



U.S. Department
of Transportation

Pipeline and Hazardous Materials
Safety Administration

1200 New Jersey Ave., SE
Washington, DC 20590

JAN 30 2009

Mr. Bill Youngs
Director of Compliance
North American Services Group
1240 Saratoga Road
Ballston Spa, New York 12020

Ref. No. 08-0152

Dear Mr. Youngs:

This responds to your letter requesting clarification of shipping paper requirements for explosives under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether the quantity of a package containing “Cord, detonating, 1.4D, UN0289” is to be indicated on a shipping paper as the gross mass of the package or the net explosive mass of the detonating cord under the packaging exceptions for explosive articles in § 173.63(a).

The exception found in § 173.63(a) applies to “Cord, detonating, 1.1D, UN0065.” Provided the conditions in § 173.63(a) are met, as applicable, such material may be offered and transported domestically as “Cord, detonating, 1.4D, UN0289.” One applicable condition requires that the aggregate gross weight of all packages containing the reclassified detonating cord not exceed 45 kg (99 pounds) per conveyance specified. Although this value is not required to be indicated on a shipping paper, the package gross mass must be determined and not exceeded in order to utilize the exceptions for detonating cord under § 173.63(a).

As specified in § 172.202(a)(5)(i) for Class 1 materials, the quantity entered on a shipping paper for an explosive material that is also an article may be expressed in terms of the net mass of either the article or the explosive materials contained in the article. You state in your letter the net explosive mass of the article (detonating cord) is known and is marked on the exterior of the package by the manufacturer. You also state in your letter the net explosive mass of a partial roll of detonating cord can be determined by measuring its length.

Additionally, prior to using the exceptions for detonating cord in § 173.63(a), it must be determined that the detonating cord contains no more than 6.5 grams of explosive per 30 centimeter length. Thus, it is this calculated value that should be the quantity of material indicated on the shipping paper under § 172.202(a)(5)(i).

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hattie L. Mitchell', with a long horizontal flourish extending to the right.

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



Stevens
\$ 172.202
\$ 173.63
Shipping Papers
5-19-08 08-0152

Office of Hazardous Materials Standards, PHMSA
Attn: PHH-10, U.S. Dept. of Transportation-East Building
1200 New Jersey Avenue, SE
Washington, DC 20590-0001

To Whom It May Concern:

We are looking for an interpretation of what value in weight we should place on our bill of lading (shipping paper) when transporting cord, detonating (UN 0289), 1.4D. We are utilizing the packaging exception (173.63) where the product **gross weight** is a critical criteria of meeting the conditions of this exception. There is no marking (label) on the package indicating the **gross weight** of the product as it received from the manufacturer. This is true with at least two (2) manufactures. The package label does indicate NEQ (net explosives quantity) or NEW (net explosives weight) which does not meet the condition of the exception.

The questions are:

- What weight should we utilize on our Bill Of Lading? The NEQ or a guessed gross weight? The requirement of providing the gross weight, including all packaging by the 173.63 package exception appears to be difficult to provide accurately.
- What weight should we utilize when partial rolls of cord, detonating (UN 0289), 1.4D are transported in a package that is labeled with an NEQ, and a package of unknown weight?

The weight of the cord, detonating could be determined by proportioning the NEQ based on the labeled length in feet of each roll in the package.

We are in a dilemma, if we utilize the NEQ we are not in compliance, and if we guess (no reliable field measuring device) the gross weight we are not in compliance with the exception.

If further information is required to answer this question please contact myself.

Sincerely,

Bill Youngs
Director of Compliance
NorthAmerican Services Group

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