



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

FEB 6 2007

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

Ms. Sheryl Small  
Sasol North America, Inc.  
900 Threadneedle, Suite 100  
Houston, TX 77079

Ref. No. 07-0006

Dear Ms. Small:

This is in response to your January 3, 2007 letter requesting clarification under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) regarding domestic shipment of Ethyl Acrylate in bulk (by truck or rail). Specifically you ask for guidance on determining whether "Ethyl acrylate, stabilized" is regulated as a marine pollutant under the HMR.

You note in your letter that the proper shipping name "Ethyl acrylate, stabilized" is listed in the § 172.101 Hazardous Materials Table (HMT) but not listed in Appendix B to § 172.101 (List of Marine Pollutants). However, you note that "Ethyl propenoate, inhibited" is in the List of Marine Pollutants and that Ethyl Acrylate and Ethyl Propenoate are chemical synonyms. The difference between the chemical names is the terms "stabilized" and "inhibited."

According to the various chemical indexes, Ethyl Acrylate and Ethyl Propenoate are indeed chemical synonyms. Further, the terms "stabilized" and "inhibited" have the same meaning, that is, both terms are used to describe a material that is in a condition that precludes an uncontrolled reaction (see § 171.8). Under Docket HM-215D (66 FR 33316; June 21, 2001), PHMSA amended all entries in the HMT to replace the term "inhibited" with "stabilized." The use of the term "stabilized" introduced internationally accepted and standardized hazard communication wording and conveys that the addition of a stabilizing compound or other means of stabilization such as temperature control measures have been implemented to prevent an unwanted reaction of a hazardous material.

Therefore, based on the above information, "Ethyl acrylate, stabilized" is regulated as a marine pollutant under the HMR (see §§ 171.4 and 171.8). Specific to your scenario,



070006

172.101

bulk transport of "Ethyl acrylate, stabilized" by truck or rail is subject to the requirements for transport of marine pollutants under the HMR.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Gale". The signature is stylized and somewhat cursive.

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

Der Kinderen  
§ 172.101  
Proper Shipping Name  
07-0006

SASOL  
reaching new frontiers



January 3, 2007

Office of Hazardous Materials Standards  
Pipeline and Hazardous Materials Safety Administration  
Attn: PHH-10, Dept. of Transportation  
400 7<sup>th</sup> Street SW.  
Washington, DC 20590-0001

RE: Guidance and Interpretation

This letter serves as a request for guidance in shipping Ethyl Acrylate in bulk (truck and rail) in the U.S. The primary issue is determining whether Ethyl acrylate is a marine pollutant.

Ethyl Acrylate is listed in §172.101 Hazardous Materials Table as "Ethyl acrylate, stabilized". There is not a listing for "Ethyl acrylate, inhibited". In Appendix A to 172.101, Ethyl acrylate is listed as hazardous substance using two chemical names: Ethyl acrylate or 2-Propenoic acid, ethyl ester. Both hazardous substance listings have a RQ of 1000 lbs. When you look in Appendix B to 172.101, there are no listings under the names Ethyl acrylate or 2-Propenoic acid, ethyl ester; however, there is a marine pollutant under the name "Ethyl propenoate, inhibited". The problem is the name "Ethyl propenoate" is a synonym for Ethyl acrylate. The only difference is "inhibited" vs. "stabilized".

Should Ethyl acrylate in bulk containers be shipped as a marine pollutant due to the marine pollutant listing "Ethyl propenoate, inhibited"?

Any assistance in clarifying this issue is appreciated.

Kind regards,

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