



U.S. Department
of Transportation

1200 New Jersey Avenue SE
Washington, DC 20590

**Pipeline and Hazardous
Materials Safety
Administration**

JUN 21 2011

Mr. Richard Golden
Marv Golden Pilot Supplies
8690 Aero Drive, Suite 102
San Diego, CA 92123

Ref. No.: 11-0111

Dear Mr. Golden:

This responds to your May 9, 2011 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the shipment of life-saving appliances. In your letter, you state that your company would like to ship twenty pounds or less of "UN2990, Life-saving appliances, self inflating, 9" by ground transportation. You indicate that these materials do not contain any hazardous materials, other than the small carbon dioxide cylinders that are required as part of the life-saving appliance. You specifically ask whether your materials, as described above, are eligible to utilize the exception provided § 173.219(c)(5).

Section 173.219(c)(5) specifies that, for other than transportation by aircraft, life saving appliances containing no hazardous materials other than carbon dioxide cylinders with a capacity not exceeding 100 cm³ are not subject to the provisions of the HMR provided they are overpacked in rigid outer packagings with a maximum gross mass of 40 kg. Therefore, provided your shipment meets all the requirements in § 173.219(c)(5), it would be eligible to utilize this exception.

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

Nickels
§ 173.219
§ 172.101

Drakeford, Carolyn (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Thursday, May 12, 2011 12:48 PM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: Hazmat Information Center Feedback: Shippers-General Requirements for Shipments and Packagings (Sections 173.1 & 173.476)

Cylinders
11-0111

Hi Carolyn,

We received the attached letter at the HMIC. The caller previously spoke with Adam Lucas.

Thanks,
Victoria

Victoria Lehman
Hazmat Information Center (HMIC)
<http://phmsa.dot.gov/hazmat/info-center>
(202) 366-1035

-----Original Message-----

From: PHMSA-Feedback [mailto:PHMSA-Feedback]
Sent: Monday, May 09, 2011 4:17 PM
To: PHMSA HM InfoCenter; PHMSA Webmaster
Subject: Hazmat Information Center Feedback: Shippers-General Requirements for Shipments and Packagings (Sections 173.1 & 173.476) .

I would like to receive a ruling on shipping small quantities under 20 pounds of Inflatable Life Vests via Ground Shipping in the domestic U.S. These technically come under the following classification because they have small CO2 cartridges:

Lifesaving Appliances - Self Inflating UN2990 Class 9

The manufacturer has informed me that via Ground there is no special shipping or HAZMAT requirement at all and they ship these all the time. If they ship via air or in large quantities, it requires HAZMAT handling.

I spoke to a person at the USDOT who cited 49CFR 173.219, specifically c5 and stated that "if the CO2 cylinders themselves are less than 100cm cubed each, and have a rigid outer packaging, with gross mass under 40 kilograms, this would be not be considered Hazmat."

Yet another person at the DOT stated that I would have to have some special shipping papers in the box, but did not indicate what those papers would need to state.

Please advise as to my requirements in these matters. Thank you very much.

Richard Golden
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