



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

MAR 30 2012

Ms. Laura Hamilton
Supervisor, Logistics
Winchester Ammunition
600 Powder Mill Road
East Alton, IL 62024-1273

Ref. No. 12-0035

Dear Ms. Hamilton:

This responds to your January 27, 2012 letter regarding the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if a shipping paper is required for a limited quantity shipment of cartridges, small arms.

On January 19, 2011 a final rule (HM-215K; 76 FR 3308) was published to align the HMR with revisions to international standards for the transport of hazardous materials by all modes. Included in these revisions were changes made to the shipping paper requirements for limited quantity shipments. Section 172.200(b) was revised to except limited quantity shipments of hazardous materials by rail and highway from the shipping paper requirements. Therefore, no shipping paper is required for limited quantity shipments by rail or highway. Limited quantity shipments by air and vessel must still be accompanied by a shipping paper with the basic description followed by the term "Limited Quantity" or "LTD QTY," unless the shipping paper is prepared in accordance with an authorized international standard such as the ICAO TI, which does not require such an indication.

I hope this answers your inquiry. If you have further questions, please contact this office.

Sincerely,

Ben Supko
Acting Chief, Standards Development Branch
Standards and Rulemaking Division



Winters
§ 172-200
§ 172-203
Shipping Papers
12-0035

January 27, 2012

Mr. Charles E. Betts
Director, Standards and Rulemaking Division
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590

Dear Mr. Betts:

This letter is to seek clarification regarding shipping paper requirements for the shipment of limited quantities. Olin Winchester currently offers Cartridges, small arms for shipment as a limited quantity. We adhere to the shipping paper requirement 49 CFR 172.203 (b) which reads,

"The description for a material offered for transportation as "limited quantity," as authorized by this subchapter, must include the words "Limited Quantity" or "Ltd Qty" following the basic description."

However, I would like advice on the necessity of preparing the shipping paper in this manner as 49 CFR 172.200 (b) (3) indicates this is not required.

49 CFR 172.200 (b) reads "This subpart does not apply to any material, other than a hazardous substance, hazardous waste or marine pollutant, that is—" (3) "A limited quantity package unless the material is offered or intended for transportation by air or vessel and, until December 31, 2013, a package of ORM-D material authorized by this subchapter in effect on October 1, 2010 when offered for transportation by highway or rail."

All training courses I have attended to date have suggested the need to complete the shipping paper with the basic description followed by the "Ltd Qty" and for this reason I hereby request a formal interpretation that indicates the appropriate shipping paper requirement.

Thank you in advance for clarification to this matter.

Sincerely,

Laura Hamilton
Supervisor, Logistics