



U.S. Department of Transportation
Pipeline and Hazardous Material
Safety Administration

1200 New Jersey Ave. S.E.
Washington, D.C. 20590

MAY 04 2010

Mr. Robert Dritschel
Regulatory Affairs Manager
Reagent Chemical & Research, Inc.
115 US Highway 202
Ringoes, NJ 08551

Reference No. 10-0078

Dear Mr. Dritschel:

This is in response to your March 30, 2010 letter concerning the use of a generic proper shipping name under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You state that your material is "UN 1789, Hydrochloric acid, 8, PG II" that contains "UN 1805, Phosphoric acid solution, 8, PG III" as a contaminant in various concentrations from single digits in parts per million to 20,000 parts per million (2 percent). You ask what level of concentration the phosphoric acid must meet to identify the mixture as "UN 3264, Corrosive liquid, acidic, inorganic, n.o.s., 8, PG II or III."

The technical grade of a hazardous material may contain some impurities and additives that are themselves hazardous materials. If these impurities and additives are of such a low percentage that they do not alter the hazard characteristics of the entire product, then the presence of these impurities will not affect the selection of the proper shipping name. It is the shipper's responsibility to class and describe a hazardous material using appropriate test data and experience. This Office does not normally perform that function. However, it is the opinion of this Office that hydrochloric acid that contains up to 2 percent of phosphoric acid solution may be transported under the shipping name "UN 1789, Hydrochloric acid, 8, PG II." We recommend that you verify this determination by testing the mixture with its highest concentration of phosphoric acid in accordance with the applicable requirements prescribed in the HMR.

Also, please note that under the provisions of 49 CFR Part 172, Subparts C and D, a generic or n.o.s. description may require the technical name of one or more constituents that makes the product a hazardous material to be added to the shipping papers and package markings in association with the proper shipping name.

I hope this satisfies your request.

Sincerely,

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



Reagent Chemical & Research, Inc.

115 US HIGHWAY 202 • RINGOES, NEW JERSEY 08551

OFFICE: (908) 284-2800 • FAX: (908) 284-2113

March 30, 2010

Mr. Edward T. Mazzullo
Director, Office of Hazardous Materials Standards
US DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Bldg, 2nd Floor
Washington, DC 20590-0001

Edmonson
§172.101
§172.202
Proper Shipping Name
10-0078

Dear Edward,

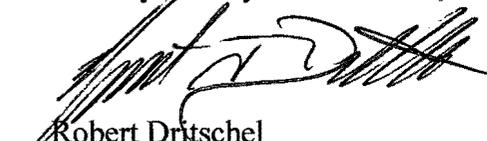
I am writing this letter to you in order to request assistance in the application of the Hazardous Material regulations where a hazardous material shipment contains hydrochloric acid solution with up to a maximum of 2% contamination with phosphoric acid solution.

The proper shipping paper identification for the hydrochloric acid solution is "hydrochloric acid, 8, UN1789" according to the table in the HMR. I do not see any reference to contaminant levels in regard to identification of the hazardous material to be shipped.

Individual shipments of this material may vary in contaminant levels from identifiable levels in the single digit parts per million range to the maximum being 20,000 parts per million phosphoric acid solution content.

My question is what is the level of contamination of phosphoric acid solution in the hydrochloric acid solution that I would need to change the shipping paper identification from "hydrochloric acid" to "corrosive liquid, acidic, inorganic, nos"

Thank you for your assistance,



Robert Dritschel
Regulatory Affairs Manager

