

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



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The Pipeline and Hazardous Materials Administration (“PHMSA”) addressed in an October 9th interpretive letter the application of federal Hazardous Materials Regulations (“HMR”) to limited quantities of compressed gas and how it relates to aerosols.

PHMSA was responding to a request from The Sterno Group describing a:

...fuel canister—filled with butane (UN2037)—that is used with a portable butane stove, in which the gas is dispersed from the container into the ignition system of the stove.

The Sterno Group stated that the canister is a non-refillable container (BDOT-2P) with a fill volume of eight fluid ounces, and it is equipped with a pressure relief system. It asked whether the container meets the definition of an aerosol in § 171.8.

PHMSA responds in the negative, stating that in accordance with § 171.8, an aerosol is defined as an article consisting of any non-refillable receptacle containing a gas compressed, liquefied, or dissolved under pressure, the sole purpose of which is to expel a nonpoisonous (other than a Division 6.1 Packing Group III material) liquid, paste, or powder, and fitted with a self-closing release device allowing the contents to be ejected by the gas. The response states that a liquefied compressed gas packaged without a liquid, paste, or powder to expel does not meet the definition of an aerosol.

The Sterno Group also asked if the container meets the definition of aerosol in considering all of their information provided, whether the container would meet the requirements to transport as a limited quantity according to § 173.306(a)(3).

PHMSA states in the negative, indicating to see the answer above.

The Sterno Group also asks whether the packaging described meets any other exceptions under § 173.306 to be transported as a limited quantity of compressed gas.

PHMSA states in the negative, that § 173.306(a)(1) provides limited quantity exception and is not restricted to only aerosols. It also indicates that packaged according to your description, the fuel canister exceeds the four fluid ounce capacity limitation found in § 173.306(a)(1). It further states that all other limited quantity provisions in § 173.306 are restricted to specific materials and articles (e.g., food stuffs, refrigerating machines, accumulators, etc.), none of which are applicable to the container and its contents as described.

A copy of the interpretive letter can be downloaded [here](#).