



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

AUG 4 1999

Ms. Pat Albrecht  
North Central Laboratories  
P.O. Box 8  
Birnamwood, WI 54414

Ref. No. 99-0190

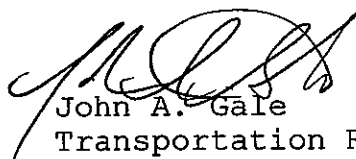
Dear Ms. Albrecht:

This is in response to your letter dated July 14, 1999, requesting clarification of the definition for materials of trade under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically you ask if hazardous materials transported between your company's facilities may be considered materials of trade.

One criteria for a material of trade is that a hazardous material is transported by a private carrier in direct support of its principal business which may not be transportation by motor vehicle. If the hazardous materials transported between your company's facilities are used to support the business, and provided all condition of § 173.6 are met, the materials of trade exception may be applied to your scenario.

I hope this satisfies your request.

Sincerely,



John A. Gale  
Transportation Regulations Specialist  
Office of Hazardous Materials Standards



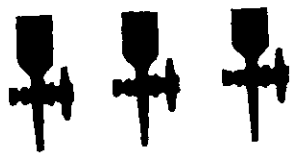
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FAX TRANSMISSION

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DATE: 07/14/99

To: Mr. Edward T. Mazzullo  
Director, Office of Hazardous  
Material Standards

From: Pat Albrecht  
North Central Labs

FAX#: 202-366-3012

FAX#: 1-715-449-2454  
Phone: 1-715-449-2693

Dear Mr. Mazzullo,

I need to obtain a letter from your office in regards to an email question that was answered via a call back by your office.

My question was pertaining to transporting Hazardous materials, class 3, 8, 5.1 and 6.1 in 20L or 2.5kg or less amounts packing group II and III from our manufacturing lab to our shipping building located about 1/8 mile away via public roads.

I was told by your office that we could transport our products between our two buildings under CFR 173.6: "Materials of Trade Exceptions".

Could you please fax written confirmation of this so we may have it on file?

Thank you,

Pat Albrecht  
NCL of Wisconsin, Inc.