



U.S. Department
of Transportation

Pipeline and Hazardous
Materials Safety
Administration

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

OCT 02 2015

Ms. Peggy Haase
Green Environmental Consulting
2822 Grants River Circle
Sugar Land, TX 77479

Ref. No. 15-0130

Dear Ms. Haase:

This responds to your June 23, 2015 request for clarification pertaining to combustible liquid material under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether "UN1223, Kerosene" with a flash point of 150 °F must be classified as a "Combustible liquid," or whether the more stringent flammable liquid class may be used.

Based on the information you provided, the material must be classified as a Combustible liquid. Flammable and combustible liquids must be classed and described according to defining criteria in § 173.120 and the shipper's knowledge of the material (See § 173.22). Therefore, if the material meets the definition of a combustible liquid in § 173.120, it must be classed and described as such. If the flash point of your material is greater than 140 °F but less than 200 °F, and the material does not meet the definition of any other hazard class, it must be classed as a combustible liquid for domestic transportation. Furthermore, § 172.101(d)(4) requires that each reference to a Class 3 material is modified to read "Combustible liquid" when that material is reclassified in accordance with § 173.150(e) or (f) or has a flash point above 60 °C (140 °F) but below 93 °C (200 °F).

I hope this satisfies your request.

Sincerely,

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

Goodall, Shante CTR (PHMSA)

Lehman
173.120
CLASS B Definition
15-0130

From: Geller, Shelby CTR (PHMSA)
Sent: Wednesday, June 24, 2015 4:32 PM
To: Hazmat Interps
Subject: FW: Interpretation Request

Hi Shante and Alice,

Please see the request below for a formal letter of interpretation. Ms Haase spoke with both Adam Lucas and Jordan Rivera. Below is her mailing address:

2822 Grants River Circle
Sugar Land, TX 77479

Thanks,
Shelby

From: phaase [<mailto:phaase@green-envi.com>]
Sent: Tuesday, June 23, 2015 3:41 PM
To: PHMSA HM InfoCenter
Subject: Interpretation Request

I understand that if a Kerosene product has a flash point of 150 F, UN 1223 should still be used, but the hazard class can be changed from "3" to "Combustible". My question is whether or not it is acceptable to leave the hazard class as "3".

Thank you,
Peggy Haase
GREEN Environmental Consulting
832-515-3452