



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

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

OCT 20 2000

Ref. No. 00-0163

Mr. Ken Johnson
IKI Manufacturing Co., Inc.
116 N. Swift Street
Edgerton, WI 53534

Dear Mr. Johnson:

This is in response to your letter and subsequent telephone conversation with a member of my staff requesting clarification of the requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) for certain compressed gases. Specifically, you ask if your products may be transported under the proper shipping name "Aerosols" and whether they may be renamed "Consumer commodity" and reclassified as ORM-D.

You state that you have three products. Product A contains 90-95% difluoroethane and 5-10% pentane packaged in 13-ounce metal containers. Product B contains 100% 1,1,1,2-tetrafluoroethane in metal containers with capacities from one ounce to eight ounces. Product C contains 68.5% n-butane and 31.5% propane in metal containers with capacities from one ounce to eight ounces.

Your letter contained insufficient information concerning Product A; therefore, we cannot make a determination on whether it meets the definition of an aerosol as provided in § 171.8. Products B and C do not meet the definition for aerosols and, therefore, the proper shipping name "Aerosols" may not be used. However, Products B and C in containers of not more than 4 fluid ounces capacity may be renamed "Consumer commodity" in accordance with § 173.306(a)(1) and (h).



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173.306

With regard to your containers that have a capacity over 4 fluid ounces, you may wish to contact the Research and Special Programs Administration's Office of Exemptions and Approvals. Exemptions are granted on a case-by-case basis to authorize the relief of certain requirements under the HMR. Currently, an exemption, DOT E-10232, authorizes "1,1,1,2-Tetrafluoroethane" to be offered for transportation as "Consumer commodity," ORM-D in accordance with the terms and conditions of the exemption. Procedures for applying for an exemption are set forth in § 107.105 of the HMR. The Office of Exemptions and Approvals may be reached at 202/366-4545.

I hope this information is helpful. Please contact us if you need additional assistance.

Sincerely,

A handwritten signature in cursive script that reads "Hattie L. Mitchell". The signature is written in dark ink and is positioned above the typed name and title.

Hattie L. Mitchell, Chief
Regulatory Review and Reinvention
Office of Hazardous Materials Standards



MANUFACTURING CO., Inc.

116 N. SWIFT STREET • EDGERTON, WISCONSIN 53534
PHONE: 608/884-3411 FAX 608/884-4712

SPECIALIZED CONTRACT
AEROSOL PACKAGING

McIntyre
\$173.306
00-0163

May 24, 2000

Mr Edward T. Mazzullo
Director Of OHMS
US DOT/RSPA (DMH-10)
400 7th Street SW
Washington, DC 20590-0001

Dear Mr. Mazzullo,

I am writing to you concerning a request for clarification of classification for shipment of certain pressurized products from our facility.

Product A consists of 90-95% Difluoroethane and 5-10% n-Pentane packaged in a container with a self closing valve at 13 ounces per container. These containers are further packed into fiberboard boxes as 12 packs for shipping. This product is intended for use as an airbrush propellant.

Product B consists of 100% 1,1,1,2-Tetrafluoroethane in a container with self closing valve with fill weights of 1, 3.5, 6, and 8 ounces. These containers are also further packed into 12 pack fiberboard boxes for shipping.

Product C consists of 31.5% Propane and 68.5% n-Butane in a container with self closing valve with fill weights of 1, 3.5, 6, and 8 ounces also packed in 12 pack fiberboard boxes. This product and product B are intended for use as signal horn propellents.

The question first is whether these products can be classed as aerosols and/or secondly, as such, could they be shipped as consumer commodity (ORM-D)? If not please clarify the proper shipping description for our use and our customer's information.

If I can be of further assistance in this matter I can be reached at IKI Manufacturing at (608) 884-7107.

Sincerely,

Ken Johnson
Ken Johnson, Traffic

cc: Larry Midtbo
Jeff Kronforst

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