

# Transportation/Hazardous Materials: Pipeline and Hazardous Materials Safety Administration Interpretive Letter Addressing Refrigeration Device



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12/28/2022

The United States Department of Transportation Pipeline and Hazardous Materials Safety Administration ("PHMSA") addressed in an October 13th letter the application of the Hazardous Materials Regulations ("HMR") to a refrigeration device. See Reference No. 22-0010.

PHMSA was responding to a request for clarification from CryoLogistics Refrigeration Technologies Limited ("Cryo").

Cryo was requesting a clarification regarding a device stated to be:

. . . constructed with four gas cylinders manifolded together – with each cylinder containing 50 pounds of carbon dioxide (CO<sub>2</sub>) (i.e., total capacity of 200 pounds – used to support the refrigerating function of the device.)

Cryo also indicated that after the use of the liquid CO<sub>2</sub> it is vented in small amounts. The company further notes:

- This is similar to a dry ice cooling device
- It is not an asphyxiant under normal conditions

The question posed by Cryo was whether the refrigeration device, if used during ground and air transportation to maintain temperature-controlled products inside the device (referencing food and pharmaceuticals) is subject to the HMR.

PHMSA responds that the refrigeration device is subject to the HMR. HMR is stated to not provide a full exemption for regulation for such refrigeration devices. The suggestion is provided that Cryo consider applying for a special permit for transportation of such refrigeration devices. See 49 C.F.R. Part 107, Subpart B.

A copy of the October 13th letter can be downloaded [here](#).