



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

DEC 1 2005

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

Ms. Kathleen Nese
Manager, Product Stewardship and
Regulatory Affairs
General Chemical
90 E Halsey Road
Parsippany, NJ 07054

Ref. No.: 05-0261

Dear Ms. Nese:

This is in response to your October 13, 2005 letter regarding determination of a proper shipping name for a sodium nitrite solution under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). According to your letter, the product you intend to offer for transportation does not meet the definition of a Division 5.1 material as defined in § 173.127 and is better classified as a Division 6.1 material and described as "Toxic liquid, inorganic, n.o.s. (sodium nitrite), 6.1, UN3287, PGIII." Specifically, you ask this office for consent to make this determination.

In accordance with § 173.22, it is the shipper's responsibility to properly classify a hazardous material and assign it a proper shipping name from the hazardous material Table (HMT; § 172.101). Such determinations are not required to be verified by this Office. In accordance with § 172.101(c)(12)(i), if it is specifically determined that a material meets the definition of a hazard class, packing group or hazard zone, other than the class, packing group or hazard zone shown in association with the proper shipping name, or does not meet the defining criteria for a subsidiary hazard shown in Column 6 of the Table, the material must be described by an appropriate proper shipping name listed in association with the correct hazard class, packing group, hazard zone, or subsidiary hazard for the material. Provided the sodium nitrite you offer for transportation meets the definition of a Division 6.1 material, your classification is the most appropriate.

I hope this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

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



050261

173.132(c)(2)
172.101



ENVIRONMENTAL MATTERS DEPARTMENT

05 OCT 19 PM 5:19

Pollack
§ 173.132(c)(2)
§ 172.101
Classification
90 EAST HALSEY ROAD
PARSIPPANY, NJ 07054
TELEPHONE: (973) 515-1840
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05-0261

October 13, 2005

Office of Hazardous Materials Standards
Pipeline and Hazardous Materials Safety Administration
U.S. Department of Transportation
400 7th Street SW
Washington, DC 20590-0001

Attention: DHM-10

Re: Re-classification of Sodium Nitrite Solutions

To Whom It May Concern:

General Chemical, LLC is writing to inform the Department of Transportation that it has reviewed the formulation and technical information for Sodium Nitrite Liquor solutions and determined that a re-classification from *Nitrites, inorganic, aqueous solutions, n.o.s., 5.1, UN3219, PGIII* to *Toxic liquid, inorganic, n.o.s. (sodium nitrite), 6.1, UN3287, PGIII* is appropriate based on the following statistics:

- Sodium Nitrite solutions do not evolve oxygen until it is dried to a solid; therefore, the product is not an oxidizer which is one of the characteristics which must be present in order to meet the definition of a Class 5, Division 5.1 oxidizer as defined by the DOT criteria.
- Our previous designation of our Sodium Nitrite solutions as a Class 5, Division 5.1 was based on the criteria set-forth under 49 CFR 173.132 (c)(2); however, this information classifies the mixture based on the most hazardous constituent, i.e. Sodium Nitrite (5.1), as if it were present in the same concentration. We have now determined that 49 CFR 173.132 (c)(2) is not the most accurate way to classify the mixture since Sodium Nitrite solutions are not oxidizers as classified by 49 CFR 173.127.
- General Chemical, LLC has data that supports a classification of Sodium Nitrite as a Class 6, Division 6.1 toxic; therefore it is only appropriate that General Chemical determine the LD₅₀ of the solutions based on the formula criteria set forth under 49 CFR 173.132 (c)(3). The formula has determined that the solutions have an LD₅₀ of 330 mg/kg and supports the classification as Class 6, Division 6.1 toxic under these criteria.

We trust that the re-classification will meet your approval. On the basis of the foregoing, General Chemical, LLC will make the change to the classification of Sodium Nitrite as indicated above. If you have any questions, please do not hesitate to contact me at (973) 515-1840.

Sincerely,

Kathleen Nese
Manager, Product Stewardship & Regulatory Affairs