



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety Administration**

SEP - 8 2006

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

Mr. Randolph Martin
Hazardous Material Distribution Consultant
DuPont Global Logistics
1007 Market Street, Room D-5100
Wilmington, DE 19898

Reference No.: 06-0175

Dear Mr. Martin:

This responds to your letter concerning Special provision B69 assigned to the proper shipping name "Sodium cyanide, solid, UN 1689" in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Your questions are paraphrased and answered as follows:

Q1. Special provision B69 reads: "Dry sodium cyanide or potassium cyanide may be shipped in sift-proof weather-resistant covered hopper cars, covered motor vehicles, portable tanks or non-specification bins. Bins must be approved by the Associate Administrator." Does the phrase "sift-proof weather-resistant" apply to all of the bulk packagings identified in the special provision?

A1. The answer is yes; all bulk packagings authorized by Special provision B69 must be sift proof and weather resistant.

Q2. Are bins the only bulk packaging that requires approval by the Associate Administrator?

A2. The answer is yes; out of the packagings authorized in B69, only bulk bins require approval by the Associate Administrator.

Q3. Does Special provision B69 authorize use of non-specification portable tanks without obtaining an approval from the Associate Administrator?

A3. The answer is yes; approval is not required for non-specification portable tanks authorized by Special provision B69.

I trust this satisfies your request.

Sincerely,

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



060175

172.102(c)(3)
Special Provision B69

DuPont Sourcing & Logistics
1007 Market Street
Wilmington, DE 19898



DuPont Global Logistics

Corbin
§ 172.102(c)(3)
Special Provision B69
Packagings
06-0175

August 1, 2006

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

Dear Mr. Mazzullo:

We have a few questions on the interpretation of 49CFR, 172.102(c)(3), Special Provision B69, as it relates to the shipment of dry Sodium Cyanide. The Special Provision currently reads:

Dry sodium cyanide or potassium cyanide may be shipped in sift-proof weather-resistant metal covered hopper cars, covered motor vehicles, portable tanks or non-specification bins. Bins must be approved by the Associate Administrator.

Does "sift-proof weather-resistant" only refer to the "metal covered hopper cars" or does it apply to the other listed packagings as well? Another question relates directly to the meaning of "portable tanks". It seems that this SP allows shipment in a number of non-specification packagings, and that only one, the bins, require any additional approval. Is this the correct interpretation? If not, what is the correct interpretation? And finally, does this SP allow the use of non-specification portable tanks without any additional approval?

Your prompt attention is greatly appreciated.

Sincerely,

Randolph Martin
Hazardous Materials Distribution Consultant
DuPont Global Logistics
1007 Market Street, Room D-5100
Wilmington, DE 19898
Phone: (302) 773-4248
FAX: (302) 355-2889