



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, D.C. 20590

OCT 29 2007

Mr. Donald W. Alger
Allegro MicroSystems, Inc.
115 Northeast Cutoff, Box 15036
Worcester, MA 01615

Ref. No.: 07-0172

Dear Mr. Alger:

This responds to your letter dated August 30, regarding clarification of the materials of trade exception prescribed in § 173.6 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180), as it applies to the transport of "UN1219, Isopropyl alcohol, 3, PG II" between several of your company's chemical plants.

You state that your company is located in Worcester, Massachusetts and a "sister" plant is located in Manchester, New Hampshire. From time to time, you get a request from the Manchester plant for some Isopropyl alcohol. You ask whether the materials of trade (MOTs) exception in § 173.6 applies to the transport of the Isopropyl alcohol (or other chemicals) in your company-owned and-operated vehicles from your Worcester plant to your Manchester plant.

A material of trade is defined in § 171.8, as a hazardous material, other than a hazardous waste, that is carried on a motor vehicle:

- (1) For the purpose of protecting the health and safety of the motor vehicle operator or passengers;
- (2) For the purpose of supporting the operation or maintenance of a motor vehicle (including its auxiliary equipment); or
- (3) By a private motor carrier (including vehicles operated by a rail carrier) in direct support of a principal business that is other than transportation by motor vehicle.

Based on your scenario, it appears that your company meets the third criteria. Provided that all conditions in § 173.6 are met, your company may take advantage of the MOTs exception. Hazardous materials that are transported in accordance with § 173.6 are not subject to any other requirements of the HMR.

In accordance with § 173.6, the Isopropyl alcohol you transport between your facilities must be in a packaging with a gross mass or capacity no greater than 66 pounds or 8 gallons. You



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173.6
171.8

may transport more than one package in the same vehicle provided that the aggregate gross weight of the MOTs on the vehicle does not exceed 440 pounds. Packages must be leak tight for liquids and gases, sift-proof for solids, and be securely closed, secured against shifting or movement, and protected against damage. Each material must be packaged in the manufacturer's original packaging, or a packaging of equal or greater strength and integrity.

I hope this satisfies your inquiry. If we can be of further assistance, please contact us

Sincerely,

A handwritten signature in black ink, appearing to read 'John A. Gale', written in a cursive style.

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

Engram
\$172.700
\$173.6
Training + M07
07-0173

Drakeford, Carolyn <PHMSA>

From: INFOCNTR <PHMSA>
Sent: Thursday, August 30, 2007 11:14 AM
To: Drakeford, Carolyn <PHMSA>
Subject: FW: Request for Determination

Wants a written letter of Interp.

From: Alger, Donald W [mailto:DAlger@ALLEGROMICRO.com]
Sent: Thursday, August 30, 2007 10:11 AM
To: INFOCNTR <PHMSA>
Cc: Mahoney, Denis C; Moquin, William T
Subject: Request for Determination

Completed via phone by RB @ 11:10 am on 8/30

Hello,

I am contacting you for a Request for Determination. We are located in Worcester, MA and have a sister plant in Manchester, NH. We use a reasonable amount of chemicals in our process, but the Manchester plant uses very few. From time to time we get a request from them for some isopropyl alcohol (IPA). My question is whether transport of this IPA (or other chemicals) from here to Manchester falls under the Materials of Trade rule. Can our employees legally transport IPA or other chemicals to the Manchester plant, or vice versa? Are there any special requirements for these employees? Regarding quantity limits, do we follow those specified in the "What Are Materials of Trade" booklet?. For IPA, it specifies a limit of 8 gallons in each package. Does that mean you can transport 16 gallons as long as there are no more than 8 in each package?

Thank you.

Donald W. Alger
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8/31/2007