



U.S. Department of Transportation
**Pipeline and Hazardous Materials
Safety Administration**

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

JUL 12 2010

Mr. Michael Ritchie
Minnesota Department of Transportation
Office of Freight and Commercial Vehicle Operations
395 John Ireland Blvd.
St. Paul, MN 55155-1899

Ref. No. 10-0120

Dear Mr. Ritchie:

This responds to your June 4, 2010 letter regarding placarding and marking requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask questions regarding the display of markings and placards on a wagon trailer with two nurse tanks mounted side by side (i.e., a twin-tank farm trailer). Your letter includes photographs illustrating the twin-tank farm trailers. The capacity of the twin nurse tanks ranges from 1,000 to 1,450 gallons. Your questions are paraphrased and answered as follows:

Q1. Are markings and a placard required on the adjacent sides (i.e., the interior sides facing each tank) of the twin nurse tanks that are not visible from the direction they face?

A1. Yes. As a bulk packaging, a nurse tank must be marked and placarded on each side (and each end). See §§ 172.302, 172.328, and 172.504 of the HMR.

Q2. If appurtenances (e.g., valves, fittings, etc.) on the end of a nurse tank prevent markings and a placard from being properly placed and visible on the tank, is that same end of the wagon trailer to which the nurse tank is mounted required to be marked and placarded?

A2. No. In accordance with § 173.315(m), a nurse tank is not required to be marked and placarded on one end when appurtenances on that end obstruct proper placement and visibility. The provisions of § 173.315(m) include securely mounting the nurse tank to a wagon trailer. Thus, it is the opinion of this Office that this exception also applies to the end of the wagon trailer. Note that with regard to the photographs of the twin-tank farm trailer, the end of the

nurse tank with appurtenances is not obstructed sufficiently to prevent proper placement and visibility of markings and a placard.

I hope this information is helpful. If you have further questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles E. Betts". The signature is written in a cursive style with a large initial "C" and "B".

Charles E. Betts
Chief, Standards Development
Office of Hazardous Materials Standards



Minnesota Department of Transportation

Office of Freight and Commercial Vehicle Operations

395 John Ireland Blvd.
St. Paul, MN 55155-1899

Der Kinderen
§ 173.315
§ 172.504
§ 172.507.
Placarding
10-0120

June 4, 2010

Charles E Betts
Chief, Standards Development
Office of Hazardous Material Standards
USDOT/PHMSA
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Display of placards on bulk packagings and transport vehicles.

Dear Mr. Betts,

Many farm wagon trailers are now transporting two nurse tanks, mounted side by side. These tanks are often separated by only a few inches, and may remain on the farm wagon trailer for several years, until the tanks are removed for maintenance or inspections. Some trailers carry two 1,000 gallon nurse tanks, and some have two 1,450 gallon tanks. These tanks are operated under the provisions of 49 CFR 173.315 (m). I have attached three photographs of twin tank farm trailers.

We have received questions from the agricultural chemical industry and Commercial Vehicle Inspectors regarding the required display of placards and marking on the adjacent sides of the nurse tanks mounted on a two tank trailer.

49 CFR 172.504 requires the display of placards on each bulk packaging, unless excepted. Section 172.514 requires each person who offers hazardous materials in a bulk package to affix placards specified for that material in § 172.504. Section 172.516 requires a placard to be clearly visible from the direction it faces, except from the direction of another transport vehicle or railcar.

Question: Are placards and ID number marking required on the adjacent sides of two nurse tanks mounted only inches apart on the same farm trailer?

The Hazardous Materials Regulations authorize placarding exceptions in §§ 172.507 (b) and 173.315 (m) (7) is for an end of a nurse tank if that end contains valves, fittings or other appurtenances that prevent placards and marks from being properly placed.

Question: If the exceptions authorized in §§ 172.507 (b) and 173.315 (m) (7) are used for a nurse tank with appurtenances on one end, is it necessary to placard and mark the vehicle (the farm wagon trailer) on that end?

Yours truly,

A handwritten signature in black ink that reads "Michael Ritchie". The signature is written in a cursive style with a large initial "M".

Michael Ritchie
Hazardous Materials Specialist
Minnesota Department of Transportation
Commercial Vehicle Operations Section
395 John Ireland Boulevard
St. Paul, MN 55155
(651) 366-3697
Michael.ritchie@state.mn.us







ANHYDROUS AMMONIA

1005
2

ANHYDROUS AMMONIA

1005
2

BC