



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

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

DEC 11 2002

Mr. Ron Stover
Mutual Liquid Gas & Equipment Co., Inc.
17117 South Broadway
Gardena, CA 90248-3191

Ref. No. 02-0245

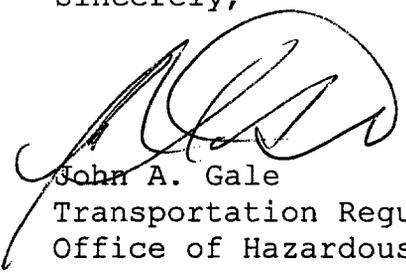
Dear Mr. Stover:

This is in response to your letter dated September 9, 2002, regarding the placement of placards on a portable tank. Specifically you ask if a portable tank authorized to be placarded on only two sides under § 172.514(c) must be placarded on its longitudinal sides or if it may be placarded on its ends?

The placarding requirement specified in § 172.504 require each bulk packaging, freight container, unit load device, transport vehicle or rail car containing any quantity of hazardous material to be placarded on each side and each end. Section 172.514 provides an exception which allows a portable tank having a capacity of less than 3,785 L (1,000 gallons) to be placarded on only two opposite sides. Packagings meeting § 172.514(c) may be placarded on two opposing longitudinal sides, or on two opposing ends provided they meet the visibility and display of placards requirements in § 172.516.

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

Sincerely,



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



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

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

DEC 11 2002

Mr. Ron Stover
Mutual Liquid Gas & Equipment Co., Inc.
17117 South Broadway
Gardena, CA 90248-3191

Ref. No. 02-0245

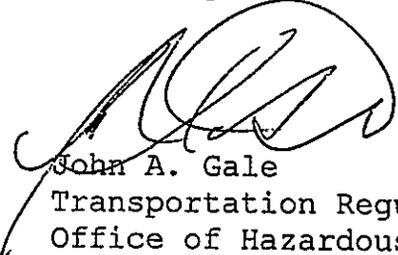
Dear Mr. Stover:

This is in response to your letter dated September 9, 2002, regarding the placement of placards on a portable tank. Specifically you ask if a portable tank authorized to be placarded on only two sides under § 172.514(c) must be placarded on its longitudinal sides or if it may be placarded on its ends?

The placarding requirement specified in § 172.504 require each bulk packaging, freight container, unit load device, transport vehicle or rail car containing any quantity of hazardous material to be placarded on each side and each end. Section 172.514 provides an exception which allows a portable tank having a capacity of less than 3,785 L (1,000 gallons) to be placarded on only two opposite sides. Packagings meeting § 172.514(c) may be placarded on two opposing longitudinal sides, or on two opposing ends provided they meet the visibility and display of placards requirements in § 172.516.

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

Sincerely,



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

172.504



US Department
of Transportation

Research and
Special Programs
Administration

415 Seventh Street, N.W.
Washington, D.C. 20590

OCT 10 1995

Mr. John Cario
Stolt-Nielsen, Inc.
15602 Jacintoport Boulevard
Houston, Texas 77015

Dear Mr. Cario:

This is in response to your letter dated July 31, 1995, regarding the requirement in § 172.326 applicable to placement of the proper shipping name on a portable tank. You asked if the requirement for marking the proper shipping name on a portable tank refers to only two opposing longitudinal sides or could the proper shipping name be marked on two opposing ends of the portable tank?

The marking requirement specified in § 172.326(a)(1) requires the proper shipping name of the hazardous material being offered for transportation be shown on two opposing sides of the portable tank. Depending on the shape of the portable tank (e.g., round, square, or rectangular), the differences in what would be considered "opposing sides" may vary. For example, a elongated, spherical, cross-section portable tank may have ends that are concave (sunken); consequently, the proper shipping name must be appropriately placed on the two longitudinal or lengthwise opposing sides of the tank for better visibility, and not on each end (front and back). Conversely, for a portable tank which has a square or rectangular shape, the proper shipping name would be appropriately placed on two "opposing" sides, which may mean "front to back" (facing forward and backward) or "side to side" (longitudinal or lengthwise) of these types of packagings.

I hope this information is helpful. If I can be of further assistance, please contact me.

Sincerely,

Delmer F. Billings
Chief, Regulations Development
Office of Hazardous Materials Standards

172 326



SINCE 1933

MUTUAL LIQUID GAS & EQUIPMENT CO., INC.

17117 S. BROADWAY • GARDENA, CA 90248-3191
CONTRACTORS STATE LICENSE #684499, C61/D21
(310) 515-0553 • (323) 321-3771
FAX: (310) 515-2633

Date: September 16, 2002

To: RSPA Office of Hazardous Materials Standards (DHM-10)
U.S. Department of Transportation
400 Seventh Street, SW
Washington, D.C. 20590-0001

From: Ron Stover
Safety, Mutual Propane

Clarification:

§172.514(c)(1)

Dear Sir or Madam:

This is a follow-up letter to the one dated **9 September 2002**, which is requesting a clarification of the HMR specifically **§172.514(c)(1)**. In that letter I noticed that there was a typing error for the citation of this section. I apologize for the confusion. I signed the letter without reviewing my administrative staff's work.

As for the rest of the letter the contents and question remains the same.

The original letter is attached with the corrections made and also attached is a copy of the citation in question.

Again, I apologize for the error and hope that this has not caused any hardship for your staff. If there are any questions please call me at 310-515-0553.

Thank you for your time,

Ron Stover



SINCE 1933

MUTUAL LIQUID GAS & EQUIPMENT CO., INC.

17117 S. BROADWAY • GARDENA, CA 90248-3191
CONTRACTORS STATE LICENSE #684499, C61/D21
(310) 515-0553 • (323) 321-3771
FAX: (310) 515-2633

BAH
§ 172.514
514
504
Placarding
02-0245

Date: September 9, 2002

To: RSPA Office of Hazardous Materials Standards (DHM-10)
U.S. Department of Transportation
400 Seventh Street, SW
Washington, D.C. 20590-0001

From: Mutual Liquid Gas & Equipment Co., Inc.
Ron Stover, Safety
17117 South Broadway
Gardena, CA 90248-3191
ph: 310-515-0553

Clarification: ^{172.514(c)}
~~§172.504(c)~~ "two opposite sides"

I would appreciate if the RSPA could clarify the definition "two opposite sides" as used in §172.504(c) of the HMR §106-180.

Let me be more specific about my request for clarification. As a propane marketer we have occasion to transport storage containers for liquefied petroleum gas used for permanent installation on a consumer's premise. The particular ones in question are ASME containers of less than 1,000 gallons liquid capacity. These containers are constructed of a barrel (the sides) and two heads (the ends). The sides are longer than the ends are wide.

When transported on a placarded flatbed vehicle the container is loaded longitudinally on the bed of the vehicle—the barrel is parallel to the sides of the vehicle and the heads are facing front to rear. Anchor straps and tie-downs are placed across the barrel to secure the container from movement. Before transportation begins all requirements of §173.315(j) are met.

To avoid visual confusion the two required placards are placed on the tank's heads (ends) away from the anchor straps and tie-downs. This to maintain compliance with elements of §172.516.

This is where our question arises: Are we using a too liberal interpretation of "two opposite sides" as stated in §172.504(c) by placing the placards on the ends of the tank?

If you require any further information, please feel free to call me at 310-515-0553 or write to the above address.

Thank you for your consideration,

Ron Stover



SINCE 1933

MUTUAL LIQUID GAS & EQUIPMENT CO., INC.

17117 S. BROADWAY • GARDENA, CA 90248-3191
CONTRACTORS STATE LICENSE #684499, C61/D21
(310) 515-0553 • (323) 321-3771
FAX: (310) 515-2633

Date: September 9, 2002

To: RSPA Office of Hazardous Materials Standards (DHM-10)
U.S. Department of Transportation
400 Seventh Street, SW
Washington, D.C. 20590-0001

From: Mutual Liquid Gas & Equipment Co., Inc.
Ron Stover, Safety
17117 South Broadway
Gardena, CA 90248-3191
ph: 310-515-0553

Clarification:

§172.514(c)(1)"two opposite sides"

I would appreciate if the RSPA could clarify the definition "two opposite sides" as used in §172.514(c)(1) of the HMR §106-180.

Let me be more specific about my request for clarification. As a propane marketer we have occasion to transport storage containers for liquefied petroleum gas used for permanent installation on a consumer's premise. The particular ones in question are ASME containers of less than 1,000 gallons liquid capacity. These containers are constructed of a barrel (the sides) and two heads (the ends). The sides are longer than the ends are wide.

When transported on a placarded flatbed vehicle the container is loaded longitudinally on the bed of the vehicle—the barrel is parallel to the sides of the vehicle and the heads are facing front to rear. Anchor straps and tie-downs are placed across the barrel to secure the container from movement. Before transportation begins all requirements of §173.315(j) are met.

To avoid visual confusion the two required placards are placed on the tank's heads (ends) away from the anchor straps and tie-downs. This to maintain compliance with elements of §172.516.

This is where our question arises: Are we using a too liberal interpretation of "two opposite sides" as stated in §172.514(c)(1) by placing the placards on the ends of the tank?

If you require any further information, please feel free to call me at 310-515-0553 or write to the above address.

Thank you for your consideration,

Ron Stover

[Code of Federal Regulations]
[Title 49, Volume 2]
[Revised as of October 1, 2001]
From the U.S. Government Printing Office via GPO Access
[CITE: 49CFR172.514]

[Page 364-365]

TITLE 49--TRANSPORTATION

CHAPTER I--RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION, DEPARTMENT OF
TRANSPORTATION

PART 172--HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS, HAZARDOUS MATERIALS COMMUNIC

Subpart F--Placarding

Sec. 172.514 Bulk packagings.

(a) Except as provided in paragraph (c) of this section, each person who offers for transportation a bulk packaging which contains a hazardous material, shall affix the placards specified for the material in Secs. 172.504 and 172.505.

(b) Each bulk packaging that is required to be placarded when it contains a hazardous material, must remain placarded when it is emptied, unless it is--

(1) Sufficiently cleaned of residue and purged of vapors to remove any potential hazard; or

[[Page 365]]

(2) Refilled, with a material requiring different placards or no placards, to such an extent that any residue remaining in the packaging is no longer hazardous.

(c) Exceptions. The following packagings may be placarded on only two opposite sides or, alternatively, may be labeled instead of placarded in accordance with subpart E of this part:

(1) A portable tank having a capacity of less than 3,785 L (1000 gallons);

(2) A DOT 106 or 110 multi-unit tank car tank;

(3) A bulk packaging other than a portable tank, cargo tank, or tank car (e.g., a bulk bag or box) with a volumetric capacity of less than 18 m³ (640 cubic feet); and

(4) An IBC.

[Amdt. 172-136, 59 FR 38064, July 26, 1994; Amdt. 172-148, 61 FR 50255, Sept. 25, 1996, as amended by 66 FR 45379, Aug. 28, 2001]

TELEPHONIC CONVERSATION RECORD

<i>Specialist Placing Call: Kurt Eichenlaub</i>	ROUTING	
<i>Date of Call: 9/23/2002</i>	SYMBOL	INT
<i>Person(s) Contacted: Ron Stover</i>	BAH	BS
<i>Their Organization: Mutual Liquid Gas & Equipment Co., Inc.</i>		
<i>Date of Incoming Letter: September 9, 2002</i>		
<i>Specific Subject (including section #'s and key words): § 172.504(c) was actually referring to § 172.514(c).</i>		
<i>Summary: Verified that inquiry was in reference to § 172.514(c), rather than § 172.504(c).</i>		
<i>Comments for Further Action:</i>		
<i>Specialist Signature: Kurt Eichenlaub</i>		
<i>Date: 9/23/02</i>		

[Code of Federal Regulations]
[Title 49, Volume 2]
[Revised as of October 1, 2001]
From the U.S. Government Printing Office via GPO Access
[CITE: 49CFR172.514]

[Page 364-365]

TITLE 49--TRANSPORTATION

CHAPTER I--RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION, DEPARTMENT OF
TRANSPORTATION

PART 172--HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS, HAZARDOUS MATERIALS COMMUNIC.

Subpart F--Placarding

Sec. 172.514 Bulk packagings.

(a) Except as provided in paragraph (c) of this section, each person who offers for transportation a bulk packaging which contains a hazardous material, shall affix the placards specified for the material in Secs. 172.504 and 172.505.

(b) Each bulk packaging that is required to be placarded when it contains a hazardous material, must remain placarded when it is emptied, unless it is--

(1) Sufficiently cleaned of residue and purged of vapors to remove any potential hazard; or

[[Page 365]]

(2) Refilled, with a material requiring different placards or no placards, to such an extent that any residue remaining in the packaging is no longer hazardous.

(c) Exceptions. The following packagings may be placarded on only two opposite sides or, alternatively, may be labeled instead of placarded in accordance with subpart E of this part:

(1) A portable tank having a capacity of less than 3,785 L (1000 gallons);

(2) A DOT 106 or 110 multi-unit tank car tank;

(3) A bulk packaging other than a portable tank, cargo tank, or tank car (e.g., a bulk bag or box) with a volumetric capacity of less than 18 m³ (640 cubic feet); and

(4) An IBC.

[Amdt. 172-136, 59 FR 38064, July 26, 1994; Amdt. 172-148, 61 FR 50255, Sept. 25, 1996, as amended by 66 FR 45379, Aug. 28, 2001]



SINCE 1933

MUTUAL LIQUID GAS & EQUIPMENT CO., INC.

17117 S. BROADWAY • GARDENA, CA 90248-3191
CONTRACTORS STATE LICENSE #684499, C61/D21
(310) 515-0553 • (323) 321-3771
FAX: (310) 515-2633

Date: September 9, 2002

To: RSPA Office of Hazardous Materials Standards (DHM-10)
U.S. Department of Transportation
400 Seventh Street, SW
Washington, D.C. 20590-0001

From: Mutual Liquid Gas & Equipment Co., Inc.
Ron Stover, Safety
17117 South Broadway
Gardena, CA 90248-3191
ph: 310-515-0553

Clarification:

§172.514(c)(1)"two opposite sides"

I would appreciate if the RSPA could clarify the definition "two opposite sides" as used in §172.514(c)(1) of the HMR §106-180.

Let me be more specific about my request for clarification. As a propane marketer we have occasion to transport storage containers for liquefied petroleum gas used for permanent installation on a consumer's premise. The particular ones in question are ASME containers of less than 1,000 gallons liquid capacity. These containers are constructed of a barrel (the sides) and two heads (the ends). The sides are longer than the ends are wide.

When transported on a placarded flatbed vehicle the container is loaded longitudinally on the bed of the vehicle—the barrel is parallel to the sides of the vehicle and the heads are facing front to rear. Anchor straps and tie-downs are placed across the barrel to secure the container from movement. Before transportation begins all requirements of §173.315(j) are met.

To avoid visual confusion the two required placards are placed on the tank's heads (ends) away from the anchor straps and tie-downs. This to maintain compliance with elements of §172.516.

This is where our question arises: Are we using a too liberal interpretation of "two opposite sides" as stated in §172.514(c)(1) by placing the placards on the ends of the tank?

If you require any further information, please feel free to call me at 310-515-0553 or write to the above address.

Thank you for your consideration,

Ron Stover



SINCE 1933

MUTUAL LIQUID GAS & EQUIPMENT CO., INC.

17117 S. BROADWAY • GARDENA, CA 90248-3191
CONTRACTORS STATE LICENSE #684499, C61/D21
(310) 515-0553 • (323) 321-3771
FAX: (310) 515-2633

Date: September 16, 2002

To: RSPA Office of Hazardous Materials Standards (DHM-10)
U.S. Department of Transportation
400 Seventh Street, SW
Washington, D.C. 20590-0001

From: Ron Stover
Safety, Mutual Propane

Clarification:

§172.514(c)(1)

Dear Sir or Madam:

This is a follow-up letter to the one dated **9 September 2002**, which is requesting a clarification of the HMR specifically **§172.514(c)(1)**. In that letter I noticed that there was a typing error for the citation of this section. I apologize for the confusion. I signed the letter without reviewing my administrative staff's work.

As for the rest of the letter the contents and question remains the same.

The original letter is attached with the corrections made and also attached is a copy of the citation in question.

Again, I apologize for the error and hope that this has not caused any hardship for your staff. If there are any questions please call me at 310-515-0553.

Thank you for your time,

Ron Stover