



U.S. Department of Transportation
**Pipeline and Hazardous Materials
Safety Administration**

1200 New Jersey Ave, SE
Washington, D.C. 20590

DEC 15 2010

Mr. Andrew Bethmann
CYTEC Industries, Inc.
131 Revco Road
North Augusta, SC 29842

Ref. No. 10-0211

Dear Mr. Bethmann:

This responds to your September 24, 2010 request for clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you request clarification on whether the letters "UN" on a printed sticker applied to the side of a 1A1 or 1A2 drum (55 gallons) is acceptable in place of the UN symbol.

The answer is no. As required by § 178.503(a), the permanent marks described in § 178.503(a)(1) through (a)(6) and (a)(9)(i), must appear on the bottom of the packaging. In addition, for packages with a gross mass of more than 66 pounds, the marking on the bottom must also appear on the top or on a side of the packaging. Section 178.503(a)(1) allows the letters "UN" to be embossed on metal receptacles in place of the UN symbol as illustrated in § 178.503(d). Any additional replication of the required UN marking, including stickers used to comply with § 178.3(a)(5) must include the UN symbol, rather than the letters "UN." Marks on the side or top of the drum need not be permanent and may appear as part of a complete marking.

I hope this answers your inquiry. If you need additional assistance, please contact this Office at 202-366-8553.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Supko".

Ben Supko
Acting Chief, Standards Development
Standards and Rulemaking Division



Boothe
§ 178.3
§ 178.503.
Marking of Packagings
10-0211

CYTEC INDUSTRIES INC.
Five Garret Mountain Plaza
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Tel. (973) 357-3100

Andrew Bethmann
Logistics Site Lead
Cytec Industries Inc.
131 Revco Road
North Augusta, SC 29842
September 24, 2010

Mr. Edward T. Mazzullo
Director, Office of Hazardous Materials Standards
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590

Dear Mr. Mazzullo:

This letter is an effort to obtain clarification on the requirements for UN packaging markings. We have a vendor who supplies us with both 1A1 and 1A2 55 Gallon Steel Drums. Per the manufacturer, the containers are UN Specification Packagings. The UN markings are embossed on the bottom of the drums, and they begin with the letters "UN". Additionally, the UN markings, beginning with "UN", are printed on a sticker and applied to the side of each drum.

Per 49 CFR § 178.503 (a)(1), the United Nations symbol must be applied as illustrated in paragraph (e)(1)(i) of the same section. However, the exception is that, "for embossed metal receptacles, the letters "UN" may be applied in place of the symbol". Paragraph (e)(1)(i) shows the United Nations symbol as a lowercase "u" over a lowercase "n" inside a circle.

Furthermore, 49 CFR § 178.3 (a)(2) tells us that the markings must be on the packaging to provide adequate accessibility, and paragraph (a)(5) further prescribes that packages with a gross mass of more than 30 kg must have the markings, or a duplicate thereof, on the top or side of the packaging.

Recently, we've had issues with hazardous material shipments because the printed stickers on the side, which are the observable UN markings on our drums, begin with the letters "UN" and not the appropriate United Nations symbol. To the casual observer, it appears that the UN markings claim the exception to the United Nations symbol incorrectly because the markings are not embossed. However, the UN markings on the stickers are, as 178.3 (a)(5) allows, duplicates of the embossed markings on the bottom of the drums.

With all of this in mind, I would like clarification as to whether or not the printed sticker is a valid UN Specification Marking, or should it show the United Nations symbol instead of the letters "UN"? If using the letters "UN" is indeed valid, is there a standard that prescribes how to indicate to a potential inspector, in order to avoid delays, that the sticker is merely a replication of the embossed mark on the bottom of the drum?

Thank you in advance for your consideration on this issue. If you need any additional information or have any questions, please do not hesitate to contact me. I look forward to hearing your response.

Warmest Regards,

Andrew Bethmann

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