



U.S. Department of Transportation
**Pipeline and Hazardous Materials
Safety Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

JUN 09 2011

Mr. Thomas Reese
Distribution Safety & Regulatory Compliance Consultant
DuPont Sourcing & Logistics
4417 Lancaster Pike
Barley Mill Plaza 22/2226
Wilmington, DE 19805

Ref. No.: 11-0105

Dear Mr. Reese:

This responds to your April 18, 2011 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the definition of corrosive materials.

In your letter, you state that your company, Dupont, receives metal corrosion test results for one of its products. You indicate that the laboratory test report for the product states it is not corrosive to metals at a rate of 6.25 mm/yr, but it exhibits "localized corrosion" at the liquid/vapor interface exceeding 120 mm when exposed for seven days. You provide data in an attachment of the metal corrosion test results. You ask if a shipper is required to use both "uniform corrosion" and "localized corrosion" data when determining whether a material meets the definition of a Class 8 corrosive material based on its corrosive effects on aluminum or steel.

The answer is yes. Under the HMR, both tests must be considered when determining if a material is corrosive. It is the opinion of this Office that based on the information from the results of the tests your company performed, your material is considered a Class 8 corrosive material. (See § 173.136.)

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

Drakeford, Carolyn (PHMSA)

Nickels
\$ 172.101
\$ 173.185

From: Billings, Delmer (PHMSA)
Sent: Monday, April 18, 2011 11:00 AM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: Metal Corrosion Test Results using the UN Manual of Tests & Criteria for Class 8 - Section 37

Applicability
11-0105

Carolyn,

Please log the original request for written interp.
Thanks.

Del

From: Thomas C Reese [mailto:Thomas.C.Reese-1@USA.dupont.com]
Sent: Friday, April 15, 2011 3:16 PM
To: Billings, Delmer (PHMSA)
Subject: RE: Metal Corrosion Test Results using the UN Manual of Tests & Criteria for Class 8 - Section 37

Mr Billings,
Thank you for the quick response. Yes, we would like a formal interpretation. Please send it to me via e-mail or regular mail.

Thanks & Best Regards, TomReese
Distribution Safety & Regulatory Compliance Consultant
DuPont Sourcing & Logistics
Distribution Safety & Security Team
4417 Lancaster Pike
Barley Mill Plaza 22/2226
Wilmington, DE 19805
Phone: (302) 992-3483 (Ducom 9923483)
FAX: 1-302-355-2891 (This not a Ducom number)
Internet: Thomas.C.Reese-1@usa.dupont.com
Hours: 8:00 AM - 5:00 PM

<delmer.billings@dot.gov>

To Thomas C Reese/AE/DuPont@DuPont

cc

04/13/2011 07:28 AM

Subject RE: Metal Corrosion Test Results using the UN Manual of Tests & Criteria for Class 8 - Section 37

Mr. Reese

I checked with one of the Chemists in our Engineering and Research Division. Under the HMR, both tests must be considered when determining if a material is corrosive. Based on the information on the results of the tests performed, your material is considered a corrosive.

If you would like a formal interpretation, we can assign your request for formal response.

Hopefully this helps.

Del Billings
Senior Regulatory Advisor
Office of Hazardous Safety

From: Thomas C Reese [mailto:Thomas.C.Reese-1@USA.dupont.com]
Sent: Monday, April 11, 2011 5:14 PM
To: Billings, Delmer (PHMSA)
Subject: Metal Corrosion Test Results using the UN Manual of Tests & Criteria for Class 8 - Section 37

Dear Mr Billings,
Good afternoon. I am a hazardous materials, regulatory compliance resource for ten of DuPont's businesses and three DuPont Joint Ventures (JVs).

One of my JVs recently received metal corrosion test results for one of their products, see attachment **Metal corrosion test results**. The issue they have with the laboratory results is the data regarding "localized corrosion depth". According to the laboratory test report, the product is not corrosive to metals at a rate of 6.25 mm/yr, but does exhibit "localized corrosion" at the liquid/vapor interface exceeding 120 mm when exposed for 7 days. The Testing Laboratory reported the product meets the hazard class 8 definition of a corrosive material in accordance with the DOT's HMR based on the observed "localized corrosion depth" test results. A copy of the UN class 8 metal corrosion pass/fail tables is attached. I know uniform corrosion to metals is in 49CFR, but I'm not sure if "localized corrosion" is part of the class 8 definition.

Questions -

1. Is a shipper required to use both "uniform corrosion" and "localized corrosion" data when determining if a material is a class 8 corrosive material based on its corrosive effect on aluminum or steel? or
2. Is a shipper only required to use "uniform corrosion" data when determining if a material is a class 8 corrosive material based on its corrosive effect on aluminum or steel?

We appreciate you looking into this matter, and providing us with your interpretation or guidance.

Thank you, and Best Regards, TomReese
Distribution Safety & Regulatory Compliance Consultant
DuPont Sourcing & Logistics
Distribution Safety & Security Team
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Barley Mill Plaza 22/2226
Wilmington, DE 19805
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Hours: 8:00 AM - 5:00 PM

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