



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

DEC 15 2016

Ms. Caron Anderson
Tower Products, Inc.
2703 Freemansburg Ave
Easton, PA 18045

Reference No. 16-0149

Dear Ms. Anderson:

This letter is in response to your September 1, 2016, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the shipment of non-bulk combustible materials. You include in your letter a product label that shows the United Nations (UN) Number on the package and a shipping paper that references the product being a combustible liquid. Specifically, you ask if the label and shipping paper presented in your letter are permissible while still taking the exception in § 173.150(f).

The answer is yes. A person shipping a product excepted under the HMR's combustible liquid provisions may still mark the package so long as it is representative of the material or product being shipped. In your case, a material classified as a combustible liquid in a non-bulk packaging that is not a hazardous substance, hazardous waste, or a marine pollutant is excepted from the HMR (§ 173.150(f)(2)). Notwithstanding this exception, the shipper may still mark the package in accordance with Part 172, Subpart D and reference on the shipping paper that the material is a combustible liquid.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

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