



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

JUN 27 2012

Mr. Michael Gosselin
Integrated Chemical & Equipment Corp
22 Jefferson Circle
Clinton, CT 06413

Reference No. 11-0303

Dear Mr. Gosselin:

This responds to your letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the classification of hazardous materials. Specifically, you ask how Resin Solution containing Di(4-tert-butylcyclohexyl) Peroxydicarbonate and Tert-Butyl Peroxybenzoate in a felt/glass constructed liner with a thin film coating should be classified. Your understanding is that the compound resin product in a felt/glass constructed liner should be classified as "Resin Solution, UN 1866, Class 3, PG III."

As specified in § 173.22 of the HMR, a shipper is responsible for properly classifying, packaging, marking, and labeling a hazardous material for transportation in commerce. This Office does not typically perform this function. The hazard class of a material is determined based on the chemical composition and hazard properties of the material. If your material meets the definition of any of the hazard classes or is a hazardous substance, a marine pollutant or a hazardous waste, it is regulated under the HMR. Therefore, if the material you have described remains in its liquid form, it should continue to be classified as a "Resin Solution, UN 1866, Class 3, PG III."

I hope this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division



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November 29, 2011

Information Center
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590

RE: Request for Formal Letter of Interpretation

Dear Neil,

I spoke with you yesterday in regards to Cured-In-Place Pipe (CIPP) manufacturer and interpretation regarding transport requirements. Currently, NASSCO (www.NASSCO.ORG, National Association of Sewer Service Companies) has published an instruction guide for CIPP applications for their members (see: Styrene Task Force Report). Included in this guide is a section for "TRANSPORTATION OF RESIN-SATURATED TUBES" on page 9 and 10. The pdf article is attached.

The NASSCO suggestions for transporting and a September 14, 2011 response from Mr. Charles Betts to Mr. Aaron Carr, Reynolds Inliner, Orleans, IN, Reference No. 11-0171 leads me to request a "Formal Letter of Interpretation" by which full information on the products processed and transported is noted below and MSDS's attached.

- One category of the products received into a facility is a
 - **Proper Shipping Name:** "Resin Solution (flammable)", UN 1866, Class 3, PG III.
- Compounded into the resin solution is a primary organic peroxide, Typically at 1.0% bw
 - Di(4-tert-butylcyclohexyl) peroxydicarbonate, powder
 - **Proper Shipping Name:** Organic peroxide type C, Solid, Temperature Controlled, Di(4-tert-butylcyclohexyl) peroxydicarbonate
 - **Haz Class:** 5.2, Emergency Temp: 35C, Control Temp: 30C
 - **IATA-DGR:** Forbidden, ERG NO. 148
- Also compounded into the resin solution is a secondary organic peroxide., Typically at 0.5% bw
 - Tert-Butyl peroxybenzoate, liquid
 - **Proper Shipping Name:** Organic peroxide type C, liquid (tert-Butyl peroxybenzoate, 98%)
 - **Haz Class:** 5.2, UN 3103
 - **IATA-DGR:** UN 3103, ERG NO. 146
- **Other "catalyst" or organic peroxides can be substituted for the above, same Class 5.2, Resin Solution is a constant. UN 3105, and/or UN 3115. UN 3115 organic peroxide has a "control temperature" of 20C.**

Andrews
§ 172.101
§ 172.504
Applicability
11-0303



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I would like to request for a formal letter of interpretation of the above mixture, Resin Solution + Di(4-tert-butylcyclohexyl) peroxydicarbonate + Tert-Butyl peroxybenzoate in a felt/glass constructed liner with a thin film coating.

The coating (or bag) does not provide a "hermetically sealed" containment. The fumes from the liner are noticed in a refrigerated container. 1500 ppm styrene as measured with a RAE 2000 organic vapor meter with 10.6 E.V. bulbs. The liners stored in the refrigerated truck were 5 each of 8"x 6mm x 450", 40 LB ice bags were placed around and on top of the liners.

A liner of this size (8"x6mmx450"), takes approximately 1,130 LBS of resin solution, 11.3 LBS of Di(4-tert-butylcyclohexyl) peroxydicarbonate and 5.7 LBS of tert-Butyl peroxybenzoate. The styrene component in the "resin solution" is typically less than 40% by weight or 452 LBS.

Note: 5 liners are transported: 5650 LB Resin + 56.5 LB primary organic peroxide+ 28.5LB secondary peroxide

Could you please confirm our understanding of the 49 CFR (parts 100-185) compounded resin product as follows:

- Proper Shipping Name: Resin Solution
- UN 1866, Class 3, PG III
- Hazard Ratings: Health 2, Flammability 3, Reactivity 2

Note: Reactivity rating increased from 1 to 2

For Hazmat, First Responders and Controlled Product Regulations, a new MSDS for the product transported would make the product in accordance with hazmat criteria.

It is disturbing that a compound of this type could be classified as a Class 9, UN3077 and be allowed on passenger or cargo air freight as NASSCO and Reynolds, Inc suggests.

I appreciate your attention to this matter, if more information is required, please contact me anytime. Thank You for your assistance.

Regards,

Michael Gosselin
IC&E Corp, CHE

Attachments:

MSDS Organic Peroxides, Typical Resin Solution, Letter from Reynolds, NASSCO Training Manual