



U.S. Department of Transportation
Pipeline and Hazardous Materials
Safety Administration

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

MAY 28 2010

Mr. George Jantzen
US Dynamics Corporation
425 Bayview Avenue
Amityville, New York 11758

Ref. No. 10-0087

Dear Mr. Jantzen:

This responds to your April 9, 2010 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You state that your company purchases a small explosive device from your supplier. It comes with the suppliers approval number (i.e., EX-number). Your company then installs the unaltered part into a gyroscope prior to shipment. Specifically, you ask if you must apply for a separate explosive approval number (i.e., EX-number) for the assembled gyroscope even though you have not altered the explosive component in any way.

The answer is yes. By installing a previously approved explosive device into a new article, you have altered the design. As a result, the proper shipping name and class may no longer be appropriate, depending on how the explosive device is installed, the overall size and the packaging. Thus, the article is a *new explosive* as defined in § 173.56(a) and must be examined, classed, and approved in accordance with § 173.56.

I hope this information is helpful. If you have further questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles E. Betts".

Charles E. Betts
Chief, Standards Development
Office of Hazardous Materials Standards

Eichenlaub
\$173.50
Explosives

Drakeford, Carolyn (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Friday, April 09, 2010 9:58 AM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: Hazmat Information Center Feedback: Hazardous Materials Table, Special Provisions, Hazardous Materials Communications

10-0087

Carolyn,
This Gentleman would like an official written request of interpretation.
Thanks,
Rob

-----Original Message-----

From: PHMSA-Feedback [mailto:PHMSA-Feedback]
Sent: Friday, April 09, 2010 8:19 AM
To: PHMSA HM InfoCenter; PHMSA Webmaster
Subject: Hazmat Information Center Feedback: Hazardous Materials Table, Special Provisions, Hazardous Materials Communications

Completed via phone by VL on 4/9 @ 9:30 left vm

WE US DYNAMICS CORPORATION PURCHASE A SMALL EXPLOSIVE DEVICE FROM EAGLE PICHER OUR SUPPLIER. IT COMES WITH THE SUPPLIERS EX NUMBER. EE DO NOT ALTER THIS PART IN ANY WAY. WE INSTALL IT IN OUR ASSEMBLY AND SEND THE GYROSCOPE TO RAYTHEON . I HAVE CALLED NUMEROUS TIMES AND HAVE BEEN ON QUITE A FEW HAZMAT WEBSITES AS WELL AS TALKED TO YOUR HAZMAT PEOPLE. MY QUESTION AND FROM WHAT I AM TOLD IS WE DO NOT ALTER THS PART IN ANY WAY HOWEVER WE ASSEMBLE IT IN OUR ASSEMBLY AND SHIP IT UNDER OUR PART NUMBER. DO WE US DYNAMICS NEED OUR OWN EX NUMBER IF WE ARE NOT ALTERING THIS PART IN ANY WAY? IF WE DO HOW DO I GO ABOUT GETTING THIS DONE?THANK YOU

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