



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

May 19, 2026

Cynthia M. Walczak, P.E.
MPS Group
38755 Hills Tech Dr.
Farmington Hills, MI 48331

Reference No. 25-0159

Dear Ms. Walczak:

This is in response to your December 5, 2025 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the shipping paper requirements for “UN3268, Safety devices, 9” when transported for recycling. Specifically, you ask for clarification on the use of the word “Recycled” as described in § 173.166(d)(4) in association with the basic shipping description.

We have paraphrased and addressed your questions as follows:

- Q1. Does the requirement in § 173.166(d)(4) to include the word “Recycled” after the basic shipping description apply to Class 9 (UN3268) safety devices?
- A1. Yes. While § 173.166(c) primarily addresses the requirement to include an EX number or product code for Division 1.4G safety devices (a requirement from which Class 9 devices are excepted), § 173.166(d)(4) provides a specific conditional exception for serviceable safety devices removed from a motor vehicle. Section 173.166(d)(4) states that “...when these articles are shipped to a recycling facility, the word “Recycled” must be entered on the shipping paper immediately after the basic description...” This requirement applies to both Division 1.4G and Class 9 (UN3268) safety devices.
- Q2. Does the requirement to use the word “Recycled” apply to Class 9 safety devices that have never been installed in a motor vehicle, such as those from an automotive parts distribution center?
- A2. No. The applicability of § 173.166(d)(4) is limited to safety devices “removed from a motor vehicle that was manufactured as required for use in the United States.” A safety device that has never been installed in a vehicle does not meet the criteria of being “removed from a motor vehicle.”

- Q3. Is it a violation of the HMR to include the word “Recycled” after the basic description if it is not explicitly required by § 173.166(d)(4)?
- A3. No. While § 172.202(a) requires the basic description to be shown in a specific sequence, § 172.201(a)(4) allows additional information concerning the material provided the information is not inconsistent with the required description. Unless otherwise permitted or required by 49 CFR Part 172 Subpart C, additional information must be placed after the basic description.
- Q4. If a Class 9 safety device is removed from a vehicle at an assembly plant and sent to a recycling facility, is the word “Recycled” required after the shipping description?
- A4. Yes. Because this device was installed in a vehicle and subsequently removed, it falls under the requirements in § 173.166(d)(4). The correct shipping description in this scenario is “UN3268, Safety devices, 9, Recycled.”
- Q5. If a Class 9 safety device from a distribution center that was never installed in a vehicle is sent to a recycling facility, is the word “Recycled” required after the shipping description?
- A5. No. Since this device was never installed in a motor vehicle, the specific requirement in § 173.166(d)(4) does not apply. The correct basic description in this scenario is “UN3268, Safety devices, 9.” However, as noted in A3, appending the word “Recycled” as additional information is not prohibited.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in blue ink, reading "Alexander Wolcott". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Alexander Wolcott
Acting Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division



Letter Sent via Email

December 5, 2025

U.S. Department of Transportation
PHSMA Office of Hazardous Materials Standards
Attn: PHH-10
East Building
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: Request for Letter of Interpretation: Use of the word “Recycled” after the basic shipping description when shipping safety devices to a recycler under 49CFR173.166

I am requesting that the Pipeline and Hazardous Materials Safety Administration provide clarification in a Letter of Interpretation as to when the word “Recycled” must be used after the basic shipping description when shipping safety devices to a recycling facility. Specifically, as it concerns 173.166(d)(4), which says in relevant part:

...a serviceable safety device classed as either Class 9 (UN3268) or Division 1.4G removed from a motor vehicle that was manufactured as required for use in the United States may be offered for transportation and transported without compliance with the shipping paper requirement prescribed in paragraph (c) of this section. However, when these articles are shipped to a recycling facility, the word “Recycled” must be entered on the shipping paper immediately after the basic description prescribed in § 172.202 of this subchapter.

Would PHMSA please address these questions:

1. The shipping paper requirement referenced in 173.166(d)(4) (*paragraph c*) states, in summary, that the EX number or product code must be included in the shipping description, unless the safety device is Class 9. Does it follow then, that safety devices that *are* Class 9 do *not* need to include the word “Recycled” after the basic shipping description when sent to a recycling facility?
2. If that is not the case, that is, if the word “Recycled” must follow the basic shipping description when a Class 9 safety device is sent to a recycling facility, then does this requirement apply to Class 9 safety devices that have never been installed in a motor vehicle?
3. If a safety device being sent to a recycling facility does not need to include the word “Recycled”, is it a violation of the HMR or otherwise problematic if it does?

By way of illustration, please consider the following situations:

1. A vehicle assembly plant purchases only Class 9 safety devices. A safety device is removed from a vehicle that has not yet left the assembly plant and sent to a recycling facility. Is the correct proper shipping name:

UN3268, Safety Device, 9

Or

UN3268, Safety Device, 9, Recycled

2. An automotive parts distribution center purchases only Class 9 safety devices. When one of these safety devices, which has never been installed in a vehicle, is to be sent to a recycling facility, is the correct proper shipping name:

UN3268, Safety Devices, 9

Or

UN3268, Safety Devices, 9, Recycled

If in these examples the correct proper shipping description is “UN3268, Safety Devices, 9” is it a violation of the HMR or otherwise not advisable to use “UN3268, Safety Devices, 9, Recycled”?

Thank you in advance for your assistance. Please call or email me if you have any questions or require additional information. I can be reached at (313) 759-9401 or cwalczak@mpsgrp.com

Sincerely,



Cynthia M. Walczak, P.E.