



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

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

OCT 20 2010

Mr. Jim La Porte  
AT&T  
1670 Axtell  
Troy, MI 48084

Reference No. 10-0127

Dear Mr. La Porte:

This is in response to your letter requesting clarification of certain requirements under the Hazardous Materials Regulations (HMR; 49 CFR Part 171-180) applicable to the transportation of "Gasoline," UN1203. Your questions are paraphrased and answered below.

Q1. Are shipments of Gasoline, UN1203 that are transported in packages greater than 8 gallons required to be marked on one side of the package with "Gasoline, UN1203"?

A1. Non-bulk packages are required to be marked on one side of the package with the proper shipping name (Gasoline) and identification number (UN1203) (see § 172.301). Non-bulk packages have a maximum capacity of 450 L (119 gallons) or less as a receptacle for a liquid (see § 171.8 for non-bulk packaging definition).

Bulk packages are required to be marked on each side and each end if the packaging has a capacity of 3,785 L (1,000 gallons) or more, and on two opposing sides if the packaging has a capacity of less than 3,785 L (1,000 gallons) for a liquid (see § 172.302). Bulk packages have a maximum capacity greater than 450 L (119 gallons) as a receptacle for a liquid (see § 171.8 for bulk packaging definition).

Q2. Is the package required to be labeled with a Class 3, flammable liquid label?

A2. As specified in § 172.400, the following packages are required to be labeled: (1) A non-bulk package; (2) A bulk packaging, other than a cargo tank, portable tank, or tank car, with a volumetric capacity of less than 18 m<sup>3</sup> (640 cubic feet), unless placarded in accordance with subpart F of this part; (3) A portable tank of less than 3785 L (1000 gallons) capacity, unless placarded in accordance with subpart F of this part; (4) A DOT Specification 106 or 110 multi-unit tank car tank, unless placarded in accordance with subpart F of this part; and (5) An overpack, freight container or unit load device, of less than 18 m<sup>3</sup> (640 cubic feet), which contains a package for which labels are required, unless placarded or marked in accordance

with § 172.512 of this part. Exceptions from the labeling requirements are specified in § 172.400a.

- Q3. Are shipping papers required to be transported along with a material safety data sheet (MSDS) for gasoline?
- A3. Unless otherwise excepted, shipments of hazardous materials must be accompanied by documents meeting the shipping paper requirements as specified in Subpart C of Part 172 of the HMR. An MSDS is not required by the HMR and is a Department of Labor's Occupational Safety and Health Administration (OSHA) requirement. However, shippers may use the MSDS to satisfy certain HMR requirements, such as the shipping paper requirements and the emergency response information requirements in § 172.602. If the information on the MSDS meets the HMR requirements for shipping papers, including that the required information must be either entered first, entered in a clearly contrasting color, or identified by an "X" placed before the basic shipping description in a column captioned "HM" (see § 172.201), the MSDS may be used to satisfy those requirements. As defined in § 171.8, a shipping paper means a shipping order, bill of lading, manifest, or other shipping document serving a similar purpose and prepared in accordance with Subpart C of Part 172 of the HMR.
- Q4. When is the driver of a hazardous materials shipment required to obtain a commercial drivers license (CDL) with a hazardous materials endorsement?
- A4. DOT's Federal Motor Carrier Safety Administration (FMCSA) issues the regulations that require a driver who transports hazardous material shipments to obtain a hazmat endorsement on a CDL, however, the requirement for a hazmat endorsement applies only to shipments for which a placard is required under the HMR. CDLs and hazardous materials endorsements are regulated by FMCSA in 49 CFR Part 383. Questions regarding FMCSA regulations should be directed to the appropriate FMCSA field office. A list of FMCSA field offices and contact information is available at <http://www.fmcsa.dot.gov/about/contact/offices/displayfield-roster.asp>. or you may contact them at their headquarters offices in Washington, D.C. at 202-366-6121.
- Q5. Is a vehicle that is transporting Gasoline, UN1203 required to be placarded?
- A5. Unless otherwise excepted from the placarding requirements, the answer is yes. Placarding requirements can be found in Subpart F of Part 172. In § 172.504(e), Table 2 specifies a flammable placard for Class 3 materials. Section 172.504(c) provides an exception from placarding for Table 2 materials for shipments of non-bulk packages under 1,001 lbs (454kg) transported by highway or rail, however, the appropriate placard may be displayed regardless of the exception.
- Q6. Must "transporters" complete DOT hazardous materials training?

- A6. As specified in § 172.702, a hazardous materials employee that performs any function subject to the HMR must meet the training requirements. You are not specific with your use of the word “transporters,” but a detailed definition of “Hazmat employee” may be found in § 171.8 and includes a person who operates a vehicle used to transport hazardous materials.
- Q7. What packagings are authorized for Gasoline, UN1203?
- A7. The HMR sections that authorize packagings for Gasoline, UN1203 may be found in the § 172.101 Hazardous Materials Table (HMT) under the entry for Gasoline, UN1203 in Column (8B) for non-bulk packagings (§ 173.202), Column (8C) for bulk packagings (§ 173.242) and Column (8A) for packaging exceptions (§ 173.150).

I hope this information is helpful. Please contact this office if you need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Glenn Foster". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

T. Glenn Foster  
Chief, Regulatory Review and Reinvention  
Office of Hazardous Materials Standards

McIntyre  
\$173,320  
Portable Generators

**Drakeford, Carolyn (PHMSA)**

10-0121

**From:** LA PORTE, JAMES J (ATTSI) [jl7454@att.com]  
**Sent:** Wednesday, May 12, 2010 9:38 AM  
**To:** Drakeford, Carolyn (PHMSA)  
**Cc:** Boothe, Deborah (PHMSA)  
**Subject:** RE: Section 173.220, portable generators request for letter of clarification

Carolyn,  
You have been a big help. I have another item I would like to submit as a question with a written answer.

**Gasoline**

For ground transport of gasoline the following conditions would apply.

Gasoline carried in quantities per container greater than 8 gallons per container must comply with the following:

1. The package/container must be marked on one side as follows: Gasoline, UN1203
2. The package/container must be labeled with a class 3, flammable liquid label.
3. Shipping Papers must be carried along with an MSDS sheet for gasoline.

Gasoline carried in excess of 119 gallons must comply with items 1-3 above as well as the following:

1. The driver must obtain a Commercial Drivers License with a hazardous materials endorsement.
2. The vehicle must be placarded with the appropriate placard.

Additionally transporters must complete DOT HAZMAT training. What container specification exist?

Please advise.

Jim La Porte  
AT&T  
1670 Axtell  
Troy, MI 48084

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**From:** carolyn.drakeford@dot.gov [mailto:carolyn.drakeford@dot.gov]  
**Sent:** Thursday, July 02, 2009 2:26 PM  
**To:** LA PORTE, JAMES J (ATTSI)  
**Cc:** deborah.boothe@dot.gov  
**Subject:** FW: Section 173.220, portable generators request for letter of clarification

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**From:** Boothe, Deborah (PHMSA)  
**Sent:** Thursday, July 02, 2009 2:19 PM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: Section 173.220, portable generators request for letter of clarification