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Transportation/Hazardous Materials; Pipeline and Hazardous Materials Safety Administration Interpretive Letter Addressing Combustible Liquid Provisions

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The Pipeline and Hazardous Materials Safety Administration (“PHMSA”) issued a January 10th interpretive Letter addressing the application of the Federal Hazardous Materials Regulations (“HMR”) to the combustible liquid provisions.

PHMSA was responding to a September 19, 2024 email from AdvanSix Inc. (“AdvanSix”).

AdvanSix asked whether:

...Non-bulk, bulk and reportable quantities or (“UN 1915, Cyclohexanone, 3, PG, III) that meet the reclassification requirements for combustible liquid would qualify for certain combustible liquid exceptions under ~173.150(f).

PHMSA states that if UN1915, Cyclohexanone,3,PG,III is properly classified as a combustible liquid, shipped in non-bulk packaging, and does not meet the definition of a hazardous substance, hazardous waste, or marine pollutant, the exceptions in ~173.150 (f)(2) apply when transported by highway or rail. In other words, the requirements in the HMR do not apply.

A caveat is noted which states:

...However, if UN1915, Cyclohexanone, 3, PG III is properly reclassified as a combustible liquid and is shipped in bulk packaging or meets the definition of hazardous substance, hazardous waste, or marine pollutant, the provisions in ~173.150(f)(3) apply when shipped by highway or rail – which provide limited exceptions while maintaining certain requirements including, but not limited to, shipping papers, marking or packages, and placarding when applicable.

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