



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

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

DEC 21 2000

Mr. Court Ferderber
Pechiney World Trade U.S.A., Inc.
475 Steamboat Road
Greenwich, CT 06830-7190

Ref. No. 00-0322

Dear Mr. Ferderber:

This is in response to your November 13, 2000, letter regarding the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to ferrosilicon with 75 percent silicon.

The HMR govern the transportation of hazardous materials in commerce. Under 49 CFR 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.

Based on the test results you provided, it is our opinion that the ferrosilicon imported by your company does not meet the criteria of a Division 4.3 and provided it does not meet any other hazard class, it is not subject to the HMR.

I hope this satisfies your request.

Sincerely,



John A. Gale
Transportation Regulations Specialist
Office of Hazardous Materials Standards



00-0322

172.161

U.S. AGENCIES

Pechiney World Trade (U.S.A.), Inc.
475 Steamboat Road
Greenwich, CT 06830
tel: (203) 863-5031
telefax: (203) 869-0031

WORLD TRADE

PECHINEY
WORLD TRADE USA

5119000
~~36228300~~
~~6614600~~

BATH
§ 172.101
Applicability

Ref. No. 00-0322

November 13, 2000

U.S. Department of Transportation
Research and Special Programs Administration
400 Seventh Street, S.W.
Washington, D.C. 20590
FAX NO.: 202-366-3012

Dear Sir or Madam,

My company, Pechiney World Trade (U.S.A.) Inc., is currently engaged in the importation of 75% Ferrosilicon from Venezuela. This material is produced by Ferroatlantica de Venezuela in Puerto Ordaz, Venezuela.

Jeffrey A. Nunes Laboratories, Inc. tested this product in accordance with the test method described in Appendix E to Part 173, and found it does not meet the definition of a Division 4.3 (Dangerous When Wet) material. We therefore request that this product be not subject to the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

Thank you for your assistance.

Sincerely,



Court Ferderber
Product Manager
Pechiney World Trade (U.S.A.) Inc.

Attachement: Certificate of Assay

JEFFREY A. NUNES LABORATORIES, INC.



2992 GRAND AVE. • NEVILLE ISLAND, PA 15225 • 412/771/6074 • 412/771/1880
nuneslab1@worldnet.att.net

ASSAYERS • SAMPLERS • CONSULTANTS

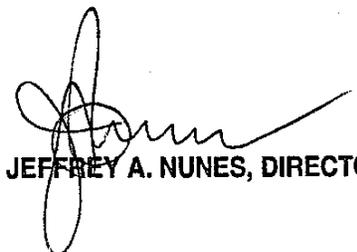
CERTIFICATE OF ASSAY

CLIENT	Pechiney World Trade U.S.A. Services, Inc. 11351 Pearl Road Strongsville, OH 44136	REF.#	23677	DATE	10/30/00
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A sample of 75% FeSi from lot 6001333B was tested in accordance with DOT Standard 173, Appendix E, Division 4.3. The results are as follows;

Spontaneous Ignition Test 1	No Ignition
Spontaneous Ignition Test 2	No Ignition
Spontaneous Ignition Test 3	No Ignition

Gas Evolution Rate: <0.01 liter/hour/kilogram


JEFFREY A. NUNES, DIRECTOR

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