



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

06-23-2006

Ms. Nicole Curcio
Tyco Specialty Products
Mallinckrodt Baker, Inc.
600 N. Broad St.
Phillipsburg, NJ 08865

Ref. No. 06-0047

Dear Ms. Curcio:

This is in response to your letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) pertaining to the transportation of various concentrations of silver nitrate. You ask whether diluted forms of silver nitrate are regulated under the HMR.

Under the HMR, if diluted solutions of silver nitrate (composition of solutions were not included in your letter) do not meet the definition for Division 5.1 (oxidizers) materials in § 173.127, and do not meet the definition of any other hazard class, hazardous substance or hazardous waste, the material is not regulated under the HMR.

I hope this information is helpful. Please contact this office should you have additional questions.

Sincerely,

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



060047

172.101
173.136
173.127

tyco
Specialty Products

Mallinckrodt Baker

McIntyre
§ 172.106
§ 173.129
§ 173.136

Exceptions
06-0047

Mallinckrodt Baker, Inc.
222 Red School Lane
Phillipsburg, NJ 08865

Tel: 908-859-2151
Fax: 908-859-9411

Mr. Edward T. Mazzullo
Director, Office of Hazardous Materials Standards
U.S. DOT/PHMSA (DHM-10)
400 7th Street S.W.
Washington, D.C. 20590-0001

February 7, 2006

Dear Mr. Mazzullo,

This letter is a request for a letter of interpretation and/or exception regarding a hazardous material, silver nitrate.

To give you a brief overview of the situation, our company sells silver nitrate in various concentrations. We currently classify our concentrated silver nitrate products as listed in the 49 CFR under the UN1493 classification. However, we also carry some very diluted forms of silver nitrate that we feel is not hazardous enough to be a regulated item. We have been using a previously issued exception letter, Ref. No. 00-0249, addressing a similar concern regarding an exception for shipments of water samples containing various limited quantities of Class 8, corrosive materials. This letter provided us with some guidance for the hazard determination of some of our Hydrochloric, Sulfuric and Nitric Acid solutions.

I would appreciate it if you can please reply back with an official interpretation from the hazmat administration as to whether or not there can be a similar exception made for silver nitrate (UN1493) with specific concentration cut-offs or limitations.

Mallinckrodt Baker, Inc.
600 N. Broad Street
Phillipsburg, NJ 08865
(908)859-2151 ext. 9764

Once again, thank you in advance for your help and clarification in this matter, and I look forward to hearing from you. The response can be forwarded to the below address, and should you have any questions, please feel free to contact me at the number also provided below.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicole Curcio". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Nicole Curcio
Quality Information Administrator