



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

JUL 6 2006

400 Seventh Street, S.W.  
Washington, D.C. 20590

Mr. Steve Kranyec  
2500 W. Main Street G16  
League City, TX 77573

Ref. No. 06-0027

Dear Mr. Kranyec:

This responds to your letter regarding the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to lighters that no longer contain fuel. Specifically, you ask about requirements applicable to a lighter that has been purged of all fuel and a lighter containing residue amounts of fuel. I apologize for the delay in responding and any inconvenience it may have caused.

It is ultimately the shipper's responsibility to ascertain whether a lighter is or is not subject to the HMR. A lighter that contains no fuel (residual or otherwise) is not subject to the HMR. Most lighter manufacturers provide specific instructions to assist their customers to purge or drain lighters to satisfy the requirements of the HMR. Typically this process may consist of bleeding or purging the fuel reservoir in a gas-fueled lighter until it is empty (e.g., no longer contains liquefied gas or its vapors) or, for a "wick" style liquid-fueled design, removing both the wick and cotton fuel absorbing insert. Generally, if a lighter is purged or drained in accordance with the manufacturer's instructions and the lighter will no longer ignite, it is not subject to the HMR.



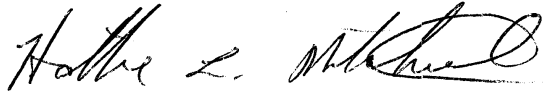
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There is no certification required by the HMR to show compliance with this requirement.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Hattie L. Mitchell". The signature is written in dark ink and is positioned above the typed name.

Hattie L. Mitchell  
Chief, Regulatory Review and Reinvention  
Office of Hazardous Materials Standards

2/8/06

Director Of Hazmat Standards  
Mr. Edward Mazzullo  
PHH-10  
US Department Of Transportation  
400 7<sup>th</sup> St SW  
Washington, DC 20590


Stevens  
\$173.21  
\$173.308  
Lighters  
2/8/05 06-0027

Dear Mr. Mazzullo,

I would like to receive written clarification on DOT guidelines for shipping previously fueled cigarette lighters. My interpretation of CFR 49 is that any previously fueled lighter must be treated as Hazmat. However, we have been told by members of DOT and shipping agencies that lighters that do not light may be shipped as long as no residue is present. However, nobody is certain of the definition of residue or how to determine how much fuel as a residue is permitted. Additionally, we have been told that a certificate from a licensed purger must accompany any lighter that has been "drained" and is not being shipped as Hazmat. Furthermore, nobody is able to define "drained".

Can you please provide this information as soon as possible. If possible can you please email it to [Kranyec@earthlink.net](mailto:Kranyec@earthlink.net).

Thank you for your attention to this matter.

Sincerely,  
  
Steve Kranyec  
2500 W Main Street G16  
League City, TX 77573