

§ 173.151

Finding Aids section of the printed volume and at www.govinfo.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. If authorized 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

49 CFR Ch. I (10–1–20 Edition)

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, 2020, 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 reclassified as ORM-D or, until December 31, 2012, as 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.

(e) For transportation by motor vehicle only, Lithium (UN1415), Potassium (UN2257), and Sodium (UN1428) with a net quantity of material per inner packaging not exceeding 25 grams, are excepted from the labeling requirements of part 172, subpart E and the placarding requirements of part 172, subpart F of this subchapter, when offered for transportation in the following packagings under the following conditions:

(1) *Packaging.* (i) The hazardous material is placed in a tightly closed plastic bottle after being submerged in mineral oil;

(ii) The plastic bottle is placed inside a plastic bag that is securely closed to prevent leaks or punctures;

(iii) The bagged bottle is then be placed inside a metal can with all void spaces filled with an oil-absorbing material and sealed tight; and

(iv) The can is then placed into a heat sealed barrier bag.

(2) *Marking.* Each inner plastic bottle, outer metal can, and barrier bag must be marked with: Chemical name; quantity; and the name and address of the offeror. Each outer packaging must be marked with the proper shipping name and identification number in conformance with §172.301. Additionally, each outer packaging must be marked, "FOR TRANSPORT BY MOTOR VEHICLE ONLY."

(3) *Recordkeeping.* (i) Records of the preparation, packaging, and marking of each chemical must be documented and all components in each package must be noted; and

(ii) Records must be retained for a minimum of 5 years and be accessible at or through the shipper's principal

place of business and be made available, upon request, to the Associate Administrator or designated official.

(f) *Reverse logistics.* Except for Division 4.2 hazardous materials and self-reactive materials, hazardous materials meeting the definition of "reverse logistics" under §171.8 of this subchapter and in compliance with paragraph (b) of this section may be offered for transport and transported in highway transportation in accordance with §173.157.

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EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §173.151, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 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.