U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

MAR 4 1999

Ms. Christy Schwartz
Shipping and Receiving
Fine Metals
15117 Washington Highway
Ashland, Virginia 23005

Ref. No. 99-0033

Dear Ms. Schwartz:

This responds to your letter of January 29, 1999, concerning transportation requirements for magnesium and magnesium alloys under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask for a definition of the term "pellets" as it is used in the Hazardous Materials Table entry "Magnesium *or* Magnesium alloys *with more than 50 percent magnesium in pellets, turnings or ribbons.*"

The term "pellets" is not specifically defined in the HMR. The phrase "pellets, turnings or ribbons" is used in the Hazardous Materials Table to distinguish those forms of magnesium that are hazardous from magnesium in ingots and other structural forms that are not hazardous. The absence of a plus (+) sign in column 1 of the Hazardous Materials Table indicates that the listed material may not be subject to the HMR in all instances. In the case of magnesium, the determining factor is not the size of the pellets, turnings, or ribbons that are being shipped. Rather, a determination as to whether magnesium is subject to the HMR as a Division 4.1 material must be based on an evaluation of its performance when tested in accordance with the UN Manual of Tests and Criteria. Thus, if the magnesium pellets you ship show a burning rate faster than 2.2 mm per second when tested in

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accordance with the UN Manual of Tests and Criteria, then they meet the definition for a Division 4.1 material no matter how large or small the pellets are (see § 173.124(a)(3)(ii) of the HMR).

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

Sincerely,

Thomas G. Allan

Thomas G. Allan
Senior Transportation Regulations Specialist
Office of Hazardous Materials Standards

FINE METALS CORP

Gorsky
§ 173.22
99-0033

January 29, 1999

Dr. Edward T Muzzullo
Director of The Office of Hazardous Material Standards
USDOT/ RESPA DHM-10
400 7th Str SW
Washington, DC 20590-0001

**Subject: Request for Clarification**

We are a small metals manufacturing company that as part of our business sell magnesium and other metals. According to DOT regulations when shipping magnesium if it has more than 50 percent magnesium in pellets, turnings or ribbon it should be marked as a hazardous material. In our industry the word pellet is used interchangeably with rod, slug, shot or evaporation pellet. However, each individual company uses their own wording to distinguish what it is that they are buying and/or selling. The size of the metal determines (in our company) whether or not it is a rod or pellet. Normally the smallest size we sell is 8mm dia. x 8mm long (0.314" dia x 0.314"long) we traditionally refer to this as a pellet. We only deal in small quantities of material and usually ship 5 kilograms or less. My question to you is, can you give me a specific size on what is considered a pellet since this affects how it ships. Thank you for all of your help.

Respectfully yours,

Christy Schwartz

Christy Schwartz / Shipping and Receiving
Fine Metals

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(804) 227-3381 15117 Washington Hwy. ▪ P.O. Box 1055 ▪ Ashland, Va 23005 FAX (804) 227-3404