



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

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

MAR 10 2005

Mr. Sean E. Condren  
President  
Seacon Corporation  
525 N. Tryon St., Suite 1600  
Charlotte, NC 28202

Ref. No. 05-0032

Dear Mr. Condren:

This is in response to your request for clarification concerning the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to the domestic transportation of "Azodicarbonamide," UN3242. Specifically, you ask whether your material is regulated under the HMR. You state that the material has a self-accelerated decomposition temperature (SADT) above 75 °C and does not meet the definition of Division 4.1 or any other hazard class under the HMR.

In the § 172.101 Hazardous Materials Table, "Azodicarbonamide," UN3242 is assigned Special Provision 38, which states that when the SADT of the technically pure substance is higher than 75 °C, the substance and formulations derived from it are not self-reactive, and provided the material does not meet any other hazard class, it is not regulated under the HMR. If these conditions are met, you are correct that your azodicarbonamide is not regulated under the HMR and, therefore, is not regulated for domestic transportation. However, as also contained in Special Provision 38, if the azodicarbonamide shows a violent effect during testing involving heating under confinement, the material is regulated for domestic transportation and must be packaged in accordance with Packing Method OP6 in § 173.225 and meet the labeling requirements in Special Provision 53.

I hope this information is helpful. Please contact this office if we can be of further assistance.

Sincerely,

Hattie L. Mitchell  
Chief, Regulatory Review and Reinvention  
Office of Hazardous Materials Safety



050032

172.101



McIntyre  
§172.101  
Applicability  
05-0032

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February 9, 2005

Mr. Edward Mazzullo  
Director, Office of Hazardous Material Standards  
U.S. D.O.T. / RSPA (DHM-10)  
400 7<sup>th</sup> Street S.W.  
Washington, DC 20590-0001

Re: Azodicarbonamide / UN3242

Dear Director Mazullo:

Seacon Corporation imports Azodicarbonamide and ships this material to customers throughout the U.S. This chemical is regulated as a 4.1 flammable solid by the IMDGC, and is also listed in the 49 CFR 172.101 Hazardous Materials Table as a 4.1 flammable solid. Special Provision 38, assigned to this entry, states that "if the SADT is higher than 75°C, the technically pure substance and formulations derived from it are not self-reactive materials."

All grades of azodicarbonamide Seacon ships in the U.S. have SADT above 75°C. Furthermore, these grades do not meet the definition of "Readily Combustible Solid," are not forbidden materials, and do not meet the definition of any other hazard class as prescribed in §172.101(a)(12)(iv).

Though we do not describe azodicarbonamide as a hazardous material on our shipping papers, the chemical name is listed in the HMR table and each carton we ship has a 4.1 label because of IMDGC regulations. As you can imagine, this contradiction creates confusion with our customers, trucking companies, and warehouses.

Would your office please send Seacon a brief letter of clarification stating that shipments of azodicarbonamide with SADT above 75°C are non-hazardous? We would then use this letter to resolve any disputes that might arise.

Please feel free to contact our office if you have any questions or require additional information. Thank you for your consideration.

Sincerely,

Sean E. Condren  
President