



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

NOV 24 2004

Ms. Kelly V. Camp
Senior Project Manager
ESS Group, Inc.
401 Wampanoag Trail
Suite 400
East Providence, RI 02915

Ref No.: 04-0204

Dear Ms. Camp:

This is in response to your letter dated August 27, 2004 requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you are requesting further clarification of our August 12, 2004 letter addressed to you from Mr. John A. Gale. You ask about the classification, hazard precedence, and packing group of methanol for international transportation when it is mixed with other hazardous and non-hazardous materials. In addition, you ask if a pressure relief device is considered to be a vent for purposes of § 173.24(g).

When shipping methanol internationally the authorized Hazardous Materials Table entry is identified by a plus sign in Column 1. The plus sign indicates that a material is known to pose a risk to humans and the proper shipping name, hazard class and packing group for that entry are fixed without regard to the hazards of the material. If you prepare an international shipment of methanol as a mixture with other hazardous and non-hazardous materials the final product may or may not exhibit the hazards of the original constituents. To make that determination you must first determine the hazards of the material, either through testing in accordance with the hazard class definitions found in Part 173 of the HMR or based on your knowledge of the material. If you find that the hazards to humans are significantly different from that of the pure methanol or that no hazard to humans is posed, the material may be described using an alternative shipping name that represents the hazards posed by the material. In addition, an appropriate alternative proper shipping name and hazard class may be authorized by the Associate Administrator. Based on the information you provided, it is our opinion that the methanol in the mixtures you describe is sufficiently diluted that it poses no toxicity hazard to humans.

When selecting a shipping description for your product you must assign a proper shipping name based on the hazards of the material and the most stringent packing group assigned to those hazards. If the hazards are Division 5.1, PG II and Class 3, PG II then the hazard class and packing group assigned to the material would be Division 5.1, PG II. If the hazards are Division 5.1, PG III and Class 3, PG II then the hazard class and packing group assigned to the material would be Division 5.1, PG II.



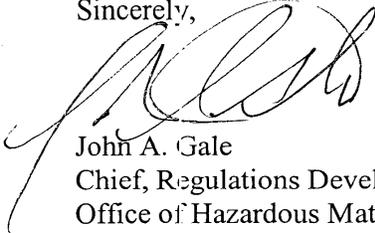
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For purposes of the HMR, the terms "vent" and "pressure relief device" are not considered to be synonymous. Therefore, § 173.24(g) does not apply to pressure relief devices.

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

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Gale". The signature is written in a cursive style with a large, sweeping initial "J".

John A. Gale
Chief, Regulations Development
Office of Hazardous Materials Standards



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August 27, 2004

Mr. John A. Gale
Chief, Standards Development
Office of Hazardous Materials Standards
USDOT/ RSPA
400 Seventh Street, S.W.
Washington, D.C. 20590

**Re: August 12, 2004 Letter
Reference No. 04-0134**

Dear Mr. Gale:

Thank you for your prompt response to my letter dated May 18, 2004. Based on your response, I have several follow-up questions. I have attached copies of my initial letter and your response for reference.

1. ESS Question 1.d. The material being shipped has three hazards: Class 3 PG III, Division 5.1 PG II, and Class 8 PGII. One of the constituents is methanol, which, for international shipments, has a subsidiary hazard of Division 6.1. Does this affect the precedence of hazard or the shipping description (Oxidizing liquid, corrosive, n.o.s., (hydrogen peroxide, methanol), 5.1 (8), UN3098, PGII) for international shipments?
2. ESS Question 2.c. The material being shipped has two hazards: Class 3 and Division 5.1. One of the constituents is methanol, which, for international shipments, has a subsidiary hazard of Division 6.1. You indicated in A2. that "Oxidizing liquid, n.o.s., UN3139" is an appropriate shipping name for domestic and international shipping. For international shipping, will Division 6.1 have to be identified in the shipping description?
3. RSPA response A2. RSPA determined that "Oxidizing liquid, n.o.s., UN3139" is an appropriate shipping name for domestic and international shipping. What packing group would be assigned to the material?
4. 49 CFR 173.24(g) only allows venting under certain circumstances and does not allow venting when shipping on aircraft. Is a container with a pressure relief valve considered vented?

Thank you again for your help. Please call me if you have any questions.

Sincerely,

ESS GROUP, INC.


Kelly M. Camp CHMM
Senior Project Manager

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