



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

AUG 17 2001

Mr. William P. Murphy
Owner/President
Alloy & Metal Processors, Inc.
623-33rd Place North
Birmingham, AL 35222

Ref. No. 01-0211

Dear Mr. Murphy:

This is in response to your letter requesting confirmation that the test results of a sample of 75% 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



01-0211

173.22



623-33RD PLACE NORTH
BIRMINGHAM, ALABAMA 35222

THOMAS
173-22
Shippers Responsibility
Tracking #: 01-0211
136-23

205-322-2344
1-800-321-8528
FAX 205-328-3640

ALLOY & METAL PROCESSORS, INC.

August 1, 2001

Mr. Thomas G. Allan
Senior Transportation Regulations Specialist
Office of Hazardous Materials Standards
Washington, D.C.

Dear Mr. Allan,

In compliance with Haz Mat Regulations; DOT Standard 173, Appendix E, Division 4.3 (Dangerous when wet material) our ferrosilicon products have been tested by Andrew S. McCreath & Son, Inc. (Copy enclosed)

Please find results of those tests, regarding the applicability of the Hazardous Materials Regulations (HMR; 49). We will appreciate your response, via written letter, stating our material does not meet the criteria of a Division 4.3 Hazardous Material, and is not subject to the HMR.

Respectfully,

William P. Murphy ^{CEP}

William P. Murphy
Owner/President

/s
Attch