



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

DEC 7 2006

Dr. Marc A. Feldman, CQM/OE
Regulatory Affairs Manager
Solvay Chemicals, Inc.
P.O. Box 27328
Houston, TX 77227-7328

Ref. 06-0242

Dear Dr. Feldman:

This is in response to your request for clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) regarding the use of the most appropriate proper shipping name for your material. Specifically, you state that Solvay Chemicals manufactures ammonium fluoride solid dissolved in water at various strengths and transports the material domestically and internationally. Based on your interpretation of the HMR, you believe that "Ammonium fluoride solution," UN2505 is the most appropriate proper shipping name; however, you state that the International Civil Aviation Organization (ICAO) Technical Instructions, the International Maritime Dangerous Goods (IMDG) Code and the International Air Transport Association (IATA) Dangerous Goods Regulations require the proper shipping name "Toxic liquid, inorganic, n.o.s. (ammonium fluoride solution)," UN3287 for your material. You ask whether, under the HMR, the proper shipping name "Toxic liquid, inorganic, n.o.s. (ammonium fluoride solution)" may be used when transporting this material domestically or ly.

In assigning a proper shipping name, you must select the shipping name most appropriate to the material being transported. You are correct that under the HMR your material must be transported using the proper shipping name "Ammonium fluoride solution," UN 2505 in accordance with the provisions of § 172.101(c)(10). Section 172.101(i)(4) provides a table for use when the packaging sections specified for a hazardous material specifically named in the Hazardous Materials Table are not applicable to the form of the material being transported (e.g., the packaging specified is for a solid material and the material being offered for transportation is a liquid). Section 172.101(c)(10) and (i)(4) apply to all modes of transportation.



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M2.101

Under the HMR, you may use the proper shipping name "Toxic liquid, inorganic, n.o.s. (ammonium fluoride solution)," UN3287 in accordance with the International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air and the International Maritime Dangerous Goods Code only when your material is transported by aircraft and by motor vehicle either before or after being transported by aircraft or when all or part of the transportation is by vessel (see §§ 171.11 and 171.12).

You may not use the proper shipping name "Toxic liquid, inorganic, n.o.s. (ammonium fluoride solution)," UN3287 for transportation within the United States if no part of the transportation is by aircraft or vessel.

I hope this information is helpful. Please contact this office if you need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Hattie L. Mitchell". The signature is written in a cursive style with a large, prominent initial "H".

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



SOLVAY CHEMICALS

INTEROX, FLUORIDES & MINERALS

MCIntyre
§172.101
Proper Shipping Name
06-0242

October 25, 2006

Office of Hazardous Materials Standards
Pipeline and Hazardous Materials Safety Administration
ATTN: PHH-10
U.S. Department of Transportation
400 7th Street SW
Washington DC 20590

Via electronic mail and surface mail

Dear Sirs:

My company manufactures Ammonium Fluoride Solution consisting only of ammonium fluoride solid dissolved in water at various strengths (percentages) for sale within the United States as well as for export to Europe via both air transport and vessel (ocean transport).

As I interpret the Hazardous Materials Regulations (49 CFR 171-180, "the HMR"), sections 49 CFR 172.101(c)(10) and 172.101(i)(4) permit me to transport this material using the proper shipping name, Ammonium Fluoride Solution, UN 2505, PG III within the United States in a suitable package regardless of mode of transportation. Your confirmation of this understanding is requested.

The ICAO Technical Instructions and IATA Regulations (Air) and the IMDG Code (Ocean) apparently do not permit me to use "Ammonium Fluoride Solution" as a proper shipping name (IATA section 4.1.3.1 and IMDG Code section 2.0.2.5), due to the different physical form of the mixture (liquid) as opposed to the pure material (solid) in both of these regulations.

For that reason it would seem that a liquid solution of Ammonium Fluoride must be designated as Toxic Liquid, Inorganic, n.o.s., (Ammonium Fluoride Solution), UN 3287, PG III, to be exported from the United States to Europe via either air or ocean conveyance. Again, your confirmation of this understanding is requested.

Is it permissible to use the IATA/IMDG designation as the proper shipping name and description for transportation solely within the United States by any mode including surface (truck or rail), if no part of the shipment involves Air or Ocean transport (49 CFR 172.401(c))?

Should you require any additional information, I may be reached at 713-525-6575, weekdays between 7:30 am and 3:30 pm Central time.

Thank you for your assistance in understanding the regulations.

Sincerely,

Dr. Marc A. Feldman, CQM/OE
Regulatory Affairs Manager.

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