



U.S. Department  
of Transportation

Pipeline and Hazardous  
Materials Safety  
Administration

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

**MAY 10 2012**

Mr. David L. McLamb  
President, David L. McLamb, Inc.  
12701 Barnes Bridge Road  
Laurinburg, NC 28352

Reference No. 12-0061

Dear Mr. McLamb:

This is in response to your February 17, 2012 e-mail and March 2, 2012 telephone conversation with a member of my staff concerning how to classify and package windshield washer fluid under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You state the fluid contains 30 percent "UN 1230, Methanol, 3, PG II" and 70 percent water, has a flashpoint temperature of 105 °F, and freezes at -20 °F. You also state you want to transport this material monthly by motor vehicle in either 55 gallon drums or 250 gallon intermediate bulk containers (IBCs) to customers in the automotive repair industry and dispense it into their drums using a meter and hose. We have paraphrased your questions and answered them in the order you provided.

- Q1. Methanol has a reportable quantity of 5,000 pounds (2,270 kg) on the HMR's List of Hazardous Substances and Reportable Quantities Table (Hazardous Substances Table; § 172.101, Appendix A). How do I comply with both the Hazardous Materials Table (§ 172.101) and the Hazardous Substances Table when shipping methanol?
- A1. Under the HMR, a "hazardous material" is a substance or material that meets the definition of one or more of the U.S. Department of Transportation's (DOT's) nine hazard classes and divisions listed in § 173.2 and prescribed in 49 CFR Part 173, Subparts C, D, and I. It also includes materials designated as hazardous in the Hazardous Materials Table (see §§ 171.8 and 172.101), and materials that meet the defining criteria in § 171.8 for a hazardous substance, hazardous waste, marine pollutant, or elevated temperature material.

To be classified as a hazardous substance, the mixture you described must contain at least 5,000 pounds of methanol in one package at a concentration of 10 percent or more. Section 173.22 requires that a shipper properly class and describe a hazardous material for transportation in commerce. This Office does not typically perform this function. However, based on the information you provided, it is the opinion of this Office that the mixture you describe cannot meet the definition of a hazardous

substance for methanol when placed in containers that are 55 and 250 gallons in size. Provided the mixture does not meet the definition of any other hazard class under the HMR, the mixture is not subject to the HMR.

Q2. Can the windshield washer fluid I described be transported in IBCs or in non-bulk packages that contain less than 119 gallons without being regulated as a hazardous substance under the § 172.101, Appendix A table?

A2. The answer is yes. Both packages described in your letter do not permit the quantity of methanol in one package to exceed 5,000 pounds.

I hope this satisfies your request.

Sincerely,

A handwritten signature in cursive script that reads "T. Glenn Foster".

T. Glenn Foster  
Chief, Regulatory Review and Reinvention Branch  
Standards and Rulemaking Division

Edmonson

§ 172.101

Applicability

12-0061

David L McLamb  
David L McLamb Inc  
12701 Barnes Bridge Rd.  
Laurinburg, NC 28352  
February 17, 2012

Mr. Charles E. Betts  
Director, Standards and Rulemaking Division  
US DOT/PHMSA (PHH-10)  
1200 New Jersey Avenue, SE East Building, 2<sup>nd</sup> Floor  
Washington, DC 20590

Dear Mr. Betts:

My question is in regard to transporting a 30% solution of Methanol and 70% water, dye and surfactants (-20 windshield washer fluid) in either 250 gallon IBCs or 55 gallon drums. The 30% solution mentioned above has a generally accepted flashpoint of 105 degrees F. Part 173 (b) 2 says that such a liquid may be reclassified as a combustible liquid.

I currently transport non-hazardous liquid products used in the automotive repair industry, visiting my customers monthly and dispensing these products into their drums through a meter and hose. I would like to add a windshield washer fluid to my product line but am aware that in the Hazardous Materials table, Methanol is classified as a Class 3 flammable liquid. However, it is also listed in the Hazardous Substances table with an RQ of 5000 pounds. Therein lays the difficulty for me in interpreting the regulations. As I understand the regulations, normally a hazardous substance would not be regulated as hazardous if the RQ was not met in one package. However, the fact that it is also listed as a Class 3 flammable must certainly be considered.

Therefore, my questions are:

1. How are the Hazardous Materials table and the Hazardous Substances table to be reconciled regarding Methanol?
2. Can the above mentioned mixture be transported in IBCs (bulk packaging) or in packages containing less than 119 gallons (non-bulk packaging) without being regulated as hazardous, based on the Hazardous Substances table?

Thank you very kindly, Mr. Betts, for considering this matter.

Sincerely,



David L McLamb, President  
David L McLamb Inc  
910-217-1871