



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

JUN 24 2005

Ms. Susan Jackson
Greenview Chemical Sales, Inc.
3759 N. Ravenswood Avenue
Suite 222
Chicago, Illinois 60613

Ref No. 05-0140

Dear Ms. Jackson:

This responds to your June 7, 2005, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if the mixture described in your letter meets the definition of a "hazardous substance." You provide the following information:

- 1) The product is transported in bags that weigh 2,200 lbs. each.
- 2) Each bag contains zinc sulfate heptahydrate (660 lbs. per bag), iron sulfate heptahydrate (660 lbs. per bag), and moisture (880 lbs. per bag).

The answer is no. A Hazardous substance is defined in § 171.8 as a material, including its mixtures and solutions, that is listed in Appendix A to § 172.101, and is in a quantity, in one package, that equals or exceeds the reportable quantity (RQ) for the material listed in Appendix A. Both zinc sulfate and ferrous sulfate (iron sulfate) are listed in Appendix A with an RQ of 1,000 pounds. The mixture you describe does not meet the definition of a hazardous substance as defined in § 171.8, because the amounts in each bag do not exceed the RQs for the materials.

Although your material doesn't meet the definition of a hazardous substance, it must be shipped as a hazardous material if it meets the definition of a hazardous waste, marine pollutant or any hazard class listed in § 173.2.

I hope this information is helpful.

Sincerely,

John A. Gale
Chief, Standards Development
Office of Hazardous Materials Standards



050140

172.101 App. A

June 7, 2005

Eichenlaub
§172.101
Appendix A
Shipping Name
05-0140

Susan.gorsky@dot.gov
Susan Gorsky
Office of Hazardous Materials Standards
Research and Special Programs Administration
U. S. Department of Transportation

Dear Ms. Gorsky:

Greenview Chemical is requesting a clarification of our products, Zinc Sulfate/Iron Sulfate Heptahydrate.

We are currently shipping this material as a hazardous substance, Class 9 placarded, via a hazmat certified carrier. We believe this product does not meet the RQ for Class 9 and therefore should not be placarded or shipped as hazardous.

The product is a mixture of Zinc Sulfate Heptahydrate and Iron Sulfate Heptahydrate. The CAS numbers are 7733-02-0 and 7720-78-7 respectively.

The product is shipped in bags weighing 2200 pounds each. Each bag contains 60% solids (1320 lbs.) and 40% moisture (880 lbs.) The 1320 pounds of solids are equally divided between Zinc Sulfate Heptahydrate (660 lbs.) and Iron Sulfate Heptahydrate (660 lbs.).

Iron Sulfate can also be listed as Ferrous Sulfate. Per the Table one – Hazardous Substances, Appendix A to Part 172, Section 101- Both Zinc Sulfate and Ferrous Sulfate are hazardous when packaged 1000 lbs. per bag. This rule does not apply to our product. Part 172 does not have any rules governing the combination of Zinc Sulfate and Iron Sulfate.

Thank you for your help.

Sincerely,

Susan Jackson