



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

1200 New Jersey Avenue, SE  
Washington, DC 20590

April 3, 2023

Mr. Steve Schulte, CHMM, CPP  
Hazardous Materials/Dangerous Goods Consultant  
Arkema – Health Environment and Safety  
9001st Ave  
King of Prussia, PA 19406

Reference No. 22-0052

Dear Mr. Schulte:

This letter is in response to your May 16, 2022, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to organic peroxides. In your email, you present a scenario where tert-Butyl hydroperoxide is transported as “UN3103, Organic peroxide type C, liquid, 5.2” which is listed in the Hazardous Materials Table (HMT; § 172.101) as a Division 5.2 material with no subsidiary hazard. However, you note that Note 13 in Column 8 of the Organic Peroxide Table found in § 173.225 indicates that tert-Butyl hydroperoxide requires an additional Class 8 (corrosive) label, in addition to the Division 5.2 label. You ask whether your understanding is correct that a shipment of “UN3103” comprised of tert-Butyl hydroperoxide requires both a Division 5.2 label and a subsidiary Class 8 label.

You are correct that the HMT does not list “UN3103, Organic peroxide type C, liquid, 5.2” with a Class 8 subsidiary hazard. However, as noted in your email, the Organic Peroxide Table in § 173.225 requires tert-Butyl hydroperoxide to have a subsidiary Class 8 (corrosive) label.

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

Sincerely,

A handwritten signature in blue ink that reads "T. Glenn Foster".

T. Glenn Foster  
Chief, Regulatory Review and Reinvention Branch  
Standards and Rulemaking Division

Standards and Rulemaking Division  
Pipeline and Hazardous Materials Safety Administration  
Attn: PHH-10  
U. S. Department of Transportation  
East Building  
1200 New Jersey Avenue, SE.  
Washington, D.C. 20590-0001

RE: Request Letter of Interpretation regarding subsidiary risks Organic Peroxides 49 CFR 173.225

Dear Madam / Sir:

Request a letter of interpretation regarding the addition of subsidiary risk labels for Organic Peroxides listed in Column (8) Notes of 49 CFR 173.225 Table to Paragraph ( c ): Organic Peroxide Table

My understanding is that Organic Peroxides with the number 13 in column 8, Notes of the Table to Paragraph ( c ) indicates that the material requires an additional class 8 corrosive label along with the Division 5.2 label required in the Hazardous Materials Table 49 CFR 172.101.

As an example a shipment of tert-Butyl Hydroperoxide which is UN 3103 would require the Division 5.2 and class 8 label according to the table in 173.225 even though UN3103 does not list the addition of class 8 label in the Hazmat Table in 172.101.

Is my understanding correct?

Sincerely,

*Steve Schulte*

Steve Schulte, CHMM, CPP

Arkema – Health Environment and Safety

Hazardous Materials/Dangerous Goods Consultant

SCHULTE-EXT Steve <steve.schulte-ext@arkema.com>

**From:** [INFOCNTR \(PHMSA\)](#)  
**To:** [Dodd, Alice \(PHMSA\)](#)  
**Cc:** [Hazmat Interps](#)  
**Subject:** FW: Clarification Letter of Interpretation Note 13 Organic Peroxide Table 49 CFR 173.225  
**Date:** Tuesday, May 24, 2022 11:47:56 AM  
**Attachments:** [Clarification Organic Peroxide Table Note 13 49 CFR 173.225.docx](#)

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Hi Alice,

Please see the attached interpretation request.

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

Regards,

-Breanna

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**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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