



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

APR 4 2007

400 Seventh Street, S.W.  
Washington, D.C. 20590

Mr. Robin J. Eddy Bolte  
Regulatory Affairs Manager  
Allied Universal Corporation  
3901 NW 115 Avenue  
Miami, FL 33178

Ref. No.: 07-0053

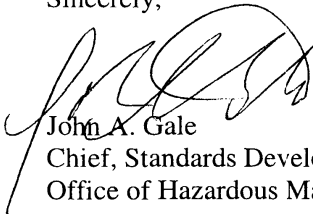
Dear Mr. Bolte:

This responds to your letter dated March 1, 2007, regarding whether a material described as "Sulfur dioxide, 2.3, UN1079" is regulated under the Hazardous Materials Regulations (HMR 49 CFR Parts 171-180) as a hazardous substance requiring entry of the letters "RQ" on shipping papers and package markings.

The answer is no. Under the HMR, "Sulfur dioxide" is not specifically listed as a hazardous substance in § 172.101, Appendix A and, therefore, does not meet the definition of a hazardous substance in § 171.8. The letters "RQ" may not be shown on the shipping paper or package marking in association with the proper shipping name.

I hope this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,



John A. Gale  
Chief, Standards Development  
Office of Hazardous Materials Standards



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172.101  
171.8



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\$172.203  
Shipping Papers  
07-0053

3901 NW 115 Avenue  
Miami, Florida 33178  
305-888-2623 office  
305-885-4671 fax

March 1, 2007

Mr. Edward Mazullo  
Director of Hazardous Materials Standards Development  
Office of Hazardous Materials Standards Development  
Pipeline and Hazardous Material Safety Administration  
400 Seventh Street, S.W.  
Washington, D.C. 20590-0001

VIA FACSIMILE: 202-366-3012

Re: Reportable Quantity Shipping Paper & Marking Requirements (49 CFR 172 Subpart C and D)

Dear Mr. Mazullo:

We transport/ship one-hundred and fifty-pound DOT specification cylinders and one ton DOT specification multi-unit tank car tanks, commonly referred to as a "ton container", of sulfur dioxide. However, we are receiving conflicting citations and regulatory advice from State law enforcement regarding containers of sulfur dioxide, specifically relating to the hazardous substance requirements found in 49 CFR 172 Subpart C and D.

Background: Sulfur dioxide is not listed in 49 CFR 172.101 Appendix A, Hazardous Substance Table. Sulfur Dioxide is not listed in the List of Hazardous Materials and Reportable Quantities Table in 40 CFR 302.4. Sulfur Dioxide is listed in 40 CFR 355 Appendix B, Hazardous Substances and Their Threshold Planning and Reportable Quantities Table. In the table found at 40 CFR 355 Appendix B, the reportable quantity for Sulfur Dioxide is 500 pounds.

Question: To resolve conflicting citations and regulatory advice received over the years, does a container or package of sulfur dioxide equal to or greater than 500 pounds require the letters RQ (reportable quantity) to be entered on the shipping paper and package (as required in 49 CFR Subpart C and Subpart D)?

Your promptness in responding to our question is greatly appreciated.

Your hazardous material information hotline has been helpful, but given the conflict between various State law enforcement, a written interpretation is needed.

If you should have any questions or further information is needed, please call me at 305-888-2623, extension 183 or RobinE@Allieduniversal.com.

Thank you.

Sincerely,

Robin J. Eddy Bolte  
Regulatory Affairs Manager  
Allied Universal Corporation  
305-888-2623, ext. 183  
305-885-4671 (Fax)  
RobinE@Allieduniversal.com