



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

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

JAN 22 2003

Ms. Penny L. Guido
YUASA Battery, Inc.
P.O. Box 14715
Reading, PA19612-4715

Reference No.: 02-0301

Dear Ms. Guido:

This is in response to your letter requesting clarification of the limited quantity exception under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You state that you manufacture dry batteries that are shipped with a separate acid pack which is a polyethylene bottle with a volume of 32 ounces or less. One dry battery and an acid pack are packaged in a UN certified packaging, marked "Battery fluid, acid, UN2796." The product is offered for domestic and international transportation. In a subsequent telephone conversation with a member of my staff, you clarified that each acid pack contains less than 0.4 L of acid.

Your questions are paraphrased and answered as follows:

Q1. May our product be offered as a limited quantity under the provisions in § 173.154(b)?

A1. The answer is yes. The limited quantity provisions for Class 8, PG II materials in § 173.154(b)(1) authorize a maximum of 1 L (0.3 gal.) in each inner packaging.

Q2. How are "limited quantities" described on a shipping paper and what are the marking requirements for "limited quantity" packages?

A2. The description for a material offered for transportation as a "limited quantity" must include the words "Limited Quantity" or "Ltd Qty" following the basic description, see § 172.203(b). Packages must be marked with the proper shipping name for the material as shown in the Hazardous Materials Table, see § 172.301(a). The identification number is not required on packages that contain only limited quantities. Under § 172.312, package orientation markings are required on two opposite vertical sides of a non-bulk package containing liquid hazardous materials except when the inner packagings are hermetically sealed.

Q3. May the limited quantity exception be used in international commerce?

A3. Limited quantities may be offered for international transportation by air and by vessel. International air transportation is subject to the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air. See Part 3, Chapter 4, for acceptable dangerous goods (hazardous materials), specific packaging requirements, and



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173.154

quantity limitations. The applicable regulations for limited quantities being transported by vessel are found in the International Maritime Dangerous Goods Code, Volume 2, Chapter 3.4.

I hope this information is helpful.

Sincerely,

A handwritten signature in cursive script that reads "Hattie L. Mitchell".

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



Corbin
§173.154 (b)

Limited Quantity
Exceptions
D2-0301

Mr. Edward Mazzullo
Director of the Office of Hazmat Standards
US DOT/RSPA DHM-10
400 7th St. NW
Washington, DC 20590-0001

November 14, 2002

Dear Mr. Mazzullo:

We would like to know if we could ship our products via ground and/or air under the Limited Quantity Exception. CFR 173.154(b)

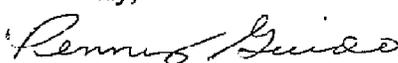
We manufacture dry batteries that weigh less than 15 lbs each and ship them along with a single acid pack. Each acid pack is 32 oz or less in volume. The acid bottle is made of polyethylene and the opening is sealed. The dry battery and the acid pack are packaged in a 200 lb carton and shipped on skids via common carrier to our distributors.

Currently, all our cartons are UN tested and certified. The cartons bear all the proper markings for hazardous class No. 8. Battery fluid, acid, UN2796. Please see attached pictures of how our cartons currently appear.

If we do in fact qualify for the LTD QTY exception, please advise what markings must go on each carton and what verbiage must be on the shipping papers.

In addition to shipping interstate, we also export to Japan and import from Japan, Taiwan, Indonesia, Thailand and China. Would the LTD QTY Exception also apply to how these dry batteries and acid packs in an individual carton appear? Can these countries also use the LTD QTY Exception?

Thank you for your review and consideration. If you have any questions, please feel free to contact me.

Sincerely,

Penny L. Guido
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