



U.S. Department
of Transportation

1200 New Jersey Avenue SE
Washington, DC 20590

**Pipeline and Hazardous
Materials Safety
Administration**

OCT 19 2012

Mr. John A Desharnais
103 South St.
Tewksbury, MA 01876

Ref No.: 12-0223

Dear Mr. Desharnais:

This is a response to your August 25, 2012 letter regarding the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 100-185) to "Carbon dioxide, solid or Dry ice, class 9, UN1845" when transported by highway. Specifically, you note the symbols "A" and "W" in column 1 of the Hazardous Materials table (HMT; § 172.101) for "Carbon dioxide, solid or Dry ice, class 9, UN1845" and ask if dry ice must comply with the shipping paper requirements specified in § 172.202 when transported by highway.

The answer to your question is no. As described in §§ 172.101(b)(2) and (b)(6) an "A" symbol in column 1 of the HMT denotes a material that is subject to the requirements of this subchapter only when offered or intended for transportation by aircraft, unless the material is a hazardous substance or a hazardous waste while a "W" symbol in column 1 of the HMT denotes a material that is subject to the requirements of this subchapter only when offered or intended for transportation by vessel, unless the material is a hazardous substance or a hazardous waste. Therefore, unless the "Carbon dioxide, solid or Dry ice, class 9, UN1845" is a hazardous substance or hazardous waste it is not subject to the HMR when transported by highway.

I hope this information is helpful. If you have any more questions, please do not hesitate to contact this office.

Sincerely,

Robert Benedict
Chief, Standards Development
Standards and Rulemaking Division

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§172.101
Applicability
12-0223

Mr. Charles Bates
Director, Standards and Rule Making Division
US DOT
1200 New Jersey Avenue
Washington DC 20590

August 25, 2012

Dear Mr. Bates;

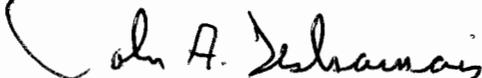
I am a tractor trailer driver and am trying to obtain the correct classification for carbon dioxide, solid or dry ice. I believe that this is a hazardous material and should be handled as such when it come to the domestic transportation via tractor trailer.

This item is listed on the table of hazardous materials as a class 9 hazard, the table also has an (A,W) listen in column 1. As I understand subpart B of regulation 172.101 the presence of the A and W symbol in column 1 puts additional requirements on the transportation of the item by air and on a vessel. As the symbols are being explained there is a part of the explanation the states, "unless the material is a hazardous substance or a hazardous waste.

Should carbon dioxide, solid or dry ice UN 1845 comply with all hazardous material regulations as it pertains to shipping papers and documentation.

Thank you for your assistance with this.

Respectfully;



John Desharnais