



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

JUL 21 2016

Mr. Daniel Stoehr
Daniels Training Services
P.O. Box 1232
Freeport, IL 61032

Ref. No.: 16-0026

Dear Mr. Stoehr:

This responds to your February 17, 2016 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the display of identification numbers on placards on a closed transport vehicle that contains materials with different identification numbers. Specifically you seek clarification on § 172.334(d) that states a placard bearing an identification number may not be used to satisfy the placarding requirements under Subpart F of Part 172 unless it is the correct identification number for all hazardous materials of the same class in the transport vehicle or freight container on which it is displayed.

You also enclosed two illustrations that show a transport vehicle displaying two placards each displaying different identification numbers. In the first illustration the transport vehicle displays two Class 8 Corrosive placards with different identification numbers. The second illustration shows a transport vehicle displaying two Class 3 Flammable liquid placards with two different identification numbers. Your questions are paraphrased and answered below:

Q1. As provided in § 172.334(d) can the identification number be displayed on a placard only if the identification number represents all of the hazardous material in the transport vehicle or freight container?

A1. If an identification number is displayed on a placard that identification number must represent all of the hazardous material of the same class on the transport vehicle or freight container. An identification number may be displayed on a placard even if a transport vehicle or freight container contains multiple hazardous materials. However, the transport vehicle or freight container must display additional placards as required, communicating the hazards of the other material in the transport vehicle or freight container.

Q2. It is your understanding that the intent of § 172.334(d) is to prohibit the display of an identification number on a placard when the hazardous material corresponding to the identification number does not meet the definition of the hazard class on the placard.

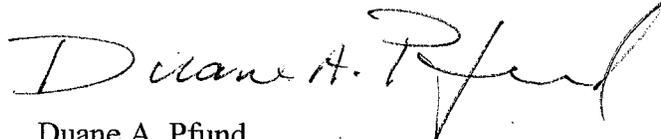
A2. Your understanding is not entirely correct. It is correct that any placard used for display of the identification number must correspond to the hazard class of the material. However, this requirement is outlined in § 172.334(b).

Q3. Is the display of the identification numbers on the placards in the two illustrations compliant with § 172.334(d)?

A3. The display of the identification numbers on separate placards complies with § 172.334(d) if the identification numbers displayed on the freight container or transport vehicle represent all of the hazardous materials in the transport vehicle or freight container.

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

Sincerely,

A handwritten signature in cursive script that reads "Duane A. Pfund". The signature is written in dark ink and is positioned above the typed name.

Duane A. Pfund
International Standards Coordinator
Standards and Rulemaking Division

heavy
§ 172.834(d)
Placarding
16-0026

Dodd, Alice (PHMSA)

From: Geller, Shelby CTR (PHMSA)
Sent: Wednesday, February 17, 2016 10:05 AM
To: Hazmat Interps
Subject: FW: Request for Letter of Interpretation of 49 CFR 172.334(d)
Attachments: Request for LOI - ID # on Placards.pdf

Dear Shante and Alice,

Forwarded is a request for a letter of interpretation. Mr. Stoehr spoke with Jonathon on his question.

Thanks,
Shelby

From: Daniel Stoehr [<mailto:info@danielstraining.com>]
Sent: Tuesday, February 16, 2016 7:38 PM
To: INFOCNTR (PHMSA)
Subject: Request for Letter of Interpretation of 49 CFR 172.334(d)

Please see attached for a request for a letter of interpretation of a particular regulation of the HMR.

Please don't hesitate to contact me with any questions.

Daniel Stoehr
Daniels Training Services
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February 17, 2016

U.S Department of Transportation
PHMSA Office of Hazardous Materials Standards
Attn:PHH-10
East Building
1200 New Jersey Avenue, SE
Washington, DC 20590-0001

RE: Display of More than one Identification Number on Placards of the Same Hazard Class on a Transport Vehicle or Freight Container

After review of the Hazardous Material Regulations and discussion with the staff of the Hazardous Materials Information Center I submit this request for a letter of interpretation to clarify a specific regulation of the HMR. The regulation in question is **49 CFR 172.334 Identification numbers; prohibited display**; specifically, paragraph (d) which as of the date of this letter reads:

“Except as provided in §172.336, a placard bearing an identification number may not be used to meet the requirements of subpart F of this part unless it is the correct identification number for all hazardous materials of the same class in the transport vehicle or freight container on which it is displayed.”

Read literally, “...for all hazardous materials...” could be interpreted to mean that the identification number may only be displayed on a placard if the identification number represents all of the hazardous materials within the transport vehicle or freight container. This would mean that a transport vehicle or freight container with two HazMat of the same hazard class with different identification numbers could not display those identification numbers on two placards of the same hazard class. I don’t believe this is the intent of the regulation.

I believe the intent of §172.334(d) is to prohibit the display of an identification number on a placard when the hazardous material with that identification number does not meet the definition of the hazard class of the placard displayed.

Question 1: Is my literal interpretation of §172.334(d) correct?

Question 2: Is my interpretation of the intent of §172.334(d) correct?

Question 3: Is the display of the identification number and placard combination in either of the following two images a violation of 49 CFR 172.334(d)?

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Image 1 – Two Class 8 Corrosive placards on a transport vehicle each displaying a different identification number (3265 & 2922):

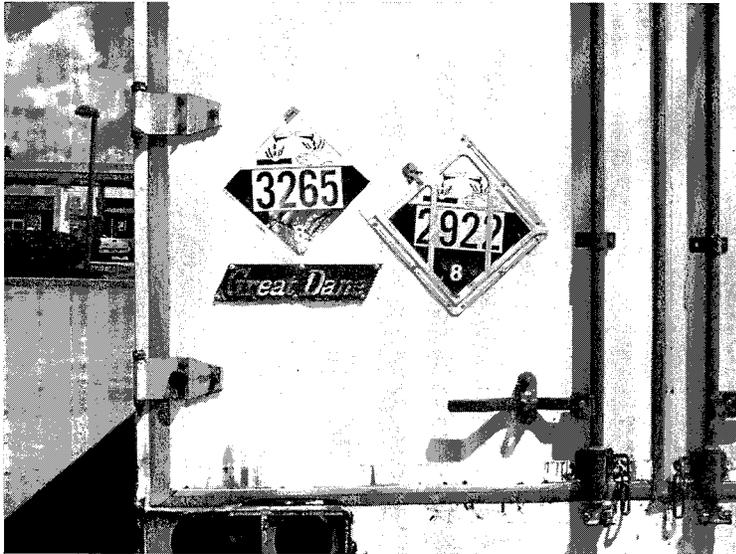


Image 2 – Two Class 3 Flammable Liquid placards on a transport vehicle each displaying a different identification number (1210 & 1866):



Thank you for your time and I look forward to your response.

Sincerely,

Daniel Stoehr
Daniels Training Services

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