

(b) *Cartridges, small arms, and cartridges power devices.* (1) Cartridges, small arms, and cartridges power devices (which are used to project fastening devices) which have been classed as a Division 1.4S explosive may be reclassified, offered for transportation, and transported as ORM-D material when packaged in accordance with paragraph (b)(2) of this section. For transportation by aircraft, the package must also comply with the applicable requirements of § 173.27 of this subchapter. Such transportation is excepted from the requirements of subparts E (Labeling) and F (Placarding) of part 172 of this subchapter. Cartridges, small arms, and cartridges power devices that may be shipped as ORM-D material are limited to:

(i) Ammunition for rifle, pistol or shotgun;

(ii) Ammunition with inert projectiles or blank ammunition;

(iii) Ammunition having no tear gas, incendiary, or detonating explosive projectiles;

(iv) Ammunition not exceeding 12.7 mm (50 caliber or 0.5 inch) for rifle or pistol, cartridges or 8 gauge for shotshells; and

(v) Cartridges, power devices which are used to project fastening devices.

(2) Packaging for cartridges, small arms, and cartridges power devices as ORM-D material must be as follows:

(i) Ammunition must be packed in inside boxes, or in partitions which fit snugly in the outside packaging, or in metal clips;

(ii) Primers must be protected from accidental initiation;

(iii) Inside boxes, partitions or metal clips must be packed in securely-closed strong outside packagings;

(iv) Maximum gross weight is limited to 30 kg (66 pounds) per package; and

(v) Cartridges, power devices which are used to project fastening devices and 22 caliber rim-fire cartridges may be packaged loose in strong outside packagings.

(c)–(e) [Reserved]

(f) Detonators containing no more than 1 g explosive (excluding ignition and delay charges) that are electric blasting caps with leg wires 4 feet long or longer, delay connectors in plastic sheaths, or blasting caps with empty

plastic tubing 12 feet long or longer may be packed as follows in which case they are excepted from the packaging requirements of § 173.62:

(1) No more than 50 detonators in one inner packaging;

(2) IME Standard 22 container (IBR, see § 171.7 of this subchapter) or compartment is used as the outer packaging;

(3) No more than 1000 detonators in one outer packaging; and

(4) No material may be loaded on top of the IME Standard 22 container and no material may be loaded against the outside door of the IME Standard 22 compartment.

(g) Detonators that are classed as 1.4B or 1.4S and contain no more than 1 g of explosive (excluding ignition and delay charges) may be packed as follows in which case they are excepted from the packaging requirements of § 173.62:

(1) No more than 50 detonators in one inner packaging;

(2) IME Standard 22 container is used as the outer packaging;

(3) No more than 1000 detonators in one outer packaging; and

(4) Each inner packaging is marked “1.4B Detonators” or “1.4S Detonators”, as appropriate.

[Amdt. 173–224, 55 FR 52617, Dec. 21, 1990, as amended at 56 FR 66268, Dec. 20, 1991; Amdt. 173–236, 58 FR 50536, Sept. 24, 1993; Amdt. 173–253, 61 FR 27175, May 30, 1996; 68 FR 75743, Dec. 31, 2003; 71 FR 14602, Mar. 22, 2006]

Subpart D—Definitions Classification, Packing Group Assignments and Exceptions for Hazardous Materials Other Than Class 1 and Class 7

SOURCE: Amdt. 173–224, 55 FR 52634 Dec. 21, 1990, unless otherwise noted.

§ 173.115 Class 2, Divisions 2.1, 2.2, and 2.3—Definitions.

(a) *Division 2.1 (Flammable gas).* For the purpose of this subchapter, a *flammable gas* (Division 2.1) means any material which is a gas at 20 °C (68 °F) or less and 101.3 kPa (14.7 psia) of pressure (a material which has a boiling point of 20 °C (68 °F) or less at 101.3 kPa (14.7 psia)) which—

(1) Is ignitable at 101.3 kPa (14.7 psia) when in a mixture of 13 percent or less by volume with air; or

(2) Has a flammable range at 101.3 kPa (14.7 psia) with air of at least 12 percent regardless of the lower limit. Except for aerosols, the limits specified in paragraphs (a)(1) and (a)(2) of this section shall be determined at 101.3 kPa (14.7 psia) of pressure and a temperature of 20 °C (68 °F) in accordance with the ASTM E681-85, Standard Test Method for Concentration Limits of Flammability of Chemicals or other equivalent method approved by the Associate Administrator. The flammability of aerosols is determined by the tests specified in §173.115 (k) of this section.

(b) *Division 2.2 (non-flammable, nonpoisonous compressed gas—including compressed gas, liquefied gas, pressurized cryogenic gas, compressed gas in solution, asphyxiant gas and oxidizing gas)*. For the purpose of this subchapter, a non-flammable, nonpoisonous compressed gas (Division 2.2) means any material (or mixture) which—

(1) Exerts in the packaging an absolute pressure of 280 kPa (40.6 psia) or greater at 20 °C (68 °F), or is a cryogenic liquid, and

(2) Does not meet the definition of Division 2.1 or 2.3.

(c) *Division 2.3 (Gas poisonous by inhalation)*. For the purpose of this subchapter, a *gas poisonous by inhalation* (Division 2.3) means a material which is a gas at 20 °C (68 °F) or less and a pressure of 101.3 kPa (14.7 psia) (a material which has a boiling point of 20 °C (68 °F) or less at 101.3 kPa (14.7 psia)) and which—

(1) Is known to be so toxic to humans as to pose a hazard to health during transportation, or

(2) In the absence of adequate data on human toxicity, is presumed to be toxic to humans because when tested on laboratory animals it has an LC₅₀ value of not more than 5000 mL/m³ (see §173.116(a) of this subpart for assignment of Hazard Zones A, B, C or D). LC₅₀ values for mixtures may be determined using the formula in §173.133(b)(1)(i) or CGA Pamphlet P-20 (IBR, see §171.7 of this subchapter).

(d) *Non-liquefied compressed gas*. A gas, which when packaged under pres-

sure for transportation is entirely gaseous at -50 °C (-58 °F) with a critical temperature less than or equal to -50 °C (-58 °F), is considered to be a non-liquefied compressed gas.

(e) *Liquefied compressed gas*. A gas, which when packaged under pressure for transportation is partially liquid at temperatures above -50 °C (-58 °F), is considered to be a liquefied compressed gas. A liquefied compressed gas is further categorized as follows:

(1) *High pressure liquefied gas* which is a gas with a critical temperature between -50 °C (-58 °F) and + 65 °C (149 °F), and

(2) *Low pressure liquefied gas* which is a gas with a critical temperature above + 65 °C (149 °F).

(f) *Compressed gas in solution*. A *compressed gas in solution* is a non-liquefied compressed gas which is dissolved in a solvent.

(g) *Cryogenic liquid*. A *cryogenic liquid* means a refrigerated liquefied gas having a boiling point colder than -90 °C (-130 °F) at 101.3 kPa (14.7 psia) absolute. A material meeting this definition is subject to requirements of this subchapter without regard to whether it meets the definition of a non-flammable, non-poisonous compressed gas in paragraph (b) of this section.

(h) *Flammable range*. The term *flammable range* means the difference between the minimum and maximum volume percentages of the material in air that forms a flammable mixture.

(i) *Service pressure*. The term *service pressure* means the authorized pressure marking on the packaging. For example, for a cylinder marked "DOT 3A1800", the service pressure is 12410 kPa (1800 psig).

(j) *Refrigerant gas or Dispersant gas*. The terms *Refrigerant gas* and *Dispersant gas* apply to all nonpoisonous refrigerant gases; dispersant gases (fluorocarbons) listed in §172.101 of this subchapter and §§173.304, 173.314(c), 173.315(a), and 173.315(h) and mixtures thereof; and any other compressed gas having a vapor pressure not exceeding 260 psia at 54 °C(130 °F), used only as a refrigerant, dispersant, or blowing agent.

(k) The following applies to aerosols (see §171.8 of this subchapter):

§ 173.116

49 CFR Ch. I (10–1–08 Edition)

(1) An aerosol must be assigned to Division 2.1 if the contents include 85% by mass or more flammable components and the chemical heat of combustion is 30 kJ/g or more;

(2) An aerosol must be assigned to Division 2.2 if the contents contain 1% by mass or less flammable components and the heat of combustion is less than 20 kJ/g.

(3) Aerosols not meeting the provisions of paragraphs (a) or (b) of this section must be classed in accordance with the appropriate tests of the UN Manual of Tests and Criteria (IBR, see §171.7 of this subchapter). An aerosol which was tested in accordance with the requirements of this subchapter in effect on December 31, 2005 is not required to be retested.

(4) Division 2.3 gases may not be transported in an aerosol container.

(5) When the contents are classified as Division 6.1, PG III or Class 8, PG II or III, the aerosol must be assigned a subsidiary hazard of Division 6.1 or Class 8, as appropriate.

(6) Substances of Division 6.1, PG I or II, and substances of Class 8, PG I are forbidden from transportation in an aerosol container.

(7) Flammable components are Class 3 flammable liquids, Class 4.1 flammable solids, or Division 2.1 flammable gases. The chemical heat of combustion must be determined in accordance with the UN Manual of Tests and Criteria (IBR, see §171.7 of this subchapter).

[Amdt. 173–224, 55 FR 52634, Dec. 21, 1990, as amended at 56 FR 66268, Dec. 20, 1991; 57 FR 45461, Oct. 1, 1992; Amdt. 173–236, 58 FR 50236, Sept. 24, 1993; Amdt. 173–234, 58 FR 51532, Oct. 1, 1993; Amdt. 173–241, 59 FR 67506, Dec. 29, 1994; Amdt. 173–255, 61 FR 50625, Sept. 26, 1996; 66 FR 45379, 45380, 45382, Aug. 28, 2001; 67 FR 51642, Aug. 8, 2002; 67 FR 16013, Sept. 27, 2002; 68 FR 45033, July 31, 2003; 68 FR 75742, Dec. 31, 2003; 69 FR 76155, Dec. 20, 2004; 70 FR 34398, June 14, 2005; 71 FR 78631, Dec. 29, 2006]

§ 173.116 Class 2—Assignment of hazard zone.

(a) The hazard zone of a Class 2, Division 2.3 material is assigned in column 7 of the §172.101 table. There are no hazard zones for Divisions 2.1 and 2.2. When the §172.101 table provides more than one hazard zone for a Division 2.3 material, or indicates that the hazard

zone be determined on the basis of the grouping criteria for Division 2.3, the hazard zone shall be determined by applying the following criteria:

Hazard zone	Inhalation toxicity
A	LC ₅₀ less than or equal to 200 ppm.
B	LC ₅₀ greater than 200 ppm and less than or equal to 1000 ppm.
C	LC ₅₀ greater than 1000 ppm and less than or equal to 3000 ppm.
D	LC ₅₀ greater than 3000 ppm or less than or equal to 5000 ppm.

(b) The criteria specified in paragraph (a) of this section are represented graphically in §173.133, Figure 1.

[Amdt. 173–224, 55 FR 52634, Dec. 21, 1990, as amended at 56 FR 66268, Dec. 20, 1991; Amdt. 173–138, 59 FR 49133, Sept. 26, 1994; 67 FR 61013, Sept. 27, 2002]

§§ 173.117–173.119 [Reserved]

§ 173.120 Class 3—Definitions.

(a) *Flammable liquid.* For the purpose of this subchapter, a *flammable liquid* (Class 3) means a liquid having a flash point of not more than 60 °C (140 °F), or any material in a liquid phase with a flash point at or above 37.8 °C (100 °F) that is intentionally heated and offered for transportation or transported at or above its flash point in a bulk packaging, with the following exceptions:

(1) Any liquid meeting one of the definitions specified in §173.115.

(2) Any mixture having one or more components with a flash point of 60 °C (140 °F) or higher, that make up at least 99 percent of the total volume of the mixture, if the mixture is not offered for transportation or transported at or above its flash point.

(3) Any liquid with a flash point greater than 35 °C (95 °F) that does not sustain combustion according to ASTM D 4206 (IBR, see §171.7 of this subchapter) or the procedure in appendix H of this part.

(4) Any liquid with a flash point greater than 35 °C (95 °F) and with a fire point greater than 100 °C (212 °F) according to ISO 2592 (IBR, see §171.7 of this subchapter).

(5) Any liquid with a flash point greater than 35 °C (95 °F) which is in a water-miscible solution with a water