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(3) A combustible liquid that is in a bulk packaging or a combustible liquid that is a hazardous substance, a hazardous waste, or a marine pollutant is not subject to the requirements of this subchapter except those pertaining to:

(i) Shipping papers, waybills, switching orders, and hazardous waste manifests;

(ii) Marking of packages;

(iii) Display of identification numbers on bulk packages;

(iv) For bulk packagings only, placarding requirements of subpart F of part 172 of this subchapter;

(v) Carriage aboard aircraft and vessels (for packaging requirements for transport by vessel, see §176.340 of this subchapter);

(vi) Reporting incidents as prescribed by §§171.15 and 171.16 of this subchapter;

(vii) Packaging requirements of subpart B of this part and, in addition, non-bulk packagings must conform with requirements of §173.203;

(viii) The requirements of §§173.1, 173.21, 173.24, 173.24a, 173.24b, 174.1, 177.804, 177.817, 177.834(j), and 177.837(d) of this subchapter;

(ix) The training requirements of subpart H of part 172 of this subchapter.

(x) Emergency response information requirements of subpart G of part 172.

(4) A combustible liquid that is not a hazardous substance, a hazardous waste, or a marine pollutant is not subject to the requirements of this subchapter if it is a mixture of one or more components that—

(i) Has a flash point at or above 93 °C (200 °F),

(ii) Comprises at least 99 percent of the volume of the mixture, and

(iii) Is not offered for transportation or transported as a liquid at a temperature at or above its flash point.

[Amdt. 173–224, 55 FR 52634, Dec. 21, 1990]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §173.150, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

§173.151 Exceptions for Class 4.

(a) *General.* Exceptions for hazardous materials shipments in the following paragraphs are permitted only if this section is referenced for the specific hazardous material in the §172.101 table of this subchapter.

(b) *Limited quantities of Division 4.1.* (1) Limited quantities of flammable solids (Division 4.1) in Packing Groups II and III and, where authorized by this section, charcoal briquettes (Division 4.2) in Packing Group III, are excepted from labeling requirements, unless the material is offered for transportation or transported by aircraft, and are excepted from the specification packaging requirements of this subchapter when packaged in combination packagings according to this paragraph. For transportation by aircraft, the package must also conform to applicable requirements of §173.27 of this part (*e.g.*, authorized materials, inner packaging quantity limits and closure securement) and only hazardous material authorized aboard passenger-carrying aircraft may be transported as a limited quantity. A limited quantity package that conforms to the provisions of this section is not subject to the shipping paper requirements of subpart C of part 172 of this subchapter, unless the material meets the definition of a hazardous substance, hazardous waste, marine pollutant, or is offered for transportation and transported by aircraft or vessel, and is eligible for the exceptions provided in §173.156 of this part. In addition, shipments of limited quantities are not subject to subpart F (Placarding) of part 172 of this subchapter. Each package must conform to the packaging requirements of subpart B of this part and may not exceed 30 kg (66 pounds) gross weight. Except for transportation by aircraft, the following combination packagings are authorized:

(i) For flammable solids in Packing Group II, inner packagings not over 1.0 kg (2.2 pounds) net capacity each, packed in a strong outer packaging.

(ii) For flammable solids in Packing Group III, inner packagings not over 5.0 kg (11 pounds) net capacity each, packed in a strong outer packaging.

(2) For transportation by highway or rail, Charcoal briquettes (NA1361) may be packaged as a limited quantity in accordance with paragraph (b) of this section in packagings not exceeding 30

kg gross weight and are eligible for the exceptions provided in §173.156.

(c) *Consumer commodities.* Until December 31, 2013, a limited quantity package (including Charcoal briquettes (NA1361)) containing a ''consumer commodity'' as defined in §171.8 of this subchapter, may be renamed ''Consumer commodity'' and reclassed as ORM–D or, until December 31, 2012, ORM–D–AIR material and offered for transportation and transported in accordance with the applicable provisions of this subchapter in effect on October 1, 2010. For transportation by aircraft, the maximum net mass for Charcoal briquettes (NA1361) is 25 kg per package.

(d) *Limited quantities of Division 4.3.* Limited quantities of dangerous when wet solids (Division 4.3) in Packing Groups II and III are excepted from labeling requirements, unless the material is offered for transportation or transported by aircraft, and are excepted from the specification packaging requirements of this subchapter when packaged in combination packagings according to this paragraph. For transportation by aircraft, the package must also conform to applicable requirements of §173.27 of this part (*e.g.*, authorized materials, inner packaging quantity limits and closure securement) and only hazardous material authorized aboard passenger-carrying aircraft may be transported as a limited quantity. A limited quantity package that conforms to the provisions of this section is not subject to the shipping paper requirements of subpart C of part 172 of this subchapter, unless the material meets the definition of a hazardous substance, hazardous waste, marine pollutant, or is offered for transportation and transported by aircraft or vessel. In addition, shipments of limited quantities are not subject to subpart F (Placarding) of part 172 of this subchapter. Each package must conform to the packaging requirements of subpart B of this part and may not exceed 30 kg (66 pounds) gross weight. Except for transportation by aircraft, the following combination packagings are authorized:

(1) For dangerous when wet solids in Packing Group II, inner packagings not over 0.5 kg (1.1 pounds) net capacity each, packed in a strong outer packaging.

(2) For dangerous when wet solids in Packing Group III, inner packagings not over 1.0 kg (2.2 pounds) net capacity each, packed in a strong outer packaging.

[Amdt. 173–224, 55 FR 52634, Dec. 21, 1990, as amended by Amdt. 173–231, 57 FR 52940, Nov. 5, 1992; Amdt. 173–234, 58 FR 51532, Oct. 1, 1993; Amdt. 173–255, 61 FR 50626, Sept. 26, 1996; 69 FR 76156, Dec. 20, 2004; 70 FR 34398, June 14, 2005; 71 FR 14602, Mar. 22, 2006; 72 FR 55692, Oct. 1, 2007; 76 FR 3373, Jan. 19, 2011; 76 FR 82177, Dec. 30, 2011]

§173.152 Exceptions for Division 5.1 (oxidizers) and Division 5.2 (organic peroxides).

(a) *General.* Exceptions for hazardous materials shipments in the following paragraphs are permitted only if this section is referenced for the specific hazardous material in the §172.101 table of this subchapter.

(b) *Limited quantities.* Limited quantities of oxidizers (Division 5.1) in Packing Group II and III and organic peroxides (Division 5.2) are excepted from labeling requirements, unless the material is offered for transportation or transported by aircraft, and are excepted from the specification packaging requirements of this subchapter when packaged in combination packagings according to this paragraph. For transportation by aircraft, the package must also conform to applicable requirements of §173.27 of this part (*e.g.*, authorized materials, inner packaging quantity limits and closure securement) and only hazardous material authorized aboard passenger-carrying aircraft may be transported as a limited quantity. A limited quantity package that conforms to the provisions of this section is not subject to the shipping paper requirements of subpart C of part 172 of this subchapter, unless the material meets the definition of a hazardous substance, hazardous waste, marine pollutant, or is offered for transportation and transported by aircraft or vessel, and is eligible for the exceptions provided in §173.156 of this part. In addition, shipments of limited quantities are not subject to subpart F (Placarding) of part 172 of this subchapter. Each package must conform