



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

1200 New Jersey Avenue, SE
Washington, DC 20590

October 7, 2022

Steve Schulte
Arkema – Health Environment and Safety
900 First Ave., Building #2
King of Prussia, PA 19406

Reference No. 22-0080

Dear Mr. Schulte:

This letter is in response to your May 16, 2022, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to subsidiary labeling requirements for organic peroxides. Specifically, you ask whether your understanding is correct that a hazardous material—in your case “UN3103, Organic peroxide type C, liquid, 5.2, (tert-Butyl hydroperoxide, >79-90%)”—requires both a Division 5.2 hazard label and a Class 8 hazard label, when Column 8 (Notes) of the § 173.225 Table 1 to paragraph (c) - Organic Peroxide Table assigns a number “13.”

Your understanding is correct. As indicated in § 173.225(c)(8), Column 8 specifies other applicable provisions, as set forth in the notes following the Table 1 to paragraph (c) - Organic Peroxide Table. Specifically, Note 13 states a corrosive subsidiary risk label is required. Therefore, any material listed in the table that is assigned “13” in Column 8 requires a Class 8 (corrosive) subsidiary hazard label, along with the primary hazard label.

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".

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

From: [Casey, Candace \(PHMSA\)](#)
To: [Dodd, Alice \(PHMSA\)](#)
Subject: FW: Clarification Letter of Interpretation Note 13 Organic Peroxide Table 49 CFR 173.225
Date: Monday, August 8, 2022 3:15:51 PM
Attachments: [Clarification Organic Peroxide Table Note 13 49 CFR 173.225.docx](#)

Hi Alice,

I think this interp was never assigned. Could you please log and assign it?

Thank you!

- C

From: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Sent: Tuesday, May 24, 2022 11:48 AM
To: Dodd, Alice (PHMSA) <Alice.Dodd@dot.gov>
Cc: Hazmat Interps <hazmatinterps@dot.gov>
Subject: FW: Clarification Letter of Interpretation Note 13 Organic Peroxide Table 49 CFR 173.225

Hi Alice,

Please see the attached interpretation request.

Should you need anything, do not hesitate to reach out.

Regards,

-Breanna

From: SCHULTE-EXT Steve <steve.schulte-ext@arkema.com>
Sent: Monday, May 16, 2022 9:34 AM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Cc: KURTZ Christina <christina.kurtz@arkema.com>
Subject: Clarification Letter of Interpretation Note 13 Organic Peroxide Table 49 CFR 173.225

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.

Dear Madam / Sir:

Please find my request for a letter of interpretation attached.

Regards,

Steve Schulte, CHMM, CPP

Arkema – Health Environment and Safety
Hazardous Materials/Dangerous Goods Consultant
Cell: 651-245-8951

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