



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

JAN 25 2007

Ms. Robin J. Eddy Bolte
Allied Universal Corporation
3901 NW 115 Avenue
Miami, FL 33178

Ref. No. 06-0213

Dear Ms. Bolte:

This is in response to your request for clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) regarding the marking, labeling and placarding requirements applicable to transportation by highway of "Chlorine," 2.3, 8 UN1017 and "Sulfur dioxide," 2.3, 8, UN1079 in 3A and 3AA cylinders and in multi-unit tank car motor vehicles. "Chlorine," UN1017 is poisonous by inhalation in Hazard Zone B, and "Sulfur dioxide," UN1079 is poisonous by inhalation in Hazard Zone C. You ask whether the scenarios presented below meet the requirements under the HMR, and whether the HMR requires the words "Inhalation Hazard" to be displayed on the package when it is displayed on the label. Your questions are paraphrased and answered below.

Q1a. Cylinders containing "Chlorine," 2.3, 8, UN1017, Hazard Zone B, are transported by motor vehicle. The cylinder is affixed with a poison gas label or tag, no smaller than 4 inches on each side; the label includes the words "Inhalation Hazard." The label or tag includes the proper shipping name and UN identification number and the name and address of the distributor. In addition, the cylinders are affixed with a CORROSIVE label or tag to represent the subsidiary hazard of the material. Does this scenario conform to HMR requirements?

A1a. Yes. Provided the labels conform to Subpart E of Part 172, they may be displayed on the cylinders. In addition, under § 172.400a(a)(1)(ii), you may label the cylinders in accordance with CGA C-7, Appendix A. Note that when the words "Inhalation Hazard" appear on a label, the wording is not required on the package (see § 172.313(a)).

Q1b. Cylinders containing "Chlorine," 2.3, 8, UN1017, Hazard Zone B are transported in a motor vehicle that is placarded on each side and each end with POISON GAS placards. Allied chooses to display the identification number marking "UN1017" on the placards instead of the words "Inhalation Hazard." Does this scenario conform to the requirements in the HMR?

A1b. If the words "Inhalation Hazard" do not appear on the placard, each chlorine cylinder must be marked with the words "Inhalation Hazard." A transport vehicle that contains a poisonous material subject to the poison inhalation hazard shipping



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172.400
172.313(e)
172. Subpart F

description in §172.203(m)(2) must be placarded with, in this case, the POISON GAS placard. A transport vehicle or freight container containing a material poisonous by inhalation in non-bulk packages must be marked, on each side and each end with the identification number as specified in § 172.332 or § 172.336, subject to the provisions and limitations specified in §172.313(c).

Q2a. A ton container (multi-unit tank car tank) containing “Chlorine,” 2.3, 3, UN1017, Hazard Zone B, is transported by motor vehicle. The ton tank is affixed with a POISON GAS label or tag, no smaller than 4 inches on each side; the label includes the words “Inhalation Hazard.” The label or tag includes the name and address of the distributor. The ton container is marked on two opposing sides with the proper shipping name, UN number, and the words “Poison Inhalation Hazard.” The stenciled letters and numbers are 2 inches high. In addition, the ton container is affixed on both ends with a CORROSIVE label or tag to represent the subsidiary hazard of the material. Does this scenario conform to HMR requirements?

A2a. Yes.

Q2b. For the ton containers described in Q2a, the motor vehicle is placarded on all four sides with POISON GAS placards. On each placard the UN identification number is substituted for the words “inhalation hazard.” Does this scenario conform to HMR requirements?

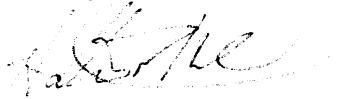
A2b. Yes.

Q3. Allied also ships sulfur dioxide in cylinders and multi-unit tank car tanks that are marked and labeled in the manner as described above for “Chlorine,” except the ton container is dark green and the stenciled letters and numbers are white. Does this scenario conform to the HMR requirements?

A3. See above responses.

I hope this information is helpful. Please contact this office if you need further assistance.

Sincerely,



Hattie L. Mitchell
Chief, Regulatory Review and Reinvention
Office of Hazardous Materials Standards



McIntyre
 \$172.313
 \$172.302
 \$172.400
 \$172.416

3901 NW 115 Avenue
 Miami, Florida 33178
 305-888-2623 office
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September 18, 2006

Markings & Labeling
 06-0213

Mr. Edward Mazzullo
 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: Cylinder and Ton Marking/Labeling Requirements

Dear Mr. Mazzullo:

Recently, several of our transport vehicles, as well as the transport vehicles of several of our customers, have undergone roadside inspections where the marking and labeling requirements for chlorine, hazard class 2.3, poison-inhalation hazard zone B, 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", has come into question. It seems there is some confusion, depending upon the customer, the location and the inspecting officer. This letter is requesting a written interpretation of the following questions to provide assistance to all in understanding the marking and labeling requirements as set forth in 49 CFR Subpart D and E.

Questions

- 1) When transporting, via highway vehicles (note these cylinders are not permanently affixed, they are a package being shipped), a DOT specification cylinder loaded with chlorine, hazard class 2.3, UN1017, poison-inhalation hazard zone B, does the cylinder meet the requirements of 49 CFR Subpart D and E if:
 - The cylinder is affixed with a label or tag with a poison gas label, 49 CFR 172.416, no smaller than four inches on each side. The words INHALATION HAZARD appear in the poison gas label, 49 CFR 172.313(a).
 - The cylinder is affixed with a subsidiary hazard label or tag with a corrosive label, 49 CFR 172.442.
 - The very same label or tag contains the proper shipping name (chlorine) and identification number (UN1017), 49 CFR 172.301(a).
 - The label or tag has the name and address of the distributor, in this case Allied Universal Corp., 3901 NW 115th Avenue, Miami, Florida 33178.
 - Motor vehicle transporting the cylinders is placard on all four sides with the poison gas placard, 49 CFR 172.540, on the identification number 1017 is substituted for the words Inhalation Hazard, 49 CFR 172.330(b) – in this decision, Allied chooses to invoke the permissive placarding rule and display the identification number at all times within a hazard class 2 poison gas placard. The consistency keeps it easy for our vehicle drivers when determining which placard to display on the vehicle.
- 2) When transporting, via highway vehicles, a DOT specification multi-unit tank car tank, referred to as a "ton container", loaded with chlorine class 2.3, UN1017, poison-inhalation hazard zone B, does the cylinder meet the requirements of 49 CFR Subpart D and E if:

September 18, 2006
Page 2, Marking and Labeling for Cylinder/Ton Container

Allied Universal Corporation

- The ton container is affixed with a label or tag on each end, 49 CFR 172.400(a)(4), with a poison gas label, 49 CFR 172.416, no smaller than four inches on each side. The words INHALATION HAZARD appear in the poison gas, 49 CFR 172.313(a).
 - The very same label or tag contains the proper shipping name (chlorine) and identification number (UN1017), 49 CFR 172.302(a)(d), however the size requirements of the letters and number are not as instructed in 49 CFR 172.302(b)(3).
 - The label or tag has the name and address of the distributor, in this case Allied Universal Corp., 3901 NW 115th Avenue, Miami, Florida 33178.
 - 49 CFR 172.330(a)(1)(2) and 302(b), two opposing sides of the ton container are stenciled with the proper shipping name (chlorine), identification number (UN1017) and words Inhalation Hazard. The stencil letter and number size are 2.0 inches high. The background of the ton container is silver and the stencil letters and numbers are black. NOTE: this is the difference between the cylinders and ton containers, since the letter and number size on the label or tag for chlorine, UN1017 and Inhalation Hazard is not 2.0 inches high the ton containers are stenciled to meet the marking requirements set forth in the regulation.
 - The ton container is affixed on both ends with a subsidiary hazard label or tag with a corrosive label, 49 CFR 172.442.
 - Motor vehicle transporting the ton container is placard on all four sides with the poison gas placard, 49 CFR 172.540, on the identification number 1017 is substituted for the words Inhalation Hazard, 49 CFR 172.330(b).
- 3) Allied also ships sulfur dioxide in cylinders and multi-unit tank car tank requirements. Marking and labeling is identical to what has been described for chlorine, only obviously the proper shipping name is sulfur dioxide and the identification number is UN1079. The only other exception is the stenciling, the background of the ton container is dark green and the stencil letters and number are in white.

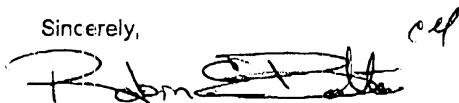
Your promptness in responding to our questions is greatly appreciated given the frequent roadside inspections of the tractor-trailers throughout the southeastern United States, especially in North Carolina, South Carolina, Tennessee and Mississippi.

Your hazardous material information hotline has been helpful, but given the number of other businesses and state agencies involved, a written interpretation or instructions are 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,



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