

Hazardous Materials Bulletin

CLASSIFICATION

December 2007

The proper classification of hazardous materials is the most vital step in the entire process. Improper classification can result in improper communications and inappropriate packagings, increasing the risk of a hazardous materials release. The responsibility of classification rests solely with the offeror of the material, per §173.22. The motor carrier, enforcement personnel, and emergency responders cannot be expected to determine the appropriate class and shipping name for a given unclassified product.

Classification begins with a search of the chemical name of the material in the Hazardous Materials Table (§172.101). If the exact technical name is located, and it is a proper shipping name (bold roman type), then the offeror may use that classification, provided the product represents no other hazards as defined by the Federal Hazardous Materials Regulations (FHMR; CFR Title 49, Parts 100-180). The offeror must still check to determine if the product is a hazardous substance (Appendix A to the Table) or a marine pollutant (Appendix B to the Table).

It is possible that a product listed in the Hazardous Materials Table (Table) may not meet any of the definitions in the FHMR. In this case, the offeror does not have to comply with the FHMR, unless there is a "+" sign in Column 1, or the product is a hazardous substance or marine pollutant.

The offeror should also review §173.21, which outright forbids the transportation of certain high-risk hazardous materials, unless special approval is granted from U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA)

If the product is not specifically listed in the Table, or in either Appendix, then it is the responsibility of the offeror to determine if the product meets the definition of any other hazard class. While that is easy to say, offerors often have a difficult time deciding when to test a product. It should be remembered that the FHMR is developed based on a product's hazard while in transportation, and therefore USDOT looks at differing criteria from what OSHA or EPA may use for their definitions. The definitions and testing requirements for each class are addressed in Subparts C and D of Part 173.

Once the hazard class is determined, the offeror then selects an appropriate generic, or N.O.S. (not otherwise specified) description. PHMSA requires that "the name that most appropriately describes the material shall be used;..." (§172.101(b)(12)(iii)). The regulations give the example of an alcohol product, which is more appropriately described as "Alcohol, N.O.S.," rather than "Flammable liquid, N.O.S." Offerors are reminded that generic names often require the use of technical names on shipping papers and markings (see Subparts C and D of Part 172).

Products with multiple hazards require the use of the precedence table in §173.2a, to determine which hazard should be the primary hazard class for the product.

International offerors should check Column 1 of the Table when selecting proper shipping names to ensure its use is legitimate for international transportation.

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Michigan State Police – Traffic Safety Division, www.michigan.gov/motorcarrier

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