



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

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

AUG 5 2003

Mr. Domenico Masi
NRS America Inc.
Suite 110
10 Bank Street
White Plains, NY 10606

Ref. No. 03-0091

Dear Mr. Masi:

This responds to your letter requesting clarification of the segregation requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) and the International Maritime Dangerous Goods Code (IMDG Code). Specifically, you inquire whether Dichlorosilane, Division 2.3, UN2189, may be loaded with other Division 2.1 materials in the same freight container. You state that because dichlorosilane has secondary risks of Division 2.1 and Class 8, the container is rejected based on the general segregation tables in § 176.83 of the HMR and 7.2.1.16 of the IMDG Code requiring Class 8 materials be stowed "away from" Division 2.1 materials.

Under both the HMR and the IMDG Code, it is permissible to stow dichlorosilane in the same freight container with other Division 2.1 materials. The Class 8 secondary hazard assigned to dichlorosilane is not considered for the purpose of segregation under both the HMR and the IMDG Code.

In the HMR, the specific segregation requirements specified in column (10B) of the § 172.101 Hazardous Materials Table for dichlorosilane is stowage code "17." Code 17, as set forth in § 176.84, states "segregation same as for flammable gases but "away from" dangerous when wet." Although § 176.83(a)(6) of the HMR requires that all secondary labels be taken into account when determining segregation, paragraph (a)(10) of that section states "where a code in column (10B) of the § 172.101 Hazardous Materials Table specifies that "segregation as for ..." applies, the segregation requirements applicable to that class in the § 176.83(b) General Table must be applied." (Emphasis added) Therefore, for segregation purposes, dichlorosilane is treated solely as a Division 2.1 material.

Paragraph 7.2.1.6.2 of the IMDG Code states the segregation provisions for materials having more than two hazards are given in the Dangerous Goods List (DGL). For dichlorosilane, column 16 of the DGL states "segregation as for class 2.1 but "away from"



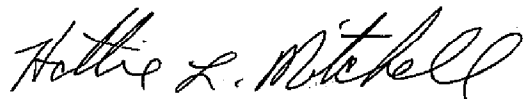
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171.12,
176.83

class 4.3." Furthermore, paragraph 7.2.1.16 states that the DGL, in the case of conflicting provisions, takes precedence over the general provisions contained in the segregation table. Therefore, again, dichlorosilane is treated solely as a class 2.1 material.

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Hattie L. Mitchell". The signature is written in dark ink and is positioned below the word "Sincerely,".

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

Head Office:
Suite 1110
10 Bank Street
White Plains, NY 10606
Phone: (914)422-3400
Fax: (914)422-3414
E-mail: info@nrso.com



FMC License No. 3583

Branch Office:
Suite 1730
363 N. Sam Houston Pkwy. East
Houston, TX 77060
Phone: (281)820-1993
Fax: (281)820-2399

Friday, March 14, 2003

Mr. Ed Mazullo
US Dept. Of Transportation / RSPA
400 Seventh St., S.W.
Washington, DC 20590

Dear Ed:

Subject: Dichlorosilane

NRSA America is a licensed and bonded transportation company operating in the state of New York. We are currently handling the export of hazardous gases packaged in DOT approved cylinders from both the West Coast and East Coast. These commodities are delivered to our contracted warehouse's located within the port city where we then segregate and load these cylinders into intermodal containers. The below listed product has presented problems in that this commodity is regularly rejected by the pier operators and in some instances the steamship line. Listed below is the product and a summary of the problem we have face in shipping this product.

Product	Dichlorosilane
Classified as	Dichlorosilane, class 2.3, UN2189, Toxic Inhalation Hazard, Zone B, (2.1), (8)

When our containers are loaded with Dichlorosilane and another class 2.1 material, the entire container is often rejected by the pier because they only check product compatibility tables which shows class 8 incompatible with another 2.1 material. Per IMDG (amdt 31-02) Code 7.2.1.6.2, segregation requirements for materials having more than 2 hazards are listed in the Dangerous Goods List. Entry for Dichlorosilane indicates segregate as 2.1.

DOT 49 CFR entry column 10B indicates segregation provision 17, "segregate as flammable gas but away from dangerous when wet".

We respectfully request your clarification on the above issue.

Sincerely,

A handwritten signature in cursive script that reads "Domenico Masi".

Domenico Masi

Enclosure (1)

Stevens
\$ 171.12
\$ 176.83
Vessel
03-0091