



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

MAR 23 2000

Ms. Noreen McDonald
Considar, Inc.
825 Third Avenue
New York, NY 10022

Ref. No. 00-0058

Dear Ms. McDonald:

This is in response to your letter requesting confirmation that the test results of a sample of 75% ferrosilicon, ferro silicon chrome and ferro silicon calcium 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



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172.101(4)

CONSIDAR, INC.



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00-0058

February 14, 2000

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Attn: Office of Harzardous Materials Standards

Gentlemen:

We are currently dealing in 75% ferrosilicon, ferro silicon chrome and ferro silicon calcium. We have had the material tested in accordance with DOT Standard 173, Appendix E, Division 4.3 (dangerous when wet material) and are enclosing the results herewith.

It is our understanding that the enclosed results show that the 75% ferrosilicon, ferro silicon chrome and ferro silicon calcium would not fall into the category of Hazardous Material and therefore does not require special handling or marking.

We would appreciate it if you would confirm that you agree with the above. If you have any questions, please let us know. Thank you in advance for your help in this matter.

Sincerely yours,
Consider, Inc.

Noreen McDonald