



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Ave., S.E.
Washington, DC 20590

OCT 16 2007

Mr. Alex Weise
Central States Fireworks
18034 Kincaid St.
Athens, IL 62613

Ref. No. 07-0164

Dear Mr. Weise:

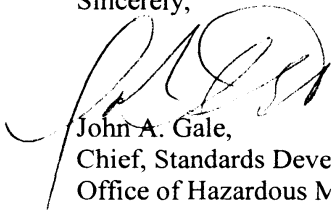
This is in response to your August 29, 2007 email regarding the transportation of explosives by highway under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

In your letter, you ask whether a truck bed lining manufactured from a spray-on polyurethane coating meets the requirements for a lining of a motor vehicle transporting Division 1.3G or 1.4G (explosive) materials as specified in § 177.835(f) of the HMR.

Paragraph (f) of § 177.835 specifies the requirements for the lining of a motor vehicle transporting Division 1.1, 1.2, or 1.3 (explosive) materials by highway. It is the opinion of this Office that provided it consists of either non-metallic material or non-ferrous materials and complies with the remainder of the requirements in § 177.835, a truck bed lining manufactured from a spray-on polyurethane is an acceptable lining for a motor vehicle transporting Division 1.1, 1.2, or 1.3 (explosive) materials by highway. There is no similar provision for the lining of a motor vehicle transporting Division 1.4 (explosive) materials by highway.

I hope this information is helpful.

Sincerely,



John A. Gale,
Chief, Standards Development
Office of Hazardous Materials Standards



070164

177.835(f)

Foster
§ 177.835 (f)
Explosives by Highway
07-0164

Drakeford, Carolyn <PHMSA>

From: INFOCNTR <PHMSA>
Sent: Wednesday, August 29, 2007 1:02 PM
To: Drakeford, Carolyn <PHMSA>
Subject: FW: letter of interpretation regarding 49 CFR 177.835 paragraph (f)

Carolyn,

Could you process this as a formal request for interpretation? Thanks a million!

Erin

From: Weise, Alexander Walter [mailto:awaise@uiuc.edu]
Sent: Tuesday, August 28, 2007 5:02 PM
To: INFOCNTR <PHMSA>
Subject: letter of interpretation regarding 49 CFR 177.835 paragraph (f)

Hello,

I have a question regarding Hauling of 1.3g and 1.4g fireworks

As per 49 CFR 177.835 paragraph (f) it states the following:

(f) *Class 1 (explosive) materials vehicles, floors tight and lined.* Motor vehicles transporting Division 1.1, 1.2, or 1.3 (explosive) materials shall have tight floors; shall have that portion of the interior in contact with the load lined with either non-metallic material or non-ferrous metals, except that the lining is not required for truck load shipments loaded by the Departments of the Army, Navy or Air Force of the United States Government provided the Class 1 (explosive) materials are of such nature that they are not liable to leakage of dust, powder, or vapor which might become the cause of an explosion. The interior of the cargo space must be in good condition so that there will not be any likelihood of containers being damaged by exposed bolts, nuts, broken side panels or floor boards, or any similar projections.

So my question is...

Will a bed liner material "brand names of scorpion bed liner or rhino liner as examples for truck bed liners" meet the requirement "lined with either non-metallic material or non-ferrous metals" by definition. This product is a spray-on polyurethane coating and is a non slip surface when dry see info at <http://www.scorpioncoatings.com/>

Thanks for your time in this matter

Alex Weise
on behalf of:
Larry and Vivian Lefferts
C/O Central States Fireworks
18034 Kincaid st.
Athens IL 62613
217-265-8225
Thank you for your time In this matter.

8/29/2007