

September 2024

Dear Carrier,

The product that we are offering up for transportation is classified as a marine pollutant. However, this material meets the **exception** criteria under 40 CFR 171.4(C)(1) for marine pollutants and is therefore exempt from the hazardous requirements of this section and can ship non-hazardous via motor vehicle, rail car or air craft. All ocean orders must ship hazardous regardless of packaging.

○ § 171.4 Marine pollutants.

- (a) Except as provided in paragraph (c) of this section, no person may offer for transportation or transport a marine pollutant, as defined in § 171.8, in intrastate or interstate commerce except in accordance with the requirements of this subchapter.
- (b) The requirements of this subchapter for the transportation of marine pollutants are based on the provisions of Annex III of the 1973 International Convention for Prevention of Pollution from Ships, as modified by the Protocol of 1978 (MARPOL 73/78).
- (c) **Exceptions.**
  - (1) Except when all or part of the transportation is by vessel, the requirements of this subchapter specific to marine pollutants do not apply to non-bulk packagings transported by motor vehicle, rail car or aircraft.
  - (2) Single or combination packagings containing a net quantity per single or inner packaging of 5 L or less for liquids or having a net mass of 5 kg or less for solids, are not subject to any other requirements of this subchapter provided the packagings meet the general requirements in §§ 173.24 and 173.24a. This exception does not apply to marine pollutants that are a hazardous waste or a hazardous substance. In the case of marine pollutants also meeting the criteria for inclusion in another hazard class, all provisions of this subchapter relevant to any additional hazards continue to apply.

**Non-bulk packaging** means a packaging which has:

- (1) A maximum capacity of 450 L (119 gallons) or less as a receptacle for a liquid;
- (2) A maximum net mass of 400 kg (882 pounds) or less and a maximum capacity of 450 L (119 gallons) or less as a receptacle for a solid;
- (3) A water capacity of 454 kg (1000 pounds) or less as a receptacle for a gas as defined in § 173.115 of this subchapter; or
- (4) Regardless of the definition of bulk packaging, a maximum net mass of 400 kg (882 pounds) or less for a bag or a box conforming to the applicable requirements for specification packagings, including the maximum net mass limitations, provided in subpart L of part 178 of this subchapter.

Best Regards,



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