



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

MAY 12 2005

Ms. Christina M. Kurtz
Supervisor-Regulations and Packaging
Arkema, Inc.
2000 Market Street
Philadelphia, PA 19103

Ref. No. 05-0079

Dear Ms. Kurtz:

This responds to your March 30, 2005 letter requesting clarification on the proper shipping name for "Acrylic Acid $\geq 99\%$ " that also meets the definition of a Division 6.1, PG III material under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether you should use the proper shipping name specifically identified in the Hazardous Materials Table (HMT) in § 172.101 for Acrylic Acid or a generic entry based on the hazard class of the material.

According to your letter, you describe your material on shipping papers as "Acrylic Acid, stabilized, 8, (3, 6.1), UN 2218, PG II." Your understanding is correct. A generic "N.O.S" description is used for multiple hazard materials only when the material is not specifically identified in the HMT.

I hope this answers your inquiry.

Sincerely,

John A. Gale
Chief, Standards Development Branch
Office of Hazardous Materials Standards



050079

172.101(c)(12)(iii)
172.402(a)(2)
172.202(a)(2)

ARKEMA

March 30, 2005

U.S. Department of Transportation
Office of Hazardous Materials Standards
PHMSA
400 Seventh Street, S.W.
Washington, D.C. 20590-0001
Attn: {DHM-10}

Re: Subsidiary labeling and description (§172.402(a)(2), §172.101(c)(12)(iii), and §172.202(a)(2))

Dear Mr. Mazzullo:

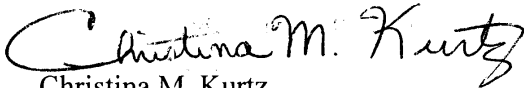
Arkema Inc currently ships Acrylic Acid >99%. The description in the 172.101 table is: **Acrylic Acid, stabilized, 8 (3), UN 2218, PGII.**

We have tested our material and it also meets the definition of a 6.1, PGIII. Thus, per the requirements of §172.402(a)(2), we label our material toxic as well. Please see attached MSDS, section 11.

We describe the material on the shipping papers as: Acrylic Acid, stabilized, 8(3,6.1), UN 2218, PGII per the requirements of §172.202(a)(2). It is our belief that we should not classify the material as a NOS description due to our interpretation of §172.101(c)(12)(iii) that states that a NOS description is only used for multiple hazard materials when the name is NOT specifically identified in the table. This makes sense to us since the "Acrylic Acid" description would be the one that would be of the most assistance to emergency responders.

Could you please tell us if our understanding of the regulations is accurate.

Sincerely,



Christina M. Kurtz
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Boothe
§172.101(c)(12)(iii)
§172.402(a)(2)
§172.202(a)(2)
Proper Shipping Name
05-0079