



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

MAY 28 1998

Ms. Karen Ferragonio  
Oxbow Carbon & Minerals, Inc.  
409 Broad Street - Suite 260  
Sewickley, PA 15143

Ref. No. 98-0053

Dear Ms. Ferragonio:

This is in response to your letter dated May 8, 1998, regarding the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to ferrosilicon, with 75 percent silicon.

The Hazardous Materials Regulations govern the transportation of hazardous materials in commerce. Under 49 CFR 173.22, it is the shipper's responsibility to properly classify a hazardous material. Such determinations are not required to be verified by this office.

Based on the test results you provided, it is our opinion that the ferrosilicon manufactured by your company does not meet the criteria of a Division 4.3 and provided it does not meet any other hazard class, it is not subject to the HMR.

I hope this satisfies your inquiry.

Sincerely,

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

**OXBOW CARBON & MINERALS, INC.**

409 Broad Street - Suite 260 • Sewickley, PA 15143

Tel: 412 749-1000 • Fax: 412 749-1009

**FAX TRANSMITTAL**

**DATE:** May 11, 1998  
**TO:** Helen L. Engram  
**COMPANY:** Department of Transportation  
**FROM:** Karen Ferragonio  
**SUBJECT:** 75% Ferrosilicon Reclassification

Engram  
§ 172.101 Ferrosilicon

**NUMBER OF PAGES** (Including Cover Sheet): 1

---

Received you fax you dated 5/8/98 on the above subject. I appreciate you faxing me the letters however, these companies and I all do business with the same warehouses and carriers. Everyone else has submitted documentation from the DOT verifying that they agree with the test done to the Ferrosilicon and agree it is not subject to the HMR. This is the only way I will not be charged a hazmat fee when shipping this material. I would appreciate if you could reply to my letter requesting this in writing.

Regards,

*Karen Ferragonio*

# OXBOW CARBON & MINERALS, INC.

409 Broad Street - Suite 260 • Sewickley, PA 15143  
Tel: 412 749-1000 • Fax: 412 749-1009

## FAX TRANSMITTAL

**DATE:** May 12, 1998  
**TO:** Helen L. Engram  
**COMPANY:** Department of Transportation - 202-366-3012  
**FROM:** Karen Ferragonio  
**SUBJECT:** 75% Ferrosilicon Reclassification

**NUMBER OF PAGES** (Including Cover Sheet): 3

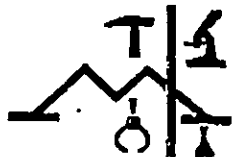
---

Please find attached copies of the test that I had performed on 75% Ferrosilicon. This was originally submitted in October 1997 and again in January 1998.

Regards,



OCT 16 1997



# Andrew S. McCreath & Son, Inc.

ANALYTICAL AND CONSULTING CHEMISTS

610 Willow Street  
 P.O. Box 1453  
 Harrisburg, PA 17105-1453  
 Telephone: (717) 238-9331  
 Telex: 84-2321  
 Fax: (717) 238-4843

October 14, 1997

Oxbow Carbon & Minerals, Inc.  
 409 Broad Street - Suite 260  
 Sewickley, Pennsylvania 15143

Gentlemen:

The sample received from Celtic Marine Corp., Baton Rouge, Louisiana on September 29, 1997, identified as: 75% Ferro Silicon, was tested in accordance with DOT Standard 173, Appendix E, Division 4.3 (Dangerous when wet material). Results are as follows:

### Spontaneous Ignition Test

Division 4.3 a (1)	No Spontaneous Ignition
Division 4.3 a (2)	No Spontaneous Ignition
Division 4.3 a (3)	No Spontaneous Ignition

### Gas Evolution Measurement

Total volume in Ml each hour.

<u>Time Interval</u>	<u>Test 1</u>	<u>Test 2</u>	<u>Test 3</u>
1 Hour	0.00 Ml	0.20 Ml	0.00 Ml
2 Hour	0.10 Ml	0.30 Ml	0.00 Ml
3 Hour	0.10 Ml	0.30 Ml	0.00 Ml
4 Hour	0.10 Ml	0.30 Ml	0.00 Ml
5 Hour	0.10 Ml	0.30 Ml	0.00 Ml
6 Hour	0.10 Ml	0.30 Ml	0.00 Ml
7 Hour	<u>0.10 Ml</u>	<u>0.30 Ml</u>	<u>0.00 Ml</u>
Total	0.10 Ml	0.30 Ml	0.00 Ml

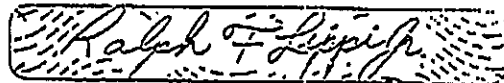
Page No. 2  
October 14, 1997  
DOT Test

Maximum Rate - 0.008 liter/hour/kilogram

Average Rate - 0.0008 liter/hour/kilogram

Yours very truly,

ANDREW S. McCREATH & SON, INC.

A rectangular stamp containing a handwritten signature in cursive script that reads "Ralph F. Leppig". The signature is written in dark ink on a light background within the stamp's border.

SEP 3 1991

Mr. Richard H. Wagner, Coordinator  
Transportation Safety and Compliance  
Borden Packaging and Industrial Products  
180 East Broad Street  
Columbus, OH 43215-3799

Dear Mr. Wagner:

This is in response to your letter of July 8, 1991, regarding the requirements of the Hazardous Materials Regulations (HMR) applicable to a formaldehyde solution, which is a hazardous substance, with a flash point not more than 141°F.

Based on the information provided, the correct shipping description for a packaging of 110 gallons or less is "RQ, Formaldehyde solution, ORM-A, UN 1198". The correct shipping description for a bulk packaging is "RQ, Formaldehyde solution, Combustible liquid, UN 1198".

Each package having a rated capacity of 110 gallons or less must be marked on at least one side or end. The appropriate ORM designation must be placed immediately following or below the proper shipping name. The letters "RQ" are marked on the package in association with the proper shipping name.

Vehicles transporting packages of 110 gallons or less of formaldehyde solution, ORM-A, are not required to be placarded. Bulk packages transporting formaldehyde solution, combustible liquid, must display the appropriate identification number and placards.

The Research and Special Programs Administration published a final rule on December 21, 1990, under Docket HM-181 entitled, "Performance-oriented Packaging Standards" which amended the HMR. The hazard class for formaldehyde solution with a flashpoint not more than 141°F is Class 3 (flammable liquids). The correct shipping description for bulk or non-bulk packaging is "RQ, Formaldehyde solutions, 3, UN 1198, PG III".

If we can be of further assistance, please feel free to contact us.

Sincerely,  
TRAVIS P. DUNGAN

Travis P. Dungan

Smith:gt:dhm-11:64488:07-24-91

Revised:07-25-91

File: 181/172.101 (F) Formaldehyde solution

CC:1234 Congress

Control Number:91000487