

§ 172.102

49 CFR Ch. I (10–1–18 Edition)

- or other explosive devices if one of the fuzes detonates in a shipping packaging or in adjacent packages.
- 117 If shipment of the explosive substance is to take place at a time that freezing weather is anticipated, the water contained in the explosive substance must be mixed with denatured alcohol so that freezing will not occur.
- 118 This substance may not be transported under the provisions of Division 4.1 unless specifically authorized by the Associate Administrator (see UN0143 or UN0150 as appropriate).
- 119 This substance, when in quantities of not more than 11.5 kg (25.3 pounds), with not less than 10 percent water, by mass, also may be classed as Division 4.1, provided a negative test result is obtained when tested in accordance with test series 6(c) of the UN Manual of Tests and Criteria (IBR, see §171.7 of this subchapter).
- 120 The phlegmatized substance must be significantly less sensitive than dry PETN.
- 121 This substance, when containing less alcohol, water or phlegmatizer than specified, may not be transported unless approved by the Associate Administrator.
- 123 Any explosives, blasting, type C containing chlorates must be segregated from explosives containing ammonium nitrate or other ammonium salts.
- 125 Lactose or glucose or similar materials may be used as a phlegmatizer provided that the substance contains not less than 90%, by mass, of phlegmatizer. These mixtures may be classified in Division 4.1 when tested in accordance with test series 6(c) of the UN Manual of Tests and Criteria (IBR, see §171.7 of this subchapter) and approved by the Associate Administrator. Testing must be conducted on at least three packages as prepared for transport. Mixtures containing at least 98%, by mass, of phlegmatizer are not subject to the requirements of this subchapter. Packages containing mixtures with not less than 90% by mass, of phlegmatizer need not bear a POISON subsidiary risk label.
- 127 Mixtures containing oxidizing and organic materials transported under this entry may not meet the definition and criteria of a Class 1 material. (See §173.50 of this subchapter.)
- 128 Regardless of the provisions of §172.101(c)(12), aluminum smelting by-products and aluminum remelting by-products described under this entry, meeting the definition of Class 8, Packing Group II and III may be classed as a Division 4.3 material and transported under this entry. The presence of a Class 8 hazard must be communicated as required by this part for subsidiary hazards.
- 129 These materials may not be classified and transported unless authorized by the Associate Administrator on the basis of results from Series 2 Test and a Series 6(c) Test from the UN Manual of Tests and Criteria (IBR, see §171.7 of this subchapter) on packages as prepared for transport. The packing group assignment and packaging must be approved by the Associate Administrator for Hazardous Materials Safety on the basis of the criteria in §173.21 of this subchapter and the package type used for the Series 6(c) test.
- 130 “Batteries, dry, sealed, n.o.s.,” commonly referred to as dry batteries, are hermetically sealed and generally utilize metals (other than lead) and/or carbon as electrodes. These batteries are typically used for portable power applications. The rechargeable (and some non-rechargeable) types have gelled alkaline electrolytes (rather than acidic) making it difficult for them to generate hydrogen or oxygen when overcharged and therefore, differentiating them from non-spillable batteries. Dry batteries specifically covered by another entry in the §172.101 Table must be transported in accordance with the requirements applicable to that entry. For example, nickel-metal hydride batteries transported by vessel in certain quantities are covered by another entry (see Batteries, nickel-metal hydride, UN3496). Dry batteries not specifically covered by another entry in the §172.101 Table are covered by this entry (*i.e.*, Batteries, dry, sealed, n.o.s.) and are not subject to requirements of this subchapter except for the following:
- (a) *Incident reporting.* For transportation by aircraft, a telephone report in accordance with §171.15(a) is required if a fire, violent rupture, explosion or dangerous evolution of heat (*i.e.*, an amount of heat sufficient to be dangerous to packaging or personal safety to include charring of packaging, melting of packaging, scorching of packaging, or other evidence) occurs as a direct result of a dry battery. For all modes of transportation, a written report submitted, retained, and updated in accordance with §171.16 is required if a fire, violent rupture, explosion or dangerous evolution of heat occurs as a direct result of a dry battery or battery-powered device.
 - (b) *Preparation for transport.* Batteries and battery-powered device(s) containing batteries must be prepared and packaged for transport in a manner to prevent:
 - (1) A dangerous evolution of heat;
 - (2) Short circuits, including but not limited to the following methods:
 - (i) Packaging each battery or each battery-powered device when practicable, in fully enclosed inner packagings made of non-conductive material;
 - (ii) Separating or packaging batteries in a manner to prevent contact with other batteries, devices or conductive materials (*e.g.*, metal) in the packagings; or