



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

JUL 17 1999

Ref. No. 99-0114

Mr. Gregory Albarian
Poly Fiber, Inc.
P.O. Box 3129
Riverside, CA 92519

Dear Mr. Albarian:

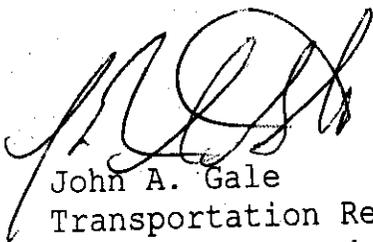
This is in response to your letter dated April 28, 1999, requesting clarification of exceptions for Class 3 and Class 8 materials in §§ 173.150 and 173.154. Specifically you want to know how to ship Class 3 and Class 8 materials as "Consumer commodity, ORM-D."

To ship your product as a Consumer commodity, ORM-D, it must: 1) meet the definition for Consumer commodity; 2) in the packaging section referenced in the Hazardous Materials Table in § 172.101, be allowed a special exception for shipment as an ORM-D, for example § 173.150(c); and 3) be packaged for shipment in accordance with the limited quantity provisions.

In order to be a limited quantity of a Class 3 material in Packing Groups II and III, you would be limited to combination packagings with inner packagings not exceeding 1 liter and 5 liters respectively. In order to be a limited quantity of a Class 8 material in Packing Groups II and III, you would be limited to combination packagings with inner packagings not exceeding 1 liter and 4 liters respectively. Therefore, if your products are suitable for sale in retail outlets as stated in your letter and are packaged as limited quantities in accordance with § 173.150(b) and § 173.154(b), they may be renamed Consumer commodity and reclassified ORM-D.

I hope this satisfies your request.

Sincerely,



John A. Gale
Transportation Regulations Specialist
Office of Hazardous Materials Standards



990114

173.150



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BAIT
§ 173.150
99-0114

April 28, 1999

Dear Mr. Mazzullo,

I have been doing some research on ORM-D shipping. My understanding is according to CFR 49 section 173.150. An ORM-D shipment must meet the requirements of a limited quantity and the definition of ORM-D. Our material is Class 3 and Class 8, Packing Group II and III. We are therefore able to send up to liter containers of the Group II materials and up to 5 liter containers of the Group III materials as long as the packages do not exceed 66 pounds. It is also being shipped to end users or intended and suitable for retail sales.

If you would be so kind, Sir, I would appreciate a response from you on DOT letterhead that I may forward to my Distributors saying these things are accurate. It would enable us to ship small amounts of materials ORM-D.

Thank you for your time and assistance, Sir.

Sincerely,

Gregory Albarian
Operations Manager
Poly-Fiber, Inc.