



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

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

FEB 12 2002

Ref. No. 02-0039

Ms. Maria Posch  
DCm DECOMetal International Trading GmbH  
Grazerplatz 5,  
A-8280 Furstenfeld  
Austria

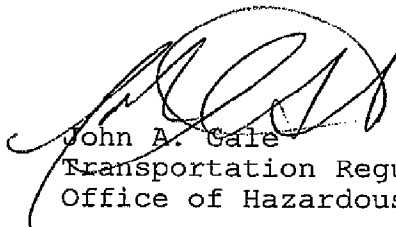
Dear Ms. Posch:

This is in response to your letter requesting confirmation that the test results of a sample of 75% ferrosilicon product demonstrate that it is not subject to the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You state that your product was tested in accordance with the test method described in 49 CFR Part 173, Appendix E (revised edition as of October 1, 1996), and found it does not meet the definition of a Division 4.3 (dangerous when wet) material.

As provided in § 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. If the sample of ferrosilicon was tested in accordance with requirements that now appear in the U.N. Manual of Tests and Criteria, and the results of the test demonstrate that it does not meet the criteria of a Division 4.3 material, nor any other hazard class criteria, it is not subject to the HMR.

I hope this information is helpful. Please contact this office if we may be of further assistance.

Sincerely,



John A. Gale  
Transportation Regulations Specialist  
Office of Hazardous Materials Standards



020039

172-101

McIntyre  
§172.101  
Applicability  
02-0039

DECOMetal group

**DCM**

Mr. Thomas G. Allan  
Senior Transportation Regulations Specialist  
Office of Hazardous Materials Standards  
U. S. Department of Transportation  
400 7<sup>th</sup> Street SW (Mail Stop BHM-10)  
Washington, D. C. 20590

Monday 29<sup>th</sup> October, 2001

Dear Mr. Allan:

Enclosed is a copy an analysis report from Andrew S. McCreath & Son, Inc. for tests conducted on a sample of our 75% Ferrosilicon product. Please confirm these test results demonstrate that our 75% Ferrosilicon is not subject to the Hazardous Materials Regulations (HMR 49 CFR Parts 171 – 180). Our product was tested in accordance with the test method described in 49 CFR Part 173, Appendix E (revised edition as of October 1, 1996), and found it does not meet the definition of a Division 4.3 (Dangerous When Wet) material.

Thank you for your attention to our request. If you have any questions or need further information, please contact Mr Roger Yannetti, DCM DECOMetal Representative Office in Pittsburgh on telephone (412) 854 3058 or fax (412) 854 3277.

Sincerely,



Maria Posch  
Managing Director