



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JAN 26 2001

Mr. Gary J. Kessler
Marketing Director
Kessler Chemical
26 Brick Church Road
Pipersville, PA 18947

Ref. No. 01-0001

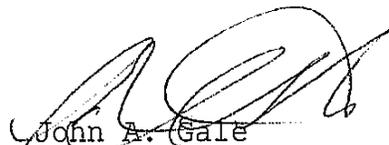
Dear Mr. Kessler:

This is in response to your letter dated January 3, 2001, requesting clarification of provisions in § 173.150(f) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if your product, p-chlorobenzotrifluoride, may be reclassified as a combustible liquid.

Under § 173.150(f), a flammable liquid with a flash point of 38°C (100°F) or higher that does not meet the definition of any other hazard class may be reclassified as a combustible liquid. Chlorobenzotrifluoride with a flash point of 43°C (109°F) that does not meet the definition of any other hazard class may be reclassified as a combustible liquid. This provision does not apply to transportation by vessel or aircraft, except where other means of transportation is impracticable (§ 173.150(f)(1)).

I hope this satisfies your request.

Sincerely,



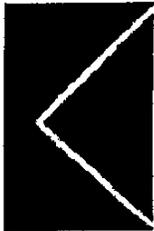
John A. Gale
Transportation Regulations Specialist
Office of Hazardous Materials Standards



010001

173.150

**KESSLER
CHEMICAL**



BAH
§ 173.150 (f)
Combustible Liquid
OVER 25 YEARS
OF
DEDICATED
SERVICE

~~00-0367~~
01-0001



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TELEFAX (PLEASE DELIVER ASAP)

NUMBER OF PAGES (INCLUDING THIS PG.): 1

DATE: January 3, 2001

TO:

Edward Mazzullo

OHMS

U.S. DOT/RSPA (DHM-10)

400 7th St., S.W.

Washington, DC 20590

Fax# (202) 366-3012

FROM: Gary J. Kessler

Dear Edward:

I spoke with Jerry at your Hazardous Material Information Center about getting a written clarification of a provision under CFR Title 49, 173.150 (f).

We will be shipping the chemical, p-chlorobenzotrifluoride (CAS# 98-56-6), by highway transportation in 551 lb. (250 kg.) net drums, and 44,092 lb. (20,000 kg.) net, bulk isotanks. This chemical is listed as a class 3 substance, however it has a flash point of 43 deg. C. (109 deg. F.) It appears that under 173.150 (f), we can reclassify the material for U.S. highway shipping purposes as a combustible liquid, since the flash point is above the stated threshold of 38 deg. C. (100 deg. F.), and it does not meet the definition of any other hazard class. This provision seems straightforward, but it is our intent to be in full compliance with shipping regulations. We always like to seek authoritative clarification on these important matters.

Thank you in advance for your attention to this matter. If you have any questions, please feel free to contact me at (610) 758-9602.

Yours sincerely,

Gary J. Kessler

Marketing Director

gary@kesslerchemical.com