



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

November 17, 2021

Mr. Robert Miller
Evonik Corporation
7201 Hamilton Blvd
Allentown, PA 18195

Reference No. 21-0105

Dear Mr. Miller:

This letter is in response to your November 15, 2021, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the shipment of hydrogen peroxide aqueous solutions. You ask whether the hazardous materials descriptions for “UN2014, Hydrogen, peroxide, aqueous solutions with more than 40 percent but not more than 60 percent hydrogen peroxide (stabilized as necessary), 5.1 (8), PG II” and “UN2014, Hydrogen, peroxide, aqueous solutions with not less than 20 percent but not more than 40 percent hydrogen peroxide (stabilized as necessary), 5.1 (8), PG II” could have the text “stabilized as necessary” in italics.

The answer is yes. As currently provided in § 172.101 of the Hazardous Materials Table (HMT), the HMR list the hazardous materials descriptions for “UN2014” as follows:

- UN2014, Hydrogen, peroxide, aqueous solutions with more than 40 percent but not more than 60 percent hydrogen peroxide (stabilized as necessary)
- UN2014, Hydrogen, peroxide, aqueous solutions with not less than 20 percent but not more than 40 percent hydrogen peroxide (stabilized as necessary)

However, there was an inadvertent editorial error made when the HM-219C¹ final rule published in November 2020 that removed the italics from each description in the HMT. The Pipeline and Hazardous Materials Safety Administration (PHMSA) can confirm that this was an inadvertent editorial error and these descriptions should read as:

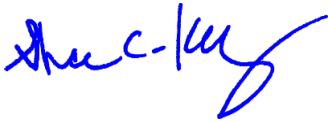
¹ See the HM-219C final rule titled “Hazardous Materials: Adoption of Miscellaneous Petitions To Reduce Regulatory Burdens” published on November 25, 2020 [85 FR 75680] at: <https://www.govinfo.gov/content/pkg/FR-2020-11-25/pdf/2020-23712.pdf>

- UN2014, Hydrogen, peroxide, aqueous solutions *with more than 40 percent but not more than 60 percent hydrogen peroxide (stabilized as necessary)*
- UN2014, Hydrogen, peroxide, aqueous solutions *with not less than 20 percent but not more than 40 percent hydrogen peroxide (stabilized as necessary)*

Thank you for bringing this issue to our attention and please note that PHMSA will correct this inadvertent editorial error in an upcoming rulemaking.

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

Sincerely,



Shane C. Kelley
Director
Standards and Rulemaking Division
Office of Hazardous Materials Safety

From: [INFOCNTR \(PHMSA\)](#)
To: [Dodd, Alice \(PHMSA\)](#)
Cc: [Hazmat Interps](#)
Subject: FW: Urgent Request for Letter of Interpretation on UN2014 PSN Correction
Date: Tuesday, November 16, 2021 5:04:00 PM
Importance: High

Hello Alice,

Please see the below request for interpretation.

Let me know if you need anything.

Regards,

-Breanna

From: Miller, Robert <robert.miller@evonik.com>
Sent: Monday, November 15, 2021 2:00 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Urgent Request for Letter of Interpretation on UN2014 PSN Correction
Importance: High

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.

Greetings,

May I please request a Letter of Interpretation that addresses my below issue and provides a time frame for correcting the PSN of UN2014? The phrase “(stabilized as necessary)” was mistakenly left as Roman type and not italicized as it should have been, therefore it is not part of the Proper Shipping Name and not required to be printed on the BoL. This is causing unnecessary shipment delays requiring written response from PHMSA indicating it is not a violation to omit that phrase.

Thanks,

Rob



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Robert Miller

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From: Miller, Robert
Sent: Monday, November 15, 2021 11:28 AM
To: infocntr@dot.gov
Subject: Urgent UN2014 PSN Correction
Importance: High

Greetings,

This is in regards to an issue I discussed with your info center a week ago. May I ask for an update as to when the PSN for UN2014 will be corrected or a statement that the phrase “(stabilized as necessary)” was mistakenly left as Roman type and not italicized as it should have been. I understand that in a few weeks PHMSA will correct this in the eCFR, which means, that phrase is not part of the Proper Shipping Name and not required to be printed on the BoL, but I need a timeline.

In order to get our shipments out, carriers and freight forwarders are holding up our shipments due to this oversight and misunderstanding. Therefore, I need a statement from PHMSA as to when this will occur so they know it is not part of the PSN and will process our shipments as being in compliance. Please advise as this is an urgent matter.

Thanks you,

Rob



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Robert Miller

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