



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

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

APR 24 2001

Mr. Michael Ritchie
MN DOT Office of Motor Carriers
Mail Stop 420
1110 Centre Pointe Curve
Mendota Heights, MN 55120-4152

Ref. No. 01-0082

Dear Mr. Ritchie:

This is in response to your March 19, 2000, letter concerning marking exceptions for petroleum distillate fuels in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if a fuel containing 80% ethyl alcohol and 20% petroleum would be considered a "petroleum distillate fuel," thus eligible for the marking exceptions in § 172.336(c)(4) and (5). These exceptions allow the display, for cargo tanks and tank cars, of the identification number for the fuel having the lowest flash point.

The answer is yes. "Petroleum distillate fuel" is generally defined to mean a liquid mixture of hydrocarbons extracted from petroleum by distillation and is used in many applications, including fuel. Thus, your mixture is eligible for the marking exceptions in § 173.336(c)(4) or (5).

In addition, you mention that this mixture is shipped under the proper shipping name "Denatured Alcohol." It is the opinion of this Office that this proper shipping name is incorrect for the material you described.

I hope this satisfies your request.

Sincerely,

John A. Gale
Transportation Regulations Specialist
Office of Hazardous Materials Standards



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Tel: 651/ 405-6060
Fax: 651/ 405-6082

March 19, 2000

Mr. Tom Allan
Office of Hazardous Materials Standards
US Department of Transportation,
RSPA DHM-10
400 Seventh St. S.W.
Washington, DC 20590

Johnsen
§172.336
Marking
01-0082

Dear Mr. Allan:

A blended motor fuel is being marketed in Minnesota that contains 80% ethyl alcohol and 20% petroleum. The introduction of this fuel has raised a hazard communication question.

In 49 CFR 172.336 (c), subparagraphs (4) and (5), exceptions are authorized for display of specific Identification Numbers on cargo tanks and tank cars. Both subparagraphs allow display, for units transporting petroleum distillate fuels, of the Identification Number for the fuel having the lowest flash point.

It is expected this product will be transported in MC-306 and DOT 406 tanks that are in petroleum service. Would this product be considered a "petroleum distillate fuel" by RSPA, making these units eligible for the marking exceptions in § 173.336 (c) (4) or (5)?

Information provided on the Material Safety Data Sheet (MSDS) recommends the use of a polar solvent foam for firefighting large fires. The MSDS shows a TCC flashpoint range of -20° to -4° F. It is shipped under the shipping description "Denatured Alcohol, 3, NA1987, PG II.

Thank you for your assistance.

Michael Ritchie
Hazardous Materials Specialist
Minnesota DOT
Office of Motor Carrier Services
(651) 405-6120
michael.Ritchie@dot.state.mn.us



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