



U.S. Department
of Transportation

1200 New Jersey Avenue SE
Washington, DC 20590

**Pipeline and Hazardous
Materials Safety
Administration**

APR 11 2012

Mr. Jerry A. Shipman
Environmental, Safety, and Health Manager
Caterpillar, Inc.
500 N. Morton Ave.
Morton, IL 61550

Reference No.: 12-0039

Dear Mr. Shipman:

This is in response to your January 27, 2012 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) as they pertain to the classification of generators. Specifically you ask if generators powered by diesel fuel or gasoline should be classified as UN 3166 Vehicle Flammable Liquid Powered.

The answer is no. While it is ultimately the responsibility of the shipper to properly classify their hazardous materials shipments in accordance with § 173.22(a)(1), it is the opinion of this office that a generator powered by an internal combustion engine is most appropriately classified as either Engines, internal combustion, flammable gas powered or Engines, internal combustion, flammable liquid powered (both UN 3166).

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

Sincerely,

A handwritten signature in black ink, appearing to read "Delmer Billings".

Delmer Billings
Senior Regulatory Advisor
Standards and Rulemaking Division

Drakeford, Carolyn (PHMSA)

Webb
\$172.101
Proper Shipping Name
12-0039

From: INFOCNTR (PHMSA)
Sent: Monday, January 30, 2012 12:31 PM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: Choosing Correct Shipping Name

Hi Carolyn,

Mr. Shipman requested this e-mail be forwarded as a formal letter of interpretation during his 1/27/12 phone call with Chris Ludwa in the HMIC.

Thanks,
Victoria

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

From: Jerry A. Shipman [mailto:Shipman_Jerry_A@cat.com]
Sent: Wednesday, January 25, 2012 10:07 AM
To: PHMSA HM InfoCenter
Subject: Choosing Correct Shipping Name

I have generators that is powered by diesel fuel and gasoline being shipped by ocean. I know these are considered equipment, but "Equipment, Flammable liquid Powered is not an option. I think these would fall into the UN3166, Vehicle, Flammable Liquid Powered, 9. They have internal combustion engines installed in them therefore can not be considered an engine. I am correct in this statement.

Thank You,

Jerry A. Shipman
Office: (309) 266-3932