



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

1200 New Jersey Avenue, SE
Washington, DC 20590

December 31, 2024

Timothy Gaffney
Executive Vice President
JCI Jones Chemicals, Inc.
100 Sunday Sol Blvd.
Caledonia, NY 14423

Reference No. 24-0052

Dear Mr. Gaffney:

This letter is in response to your June 18, 2024, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the placement of hazard labels on Department of Transportation (DOT) specification 3A480 cylinders. You explain that JCI transports 150-pound specification cylinders with a netting around each cylinder to protect the sidewall of the cylinders during handling in transportation and at customer locations. The netting is rigid and tight-fitting and binds the required labels (e.g., Class 2, Class 8, and Div. 5.1) underneath the netting to the sidewall of the cylinder. The labels are non-adhesive labels (i.e., no adhesive on either the frontside or backside of the label is used to affix the label to the cylinder). You note that this method of affixing the label allows them to be located on the same surface of the package and near the proper shipping name marking as required in § 172.406 (a)(1)(ii). You also provided a photograph of a cylinder using this netting to affix labels. You ask whether a cylinder netting would meet the intent of § 172.406(b)(2) as “other suitable means of affixing” labels to a cylinder.

In accordance with § 172.406(a)(1)(i) and (ii), each label must be printed on or affixed to a surface (other than the bottom) of the package or containment device containing the hazardous material and be located on the same surface of the package and near the proper shipping name marking if the package dimensions are adequate. Section 172.406(b) affords certain packages flexibility to have the label printed on or placed on a securely affixed tag or *affixed by other suitable means* (emphasis added). Furthermore, § 172.406(f) requires that a label must be clearly visible and may not be obscured by markings or *attachments* (emphasis added). In this instance, it is the opinion of this Office that placing labels underneath a cylinder netting as described and shown—via your photograph—may indeed prevent the labels from shifting in orientation or location such that they remain affixed under normal conditions incidental to transportation, and

meet the visibility requirements of § 172.406(f)—i.e., the netting does not cause a reduction in the effectiveness of the the label to properly convey the hazard represented.

PHMSA emphasizes that we considered the specific example presented with your incoming request about interpreting § 172.406 requirements. It should not be construed from this interpretation that this method of affixing labels generally meets requirements in all cases. As both means of affixing a label and visibility are performance standards they must be considered specific to each scenario.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dirk Der Kinderen', with a stylized, cursive script.

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division

From: [INFOCNTR \(PHMSA\)](#)
To: [Dodd, Alice \(PHMSA\)](#)
Cc: [Hazmat Interps](#)
Subject: FW: Request for Formal Letter of Interpretation
Date: Tuesday, June 18, 2024 12:57:50 PM
Attachments: [Cylinder Netting.heic](#)

Hello Alice,

Please see the below interpretation request. Let us know if you need anything.

Sincerely,
Janaye

From: Tim Gaffney <tgaffney@jcichem.com>
Sent: Tuesday, June 18, 2024 11:55 AM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Request for Formal Letter of Interpretation

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

TO: Director, Standards and Rulemaking Division
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590

JCI Jones Chemicals, Inc. (JCI) is hereby requesting a formal letter of interpretation of 49 CFR 172.406 (b)(2) which states “A label may be printed on or placed on a securely affixed tag *or may be affixed by other suitable means to a cylinder.*” (Emphasis added).

JCI supplies 150-pound “cylinders” of Chlorine and Sulfur Dioxide to the water treatment industry (primarily municipalities). The cylinders are DOT 3A 480 specification cylinders. JCI applies “cylinder netting” around each cylinder to protect the sidewall when the cylinders are handled during transportation and at the customer locations. JCI places the required DOT 4” x 4” labels (Corrosive, Inhalation Hazard, and Oxidizer for Chlorine, and Corrosive and Inhalation Hazard for Sulfur Dioxide) underneath the cylinder netting of each cylinder as the means of affixing them to the cylinders (the DOT labels are non-adhesive). The cylinder netting is rigid and tight fitting and JCI has never experienced these labels/tags being lost in transportation using this method of affixing them to the cylinders. Being placed under the cylinder netting also allows the labels/tags to be located on the same surface of the package and near the proper shipping name marking as also required by 172.406 (a)(1)(ii).

The issue in question is what does “securely affixed” mean. We do not interpret this to mean that the DOT labels need to be glued to or stuck on the cylinder (i.e., with an adhesive backing). Given that 49 CFR 172.406 (b)(2) specifically states that the DOT labels may be affixed “by other suitable means to a cylinder”, we believe that the cylinder netting is a

suitable securement method when the non-adhesive DOT labels are placed underneath them. Attached is a picture of a chlorine cylinder with the non-adhesive DOT labels placed underneath the cylinder netting, and a picture of the DOT labels as purchased from JJ Keller.

Please let us know if placing a non-adhesive DOT label underneath the cylinder netting meets the requirements of 49 CFR 172.406 (b)(2) as a suitable means to affix the label to the cylinder.

Thank you.

Tim Gaffney

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