

Guidance on EX Classification Approvals with Expiration Dates

The Pipeline and Hazardous Materials Safety Administration (PHMSA), an agency of the U.S. Department of Transportation (DOT), is issuing guidance regarding PHMSA's policy on EX Classification Approvals with expiration dates, as it applies to the manufacturing and the transportation of the firework devices.

The Federal Register Notice, Clarification of the Fireworks Approvals Policy, 76 FR 38053 (June 29, 2011) states after June 29, 2011, PHMSA will only accept fireworks approval applications from fireworks manufacturers or their U.S. designated agent on their behalf. This includes an applicant seeking to renew an expired EX approval for the specific purpose of continuing the manufacturing of the firework device.

On January 5, 2012, PHMSA published a Federal Register Notice, Clarification and Further Guidance on the Fireworks Approvals Policy, 77 FR 429 (January 5, 2012), which addresses PHMSA's implementation of its policy for EX Classification Approvals with expiration dates, noting that all firework approvals with expiration dates will expire by the end of 2015. If an EX Approval has expired and is not renewed, the approval will no longer be valid for manufacture of new items. However, expired EX Approvals remain valid for items in the transportation system that were manufactured prior to the approval expiration date.

Detailed information on the requirements for fireworks can be found in the 49 CFR §173.56(j) and the APA Standard 87-1, PHMSA's website: <http://www.phmsa.dot.gov/hazmat>, as well as the Hazardous Materials Information Center at 1-800-467-4922 (Washington, DC, call 202-366-4488).



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