



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

JUN 06 2016

Mr. Thomas Wright  
Idaho State Police  
5205 S. 5<sup>th</sup> St.  
Pocatello, ID 83204

Ref. No.: 15-0229

Dear Mr. Wright,

This responds to your November 19, 2015 email requesting clarification on shipping paper requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically you ask if the term "1CTMV" may be used on a shipping paper to satisfy indication of the total quantity of hazardous materials and the number and type of packages as required by §§ 172.202(a)(5) and (a)(7) respectively. In the scenario described, two cargo tanks are attached to a motor vehicle.

The answer is no. The term "1CTMV" would not satisfy either the requirement in §§ 172.202(a)(5) or (a)(7). As defined in § 171.8, a "cargo tank motor vehicle" means a motor vehicle with one or more cargo tanks permanently attached to or forming an integral part of the motor vehicle. A cargo tank motor vehicle is not considered a package; however, a "cargo tank" means a bulk packaging that is permanently attached to or forms a part of a motor vehicle or is not permanently attached to a motor vehicle but which, by reason of its size, construction or attachment to a motor vehicle is loaded or unloaded without being removed from the motor vehicle. Under § 172.202(a)(5)(iii)(A), the HMR allow the total quantity of hazmat transported in a bulk package, such as in your scenario, to be described on the shipping paper by indicating the number and type of bulk package(s) (e.g., 2 cargo tanks), rather than an applicable unit of measurement (e.g., gallons, liters). The term "2 cargo tanks" would also satisfy the § 172.202(a)(7) requirement.

I hope this answers your inquiry. If you need additional assistance, please contact the Standards and Rulemaking Division at (202) 366-8553.

Sincerely,

Duane A. Pfund  
International Standards Coordinator  
Standards and Rulemaking Division

**Goodall, Shante CTR (PHMSA)**

Wiener  
172.202  
Shipping Papers  
15-0229

**From:** Geller, Shelby CTR (PHMSA)  
**Sent:** Thursday, November 19, 2015 4:25 PM  
**To:** Hazmat Interps  
**Subject:** FW: 172.202(a) (5) & (7)

Dear Shante and Alice,

Below is a request for a formal letter of interpretation. Mr. Wright spoke with Aaron.

Thanks,  
Shelby

-----Original Message-----

**From:** Wright, Tom [mailto:Thomas.Wright@isp.idaho.gov]  
**Sent:** Thursday, November 19, 2015 4:02 PM  
**To:** Patrick, Eamonn CTR (PHMSA)  
**Subject:** RE: 172.202(a) (5) & (7)

Thank You Mr. Patrick.

I am requesting a formal response.

Idaho State Police  
%Thomas Wright  
5205 S. 5th St.  
Pocatello, ID. 83204  
208-236-6383

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**From:** eamonn.patrick.ctr@dot.gov [eamonn.patrick.ctr@dot.gov]  
**Sent:** Thursday, November 19, 2015 1:32 PM  
**To:** Wright, Tom  
**Subject:** RE: 172.202(a) (5) & (7)

Dear Mr. Wright,  
We have received your inquiry about the hazardous materials regulations (49 CFR Parts 171-180). The hazardous materials regulations are available at the following URL:

<http://phmsa.dot.gov/regulations>

A hazardous materials regulatory specialist would be happy to speak with you regarding your inquiry. You may contact the Hazardous Materials Information Center, which is staffed with regulatory specialists who can quickly answer your questions by phone, Monday through Friday, 9 AM - 5 PM EST at (800) 467-4922 or (202) 366-4488. Alternatively, if you would like a regulatory specialist to contact you directly, please respond to this e-mail with a telephone number where you can be reached between 9 AM and 5 PM EST.

Sincerely,

Eamonn Patrick, Hazardous Materials Specialist

An e-mail response from this office is considered informal guidance. Formal guidance may be requested in accordance with 49 CFR 105.20. <http://phmsa.dot.gov/hazmat/regs/interps>

-----Original Message-----

From: Wright, Tom [<mailto:Thomas.Wright@isp.idaho.gov>]

Sent: Thursday, November 19, 2015 3:00 PM

To: PHMSA HM InfoCenter

Subject: 172.202(a) (5) & (7)

There is a definition of a Cargo Tank Motor Vehicle under 171.8. The question is if the term "1CTMV" can ever be used to fulfill the requirements of 172.202 for the purpose of 172.202(a) (5) and (7).

I am looking for clarification with reference to shipping paper requirements under 172.202 for when a company is shipping multiple cargo tanks in a vehicle combination, containing hazardous materials that also meets the definition of a Cargo Tank motor Vehicle- CTMV.

Can a company use the term "1CTMV" to meet the number and type of packages as well as quantity of hazardous materials as required under 172.202(7) and 172.202(5) when it is shipping hazardous materials in 2 cargo tanks that is in a combination motor vehicle.

Since a CTMV is NOT a package and 172.202(7) requires the # and type of packages would it be correct to say that more information is needed such as 2 cargo tanks rather than listing 1CTMV?