



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, D.C. 20590

FEB 19 2013

Darren Wakefield
Wakefield Drilling & Blasting
48 Deertrees Road
Harrison, ME 04040

Ref. No. 13-0007

Dear Mr. Wakefield:

This responds to your January 2, 2013 e-mail requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 100-180) applicable to the reclassification and segregation of certain explosive articles when transported by motor vehicle. Specifically, you ask whether a transport vehicle is required to be placarded if: (1) it contains packages of UN0289, Cord, detonating, 1.4D, reclassified from UN0065, Cord, detonating, 1.1D, under the conditions prescribed in § 173.63(a); (2) the explosive articles are transported on the same transport vehicle as other authorized and compatible Division 1.4 materials as prescribed in § 177.848; (3) the aggregate gross weight of all Division 1.4 packages on the transport vehicle is less than 454 kg (1001 lbs) as prescribed in § 172.504; and (4) any detonators and detonating cord on the transport vehicle are segregated as prescribed in § 177.835(g).

The answer is no, a transport vehicle containing the Division 1.4 materials you describe is not required to be placarded under the HMR. Additionally, under the Federal hazmat transportation law, a State or local jurisdiction could not require such a transport vehicle to be placarded; however, the authorized placard may be displayed permissively on a transport vehicle as prescribed in § 172.502(c).

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

Drakeford, Carolyn (PHMSA)

Stevens
§173.63
§177.835(g)(3)

From: INFOCNTR (PHMSA)
Sent: Wednesday, January 02, 2013 2:24 PM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: letter of interpretation/clarification.

Explosives
13-0007

Hi Carolyn,

We received the following request for a formal letter of interpretation.

Thanks,
Victoria

From: Darren Wakefield [<mailto:wakefieldblasting@gmail.com>]
Sent: Wednesday, January 02, 2013 1:25 PM
To: INFOCNTR (PHMSA)
Subject: letter of interpretation/clarification.

To whom it may concern,

I'm requesting a letter of clarification regarding the following regulations and subsequent exceptions.

It is my understanding according to cfr title 49 (173.63 - transport exceptions) that you CAN transport detonating cord UNPLACARDED as long as your hauling less than 99lbs gross weight of the item including packaging and there can be no more than 6.5 grams of explosive content per 30 cm of det cord. This will then allow you to transport the product under UN# 0289 which in turn classifies it as division 1.4. Under cfr title 49 (172.504- placarding) it states that you can haul division 1.4 items(which are included in table 2) as long as your hauling less than 1001 Lbs.

Under title 49 cfr (177.835- paragraph g - part 3- subpart ii) there are exceptions for hauling detonators with division 1.4 products as long as your hauling the detonators in a seperate compartment and your magazine meets the requirements of IME standard 22.

- 1) As long as I meet all of the forementioned requirements can I legally transport these items UNPLACARDED?
- 2) If so, are there any state laws that could supercede federal DOT laws.

Sincerely,
Darren Wakefield
Wakefield Drilling & Blasting
1-207-583-4839