

October 7, 1999

Mr. Jeff Jones
DELTA Analytical Corporation
7910 Woodnion Avenue, Suite 1000
Bethesda, Maryland 20814

Ref. No. 99-0177

Dear Mr. Jones:

This is in response to your letter dated July 2, 1999, regarding whether a 1991 letter of interpretation, written to The Clorox Company, is correct that sodium hypochlorite solutions containing 7% available chlorine is not corrosive, and not subject to the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

The letter issued to Mr. Fred Schaefer of the Clorox Company in 1991 was based specifically on data presented by Mr. Schaefer for specified products. This letter may not be valid for other products because the composition (formulation) of hypochlorite solutions may vary from one product to another. The corrosive properties for products containing hypochlorite depend on the concentration of hypochlorite as well as the presence of other ingredients. Therefore, an evaluation of each formulation against the definition and criteria for Class 8 (corrosive) material defined in 49 CFR 173.136 and 173.137 is necessary. This task is the responsibility of the offeror (shipper) as required in 49 CFR 173.22. This Office does not perform that function.

In a final rule published in the Federal Register on December 21, 1990, the HMR was aligned with international standards based on the U.N. Recommendations. The U.N. criteria for corrosive material were adopted, and the ORM-B (Other Regulated Material, category B) hazard class was eliminated. The definition of corrosive material has not changed under the HMR. However, since 1991 "Packing Groups" (i.e., I, II and III), which is a grouping according to the degree of danger presented by the hazardous material, were adopted to determine appropriate packaging for corrosive materials in transportation in commerce. [HM-181; 55 FR 52402, as amended in 56 FR 66124; 12/20/91]

I hope this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards

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