



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

NOV -7 2002

Mr. John Farmer, ADC # 154743
Unit: Meadows
Arizona State Prison Complex Eyman
P.O. Box 3300
Florence, AZ 85232-3300

Ref. No. 02-0242

Dear Mr. Farmer:

Thank you for your letter dated August 28, 2002, requesting information under the Freedom of Information Act, 5 U.S.C. § 552, concerning the Hazardous Materials Regulations. The information you seek does not fall under the Freedom of Information Act.

Under the authority of the Federal Hazardous Materials Transportation Law [49 U.S.C. 5101-5127], the Secretary of Transportation has the authority to promulgate regulations that govern the transportation of hazardous materials in commerce. The Research and Special Programs Administration is the agency in the Department of Transportation responsible for promulgation of regulations governing the transportation of hazardous materials in commerce.

The Hazardous Materials Regulations (HMR) are found in Title 49, Code of Federal Regulations, Parts 100-185. The HMR apply to any person, including a department, agency, or instrumentality, that transports or causes to be transported or shipped hazardous materials in interstate, intrastate, and foreign commerce, by all modes of transportation (i.e., highway, rail, air, and vessel).

The HMR do not contain information on how specific hazardous chemicals (i.e., diethylmagnesium, tetranitromethane or pentaborane) may be ignited or extinguished. The regulations address classification, packaging, preparation of shipping papers, marking, labeling, placarding, emergency response information and training. Persons responsible for compliance with the HMR must be trained and certified to perform functions related to preparing hazardous materials for transportation in commerce. Information concerning the transportation of hazardous materials can be found on our web page at the following URL: <http://hazmat.dot.gov>. The HMR may be obtained from the U.S. Government Printing Office Bookstore or for viewing at our web site.

The Department's Federal Motor Carrier Safety Administration is responsible for the Federal Motor Carrier Safety Regulations (FMCSR), Parts 200-399, addressing maintenance and use of motor carrier vehicles, including driving and parking rules and routing of non-radioactive hazardous materials (NRHM). Federal standards for establishing, maintaining or enforcing specific NRHM routing designations over which NRHM may or may not be transported is found in 49 CFR 397.71. Except



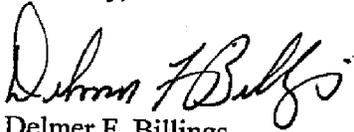
020242

177810

for radioactive materials, the HMR nor the FMCSR preclude States or other jurisdictions from determining appropriate routes for NRHM, such as through tunnels. Therefore, you must contact the State(s) you are interested in to determine whether or not NRHM may pass through its tunnels.

Thank you for your interest in hazardous materials transportation safety.

Sincerely,



Delmer F. Billings
Chief, Standards Division
Office of Hazardous Materials Standards

To whom it may concern,

RECEIVED
DMM-83

02 SEP -9 PM 2:48

Engrum
SN 177.810
172.101
Highway
02-02428-28-02

Under the provisions of the Freedom of Information act, 5 U.S.C. § 552, I hereby request the following information;

- 1.) How is Diethylmagnesium transported, can it be transported through a tunnel? ~~And~~ And how can it be ignited, and how can it be extinguished.
- 2.) How is Tetranitromethane transported, can it be transported through a tunnel? And how can it be ignited, and how it can it be extinguished.
- 3.) How is Pentaborane transported, can it be transported through a tunnel? And how can it be ignited, and how can it be extinguished.
- 4.) What would occur if these 3 chemicals were to mixed together in a accident?

I am requesting this information for a book of fiction that I am writing, any information you give would be greatly appreciated, and specific ~~for~~ information that could be used by people for terrorist acts will be withheld.

I ask that any all fees incurred in connection with this request be waived. For I feel that the release of this information to be considered 'primarily benefitting the public.'

0227