of a limited quantity and a consumer commodity, § 173.150 authorizes inner packagings not over 5.0 L (1.3 gallons) capacity each, packed in a strong outer packaging. You may not exceed the quantity limits authorized in the HMR. However, to ship larger quantities, you may apply for a special permit under subpart B of part 107 of the HMR. (See § 107.105)

I hope this answers your inquiry. If you need additional assistance, please contact this office.

Sincerely,

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

CHEMICAL SOLUTIONS

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WILLOW GROVE, PA 19090
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Exceptions
10-0151

July 15, 2010

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 25% and 30% by volume. We are also including propylene glycol and/or glycerine at a treat rate between 1% and 5%.

We would like to ship this consumer product by ground within 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 that is sized at 23.3 liters (6 gallons).

We know that according to 49 CFR 173.150 inner packaging cannot be over 5.0 liters (1.3 gallons) to claim ORM-D status. We are asking for an exemption for larger packaging because we can provide additional benefits from a sustainability perspective. Due to the usage rate, if we can use the 6 gallon packaging, we estimate a reduction in the amount of plastic and paper being used by 474,000 lbs and a reduction in the amount of trucking used by 59,000 truck miles. This will reduce air pollution and also lead to an estimated fuel savings of 9,833 gallons. .

We are requesting a letter of interpretation from you to indicate if we can use 6 gallon packaging and still claim 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,

A handwritten signature in black ink, appearing to read "Neil M. Canter". The signature is fluid and cursive, with the first name "Neil" being the most prominent.

Neil M. Canter

NMC:jl