



U.S. Department of Transportation
**Pipeline and Hazardous Materials
Safety Administration**

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

APR 28 2010

Ms. Kelley O'Connor
Sales Administration Manager
Bozel LLC
PO Box 1375
Seacaucus, NJ 07096-1375

Ref. No. 10-0061

Dear Ms. O'Connor:

This is in response to your March 3, 2010 letter requesting clarification on the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to a calcium silicate alloy material. You request confirmation from this office that the test report submitted with your letter provides sufficient verification that the tested material is not subject to the requirements of the HMR.

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, based on the test results you provided, it is our opinion that the calcium silicate alloy material described in the test report does not meet the definition of a Division 4.3 material and, provided it does not meet the criteria for another hazard class, it is not subject to the HMR.

I hope this answers your inquiry. If you have further questions, please do not hesitate to contact this office.

Sincerely,

Charles E. Betts
Chief, Standards Development
Office of Hazardous Materials Standards

DOT/RSPA/OHMS
UNIT

10 MAR -3 PM 2:33



BOZEL
LLC

PO BOX 1375 SECAUCUS, NJ 07096-1375 PH: 201-601-2288 FAX: 201-751-6615

Leary
\$172.101
Classification
10-0061

March 3, 2010

Associate Administrator for Hazardous Materials Safety
Att: Exemptions, DHM-31
Research & Special Programs Administration
US DEPARTMENT OF TRANSPORTATION
400 7TH Street SW
Washington, DC 20590

Reference: Request for Hazmat Exemption for Calcium Silicon
Class 4.3 UN 1405 Package Group III

As per attached the test results issued by GEXCON AS we request an exemption of Hazardous status of the above mentioned product.

Information on the applicant is as follows: Bozel LLC, 16 Schmidts Place, Secaucus, NJ 07094, contact person: Kelley O'Connor, telephone number: 201-601-2288. Please direct any questions concerning this application to Kelley O'Connor.

Thank you.

Sincerely,

Kelley O'Connor
Sales Administration Manager
BOZEL LLC
PO Box 1375
Secaucus, NJ 07096-1375
Ph: 201-601-2288
Fax: 201-751-6615
Email: koconnor-bozel@comcast.net

Attached: GEXCON AS Test results