



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

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

JUL 18 2001

Mr. Steven Hunt  
President  
ShipMate, Inc.  
18436 Hawthorne Blvd., Suite 201  
Torrance, CA 90504

Ref. No. 01-0145

Dear Mr. Hunt:

This responds to your May 29, 2001 letter requesting clarification of the requirements for the shipment of a battery electrolyte refill unit under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) and the International Maritime Dangerous Goods (IMDG) Code. Specifically, you ask whether the battery electrolyte refill unit may be shipped under the limited quantity provisions in § 173.154(b)(1) of the HMR and Amendment 30-00 of the IMDG Code.

According to your letter and enclosed sketch, the battery electrolyte refill unit consists of a single molded plastic device having two independent reservoirs of equal volumes not exceeding 465 ml each. The two reservoirs each contain three "cells," having a volume of 155 ml each, that are in communication with one another. The single molded plastic device is hermetically sealed with a plastic bag and then placed into a UN 4G box. You ask whether each independent reservoir is considered to be an "inner packaging" as defined in § 171.8 of the HMR.

The answer is yes. Consistent with § 171.8, each independent reservoir of the refill unit is a separate inner packaging. Thus, a battery electrolyte refill unit as described in your letter may be shipped as a limited quantity under Amendment 30-00 of the IMDG Code and § 173.154(b)(1) of the HMR. Amendment 30-00 of the IMDG Code limits the maximum quantity of each receptacle to 500 ml; the limited quantity provisions in § 173.154(b)(1) of the HMR authorize a maximum of 1 liter in each inner packaging.

I hope this answers your inquiry.

Sincerely,

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



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May 29, 2001

Mr. Edward T. Mazullo  
Director, Office of Hazardous Materials Standards  
Research and Special Programs Administration (DHM-10)  
U.S. Department of Transportation  
400 Seventh Street, SW  
Washington, DC 20590-0001

Boothe  
§ 173.154(b)  
Limited Quantity  
01-0145

Subj: Request for Interpretation: Limited Quantities

Dear Mr. Mazullo:

This request for interpretation is submitted by Steven Charles Hunt, ShipMate, Inc., for and on behalf of the Petitioner, American Honda Motor Company, 1919 Torrance Blvd., Torrance, CA 90501-2746, phone: 310-783-2883.

American Honda distributes a battery electrolyte refill unit consisting of a single molded plastic device having two independent reservoirs, of equal volumes not exceeding 465 ml each. The two reservoirs each contain three "cells" having a volume of 155 ml each but which are in communication with one another. Currently, the single molded plastic device is hermetically sealed within a plastic bag and then placed into a UN 4G box. I have enclosed a sketch of the packaging as well as photographs.

It is my opinion that the each independent reservoir is considered to be an "inner packaging" as defined in 49 CFR §171.8. Accordingly, the battery electrolyte refill unit would then meet the limited quantity provisions of the International Maritime Dangerous Goods (IMDG) Code, Amendment 30-00 that limits the maximum quantity of each receptacle to 500 ml. Please note that the provisions of the IMDG Code are more conservative than 49 CFR §173.154(b)(1), which authorizes inner packagings having a volume not exceeding 1 liter.

Accordingly, the Petitioner respectfully requests your written interpretation in this matter. I researched the Docket Management System and found a letter (Ref. No. 99-0198), a copy of which is enclosed, that supports my interpretation. However, the enclosed letter refers to the small quantity exceptions in 49 CFR §173.4 but not the limited quantity provisions. Arguably, the same interpretation would apply for limited quantities.

Your assistance in this matter would be most greatly appreciated. If I may be of assistance in any way, please call.

Respectfully,

  
Steven Charles Hunt  
ShipMate, Inc.

cc: Mr. John Dho, American Honda Motor Company  
enclosures



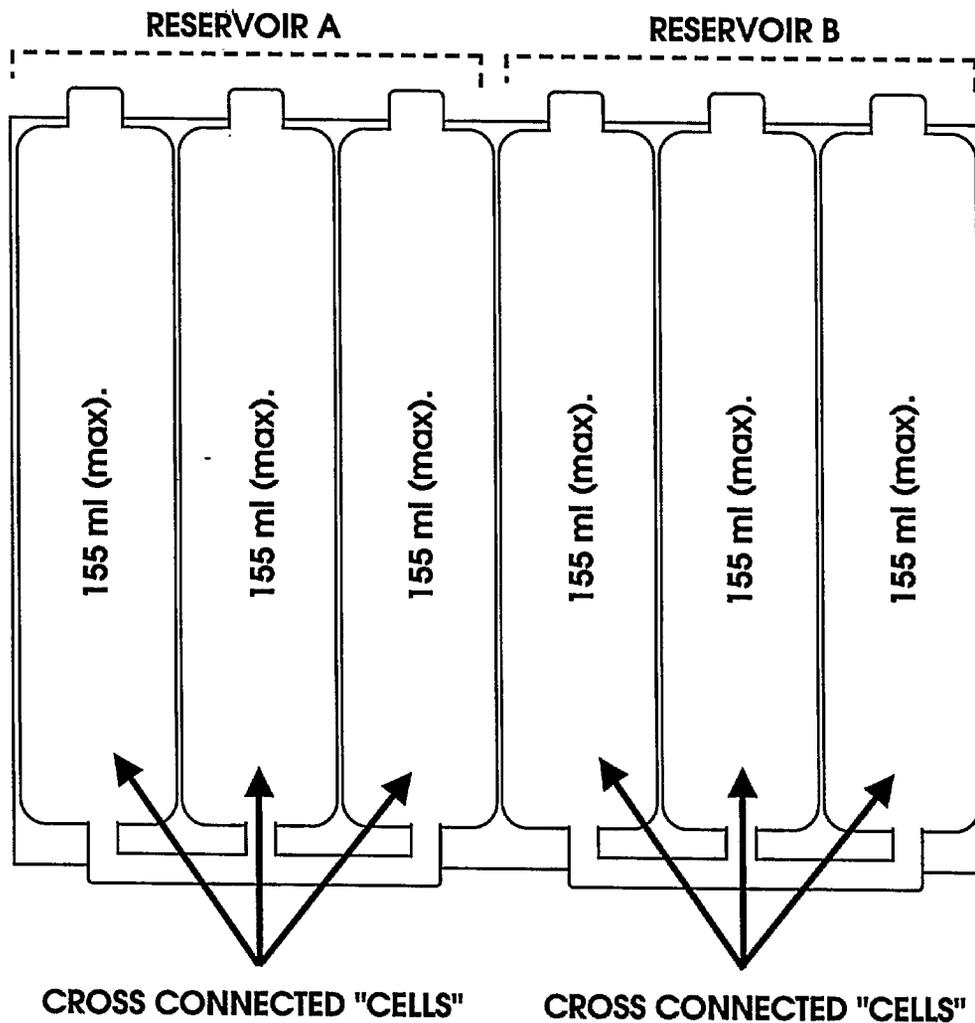
Steven Charles Hunt  
President

**ShipMate**

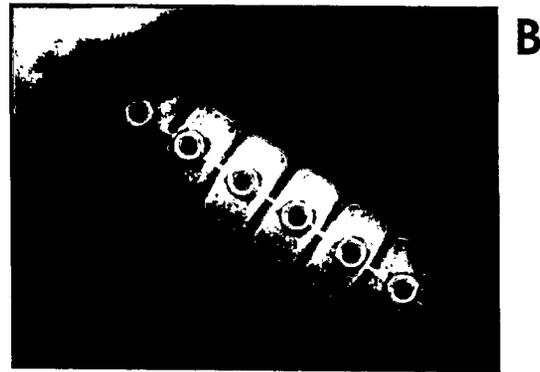
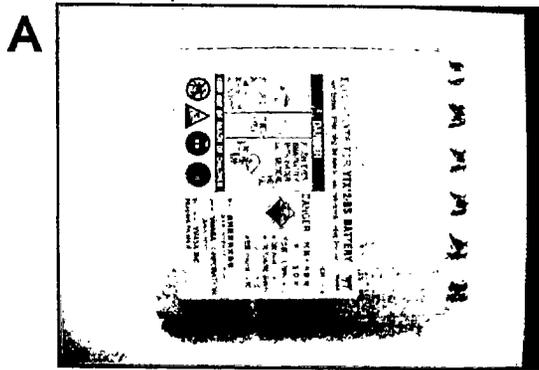
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**Sketch of Battery Electrolyte Refill Unit**



Photographs



- A** GENERAL VIEW - SINGLE MOLDED PIECE HAVING 2 RESERVOIRS & 6 CELLS
- B** TOP VIEW - TWO INDEPENDENT RESERVOIRS
- C** END VIEW - CLOSE UP OF BOTTOM OR RESERVOIR B
- D** END VIEW - TWO INDEPENDENT RESERVOIRS EACH X-CONNECTED TO 3 CELLS