



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

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

JAN 23 2003

Mr. Ron Petty  
President  
CNDT, Inc.  
801 Front Street  
Arriba, CO 80804

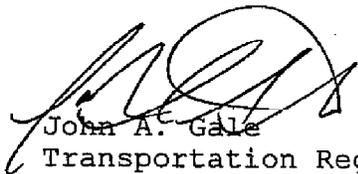
Ref. No. 02-0316

Dear Mr. Petty:

This is in response to your letter dated December 9, 2002 regarding magnetized material shipped by air under the Hazardous Material Regulations (HMR; 49 CFR Parts 171-180). Specifically, you asked whether a material with a magnetic field equal to, or less than, the level specified in § 173.21(d) is subject to labeling or shipping paper requirements when shipped as air cargo.

Section 173.21(d) forbids the carriage by aircraft of any package which has a magnetic field of more than 0.00525 gauss measured at 4.5 meters (15 feet) from any surface of the package. If a magnetic or magnetized material does not meet the definition of any hazard class and is packaged so it does not exceed the threshold in § 173.21(d), it is not subject to the HMR and may be shipped aboard any aircraft. If the material is offered for transportation by air the shipper may need to comply with the International Civil Aviation Organization (ICAO) Technical Instructions for the transportation of dangerous goods by aircraft.

Sincerely,



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



020316

173.21

# CERTIFIED NDT, INC.

801 FRONT STREET  
ARRIBA, COLORADO 80804  
719-768-3464 719-768-6100 FAX  
[www.certifiedndt.com](http://www.certifiedndt.com)

BAH  
§ 173.21(d)  
Packaging  
02-0316

9 December 2002

Edward T. Mazzullo, Director  
Office of Hazardous Materials Standards  
US DOT / RSPA (DHM-10)  
400 Seventh Street SW  
Washington D.C. 20550-0001

Sent via fax  
202-366-3012

Dear Mr. Mazzullo:

Earlier this morning, during a telephone conversation with one of your staff, he suggested that I request an official reply from you concerning the matter described as follows:

We are a company providing nondestructive testing services to the mining, skiing, and petrochemical industries. Some of our components contain magnetized material. However, none of them exceed the limitations as stated in 49 CFR 173.21.d.

The staff representative who responded to my email inquiry affirmed that these components should not be considered hazardous materials, and no special labeling or other documentation is required in order for us to transport these materials by air cargo means.

I am requesting a written response from you with the aforementioned pertinent points expressed.

Thank you very much for your assistance in this matter.

Sincerely,

Ron Petty  
President  
CNDT Inc.