



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

MAR 23 2000

Mr. Mark Walker
Gulf Trading
(Alabama), Inc
Pittsburgh Office
1100 Washington Ave., Suite 312
Carnegie PA 15106-3617

Ref. No. 00-0057

Dear Mr. Walker:

This is in response to your letter requesting confirmation that the test results of a sample of magnesium bearing ferrosilicon demonstrate that it is not subject to the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You state that your product was tested in accordance with the test method described in 49 CFR part 173, Appendix E (revised edition as of October 1, 1996), and found it does not meet the definition of a Division 4.3 (Dangerous When Wet) material.

As provided in § 173.22, it is the shipper's responsibility to properly classify a hazardous material. However, if the ferrosilicon handled by your company is the same material that was tested in accordance with requirements that now appear in the U.N. Manual of Tests and Criteria, and determined not to meet the Division 4.3 criteria, it is not subject to the HMR.

I hope this satisfies your request.

Sincerely,

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



000057

172.101 (F)

January 20, 2000

Mr. Delmer Billings
Chief, Regulations Development
Office of Hazardous Materials Standards
400 Seventh St. S.W.
Washington, DC 20590

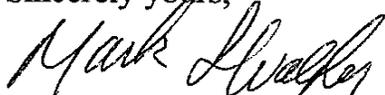
Dear Mr. Billings,

Gulf Trading (Alabama) has tested our magnesium bearing ferrosilicon at the laboratories of Andrew S. McCreath and Son, Inc. and we submit the test results for your review. It is our contention that our ferrosilicon does not meet the criteria of a division 4.3 material under HMR: 49 CFR Parts 171-180. McCreath tested the material in accordance with the method described in Appendix E part 173 and their results are attached to this letter.

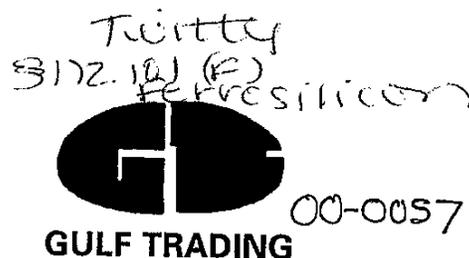
We request that the department issue an exemption for our ferrosilicon.

Thanking you in advance, I remain

Sincerely yours,



Mark Walker
Sr. Vice President



GULF TRADING
(ALABAMA), INC.
Pittsburgh Office
1100 Washington Ave.
Suite 312
Carnegie, PA 15106-3617
Phone (412) 276-6311
Fax (412) 276-6323
E mail: gulfpitt@bellatlantic.net