



U.S. Department  
of Transportation

Pipeline and Hazardous  
Materials Safety  
Administration

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

JUN 28 2013

Mr. Andrew Walleck  
[REDACTED]  
[REDACTED]  
[REDACTED]

Ref. No. 13-0063

Dear Mr. Walleck:

This responds to your March 25, 2013 email requesting clarification on the limited quantity exceptions for air transport under the Hazardous Materials Regulations, (HMR; 49 CFR Parts 171-180). Specifically, you request clarification on quantity limitations specified in Table 3 of § 173.27(f)(3).

Unless otherwise specified in the HMR, when a limited quantity of hazardous material packaged in a combination packaging is intended for transportation aboard an aircraft, the inner and outer packagings must conform to the quantity limitations set forth in Table 3 of § 173.27(f)(3). Column five of the table lists authorized materials that are not specifically mentioned in the first four columns, including UN3334. You request clarification on the quantity limitations for UN 3334. Your questions are paraphrased and answered as follows:

Q1. Does the maximum authorized net quantity of each outer package up to 30 kg gross weight for "all other authorized Class 9 material" specified in column four of Table 3 in § 173.27(f)(3) include UN 3334?

A1. Yes. The 30 kg gross weight for "all other authorized Class 9 material" does include UN3334.

Q2. Are there any inner packaging limits for UN3334 that a shipper should be aware of?

A2. Yes. The maximum authorized net quantity of each inner packaging for UN3334 is 5.0 L for liquids. Although, this is not indicated in Table 3 in § 173.27(f)(3), the intention was to include UN3334. This will be addressed in a future rulemaking.

I hope this answers your inquiry. If you need additional assistance, please contact this office at 202-366-8553.

Sincerely,

Robert Benedict  
Chief, Standards Development Branch  
Standards and Rulemaking Division

Drakeford, Carolyn (PHMSA)

Boothe  
§173.27  
Limited Quantity Exceptions

From: INFOCNTR (PHMSA)  
Sent: Monday, March 25, 2013 2:43 PM  
To: Drakeford, Carolyn (PHMSA)  
Subject: FW: Requesting letter responding to question on Table 3 from section 173.27

13-0063

Hi Carolyn,

This caller requested his letter of interpretation be submitted as a letter of interpretation. Note: We spoke with Michael Stevens about this issue, and he indicated that the lack of inner packaging quantity limits may have been an inadvertent oversight in the HM-215K clarification rulemaking (published December 30, 2011) where UN3334 was added to Table 3 of section 173.27, and it should be corrected in a future rulemaking.

Thanks,  
Victoria

From: Andrew Walleck [REDACTED]  
Sent: Thursday, March 21, 2013 1:42 PM  
To: INFOCNTR (PHMSA)  
Subject: Requesting letter responding to question on Table 3 from section 173.27

I would like some clarification on the Limited Quantity exception by aircraft for certain materials described in section 173.27 of 49CFR.

The table describes exceptions for maximum quantities of Hazard Class 9 materials in inner and outer packaging (screenshot below) that specifies limits by UN number. The table mentions inner packaging limits in the second and third columns for UN numbers 3316, 1941, 1990, 3082, 2071, and 3077.

§ 173.28 49 CFR Ch. I (10-1-12 Edition)

TABLE 3—MAXIMUM NET QUANTITY OF EACH INNER AND OUTER PACKAGING FOR MATERIALS AUTHORIZED FOR TRANSPORTATION AS LIMITED QUANTITY BY AIRCRAFT—Continued

Hazard class or division	Maximum authorized net quantity of each inner packaging		Maximum authorized net quantity of each outer package	Notes
	Glass, earthenware or fiber inner packagings	Metal or plastic inner packagings		
Class 9 liquid material:	30 mL (UN3316); 5.0L (UN1941, UN1990, UN3082).	30 mL (UN3316); 5.0L (UN1941, UN1990, UN3082).	1 kg (UN3316); 30 kg gross (all other authorized Class 9 material).	Authorized materials: UN1941, UN1990, UN2071, UN3077, UN3082, UN3334, and UN3335. Additionally, Consumer commodity (DB000) in accordance with §173.167 of this part and Chemical kit or First aid kit (UN3316) in accordance with §173.161 of this part are authorized.
Class 9 solid material:	100 g (UN3316); 5.0 kg (UN2071, UN3077).	100 g (UN3316); 5.0 kg (UN2071, UN3077).	1 kg (UN3316); 30 kg gross (all other authorized Class 9 material).	

In the Notes column to the right, the table lists Authorized materials that are not mentioned specifically in the first three columns, including UN3334 and UN3335. My question is about UN3334.

Does the maximum authorized net quantity of each outer package up to 30kg gross weight for "all other authorized Class 9 material" include UN3334? And, are there any inner packaging limits for this material that a shipper should be aware of? I ask for clarification for two reasons:

- That UN number has a proper shipping name of "Aviation Regulated Liquid n.o.s.", which makes me skeptical of such a high limit of 30 kilos.
- In my limited experience, I have never seen the HMR describe a Limited Quantity within the scope of an *outer* packaging, as opposed to an *inner* packaging.

Lastly, assuming that my interpretation is somewhat correct regarding the outer packaging limits, I request any context or information you could give on why this particular UN number is regulated by outer packaging instead of inner packaging.

Please redact my email address in your published response.

I had a telephone conversation with Adam from the Info Center, who recommended that I request an interpretation on 3/21/13.

Many thanks,

Andrew