



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

MAR 17 2016

Mr. Scott McElhoe
Northland Services, Inc.
6700 W. Marginal Way SW
Seattle, WA 98106

Ref. No. 15-0107

Dear Mr. McElhoe:

This is a response to your April 15, 2015 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) with regard to the segregation of hazardous materials for vessel transport. Specifically, you request clarification on vessel stowage of "UN0332, Agent blasting, Type E, Division 1.5D" material and a "UN1942, Ammonium nitrate, Division 5.1" material in accordance with § 176.410(e) of the HMR. Your questions are paraphrased and answered as follows:

Q1. For vessel transport, can "UN0332, Agent blasting, Type E, Division 1.5D" material be stowed in the same freight container as "UN1942, Ammonium nitrate, Division 5.1" material?

A1. The answer is yes. In accordance with § 176.410(e), ammonium nitrate and ammonium nitrate fertilizers classed as Division 5.1 (oxidizers) materials may be stowed in the same hold, compartment, magazine, or freight container with Class 1 (explosive) materials, except those containing chlorates, in accordance with the segregation and separation requirements of § 176.144 applying to "Explosive, blasting, type B, Division 1.5D" and "Explosive, blasting, type E, Division 1.5D" (i.e., Blasting agents). That is, the ammonium nitrate and ammonium nitrate fertilizers may be treated as Division 1.5D explosives and follow the § 176.144 segregation and separation requirements for Class 1 (explosive) materials.

Q2. If so, is segregation required between a freight container of "UN1942, Ammonium nitrate, Division 5.1" material and a freight container of UN0332, Agent blasting, Type E, Division 1.5D?"

A2. The answer is no. Based on the § 176.410(e) allowance to treat the ammonium nitrate as Division 1.5D explosives, the freight containers are not required to be segregated and may be stowed in the same hold or compartment.

Note that whether stowed in the same freight container or separate freight containers, the entire load of material you described in your scenario must be treated as Division 1.5D blasting explosives in accordance with § 176.140(b).

I hope this information is helpful. If you have any more questions, please do not hesitate to contact this office again.

Sincerely,

A handwritten signature in black ink, appearing to read "Dirk Der Kinderen", written in a cursive style.

Dirk Der Kinderen
Chief, Standards Development
Standards and Rulemaking Division

Suchak
§176.410(e)
Class

Dodd, Alice (PHMSA)

15-0107

From: Geller, Shelby CTR (PHMSA)
Sent: Tuesday, April 21, 2015 10:22 AM
To: Hazmat Interps
Subject: FW: Formal Letter of interpretation

Dear Shante and Alice,

Attached is a formal letter of interpretation request. Mr. McElhoe spoke with Jordan Rivera. His mailing address is:

Scott McElhoe
Northland Services Inc.
6700 W. Marginal Way SW
Seattle, WA 98106.

Thanks,
Shelby

From: Scott McElhoe [<mailto:smcelhoe@Lynden.com>]
Sent: Wednesday, April 15, 2015 2:35 PM
To: INFOCNTR (PHMSA)
Subject: Formal Letter of interpretation

Mailing addressed requested 4/16/2015 ta 12:57 pm

Am I correct to interpret 49 CFR 176.410(e) that UN0332, Agent blasting Type E, 1.5D, II, may be stowed in the same freight container as UN1942, Ammonium nitrate, 5.1, III? If so, is segregation required between a freight container of UN0332 and a freight container of UN1942?

Regards,

Scott McElhoe, CSP
Assistant General Manager
Northland Services Inc.
(206) 892-2788