



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

JUN 10 2004

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

René Boisvert, Eng.
Vice President-Operations & Technology
Bécancour Silicon Inc.
6500, rue Yvon-Trudeau
Becancour (Québec)
G9H 2V8 Canada

Reference No.: 04-0110

Dear Mr. Boisvert:

This is in response to your letter regarding the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to ferrosilicon with between 30 and 90 percent silicon. You enclosed test results of a sample product with 75% ferrosilicon. The sample was tested in accordance with the test method described in the United Nations Manual of Tests and Criteria and found not to 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. However, if the ferrosilicon produced by your company is the same material that was tested and determined not to meet the Division 4.3 criteria, it is not subject to the HMR.

I trust this satisfies your request.

Sincerely,

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



040110

173.124



Corbin
§173.124

Classification

04-0110

April 14, 2004

U.S. Department of Transportation
Research and Special Programs Administration
400, Seventh Street, S.W.
Washington, D.C. 20590

Dear Sir or Madam :

My company, *Becancour Silicon Inc.*, is currently producing Ferrosilicon with between 30 and 90 percent silicon.

Andrew S. McCreath & Son Inc. tested our product in accordance with UN Manual of Tests and Criteria 173.124 and found it does not meet the definition of a Division 4.3 (Dangerous When Wet) material.

Becancour Silicon Inc. requests that the Office of Hazardous Materials Standards grant it a letter similar to those granted to its competitors which classifies *Becancour Silicon Inc.* 30% to 90% silicon content ferrosilicon as not being subject to the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

Thank you for your assistance.

Sincerely,

René Boisvert, Eng.
Vice-President – Operations & Technology

RB/jd

Attachment : Certificate of Assay

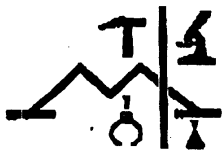
Phone : (819) 294-6000, poste 256

Fax : (819) 294-6227

rboisvert@silbec.com

Silicon Becancour Inc. / Becancour Silicon Inc.

3500, rue Van Tassel, Bécancour (Québec) G9H 2V8



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

April 14, 2004

Silicium Becancour Inc.
 6500 rue Yvon-Trudeau
 Becancour (Quebec), Canada G9H 2V8

Gentlemen:

The sample received from you on April 6, 2004, marked: FeSi 75% Si, Grade 5211, was tested in accordance with UN Manual of Tests and Criteria 173.124 (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 MI each hour.

<u>Time Interval</u>	<u>Test 1</u>	<u>Test 2</u>	<u>Test 3</u>
1 Hour	1.50 MI	1.50 MI	1.25 MI
2 Hour	1.75 MI	1.50 MI	1.50 MI
3 Hour	2.00 MI	2.00 MI	2.10 MI
4 Hour	2.50 MI	2.75 MI	3.10 MI
5 Hour	3.30 MI	3.80 MI	3.50 MI
6 Hour	3.60 MI	3.85 MI	3.90 MI
7 Hour	<u>3.80 MI</u>	<u>4.00 MI</u>	<u>4.10 MI</u>
Total	3.80 MI	4.00 MI	4.10 MI

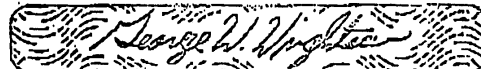
Page No. 2
DOT Test
Grade 5211

Maximum Rate - 0.060 liter/hour/kilogram

Average Rate - 0.023 liter/hour/kilogram

Yours very truly,

ANDREW S. MCCREATH & SON, INC.

A rectangular stamp containing a handwritten signature in cursive script, which appears to read "George W. Wingfield". The signature is written in dark ink on a light background.