



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

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

SEP 10 2008

Mr. Steve Catania  
Charkit Chemical Corporation  
32 Haviland Street  
South Norwalk, CT 06854

Ref. # 08-0177

Dear Mr. Catania:

This is in response to your letter requesting requirements applicable to the transportation of non-hazardous materials. You state that you understand that the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) do not apply to non-hazardous materials, but are concerned whether there are requirements applicable to the transportation of non-hazardous materials. Specifically, you state that one of your customers asked whether it is acceptable to transport by ground a non-hazardous product without the product name and Chemical Abstract Service (CAS) number.

As you state, the HMR apply to the transportation of hazardous materials in commerce. You did not identify the material that is being transported. However, provided your customer's product does not meet the hazard class defining criteria in Part 173 of the HMR, and is not a hazardous waste, hazardous substance, or marine pollutant, it is not subject to the HMR and is not subject to labeling requirements for purposes of transportation.

If the product does not meet the criteria for a hazardous material under the HMR, you may wish to contact the U.S. Consumer Product Safety Commission (CPSC) and the Occupational Safety and Health Administration (OSHA), Department of Labor (<http://www.cpsc.gov/> and <http://www.osha.gov/>). CPSC is charged with protecting the public from risks of certain consumer products and issues regulations for certain (primarily household) chemicals that may specify labeling requirements. OSHA is responsible for ensuring employee safety and health in the workplace and also issues regulations for certain chemicals that may specify labeling requirements.

I hope this information is helpful. Please contact this office if you have additional questions.

Sincerely,

Hattie L. Mitchell, Chief  
Regulatory Review and Reinvention  
Office of Hazardous Materials Standards



# Charkit Chemical Corporation

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McIntyre  
§171.1  
Applicability  
08-0177

June 27, 2008

Mr. Edward T. Mazzullo  
Director, Office of Hazardous Materials Standards  
U.S. DOT/PHMSA (PHH-10)  
1200 New Jersey Avenue, SE East Building  
2<sup>nd</sup> Floor  
Washington, DC 20590

Dear Mr. Edward T. Mazzullo:

I am writing to your office for an official interpretation regarding the transportation of non-hazardous material. Even though I have already spoke with the DOT Hazardous Materials Information Center and they had stated that material not classified as hazardous Are there are any requirements when transporting non-hazardous chemicals by ground transportation?

Please note that I am fully aware of DOT 49 CFR Regulations as it pertains to the transportation of hazardous materials, however I am uncertain if there are any requirements when transporting non-hazardous materials.

One of our customers has asked if we can ship one of our non-hazardous products to them without the product name and Chemical Abstract Service (CAS) Number. The products which they purchase from us is a critical component to their business and due to the increased security concerns they would like us to ship it to them with only their raw material product code, lot number, unit of measure, and total quantity. Again, all these products are non-hazardous materials.

I look forward to receiving your interpretation and if you have any questions regarding my request or need further clarification, please feel free to contact me at 203-299-3262.

Sincerely,

Steve J. Catania  
Regulatory Compliance Manager  
CHARKIT CHEMICAL CORPORATION