



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

1200 New Jersey Avenue, SE
Washington, DC 20590

October 9, 2024

Samantha Dziak
Safety Manager
Dandy Service Corporation
916 Brush Creek Road
Warrendale, PA 15086

Reference No. 24-0003

Dear Ms. Dziak:

This letter is in response to your January 12, 2024, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to marking and placarding requirements. Specifically, you describe a truckload of 72 drums of “UN3266, Corrosive liquid, basic, inorganic, n.o.s” and 27 drums of “NA1993, Combustible liquid, n.o.s.” with a total gross weight of 38,232 lbs. and 3,658.5 lbs., respectively. It is your understanding of the HMR that this truckload should only be placarded with a “CORROSIVE” placard and thus you did not include any display of the identification numbers for the materials onboard. You seek clarification that your understanding is correct.

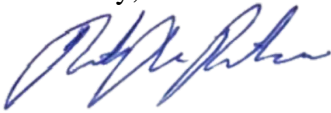
We have paraphrased and answered your questions as follows:

- Q1. You seek confirmation that you are not required to display identification number markings, in accordance with § 172.332, because you are not subject to the transport vehicle identification number marking requirements for large quantities of a single hazardous material in non-bulk packages, as specified in § 172.301(a)(3).
- A1. Your understanding is correct. For § 172.301(a)(3) to apply, all conditions must be fulfilled, including that the transport vehicle contain no other material, hazardous or otherwise. Furthermore, generally, transport vehicles containing non-bulk packages of hazardous material are not subject to identification number marking requirements. The exceptions are for large quantities of a single hazardous material in non-bulk packages (§ 172.301(a)(3)) and for certain poisonous by inhalation materials (§ 172.313(c)).
- Q2. You seek confirmation that you are not required to display placards or an identification number for a transport vehicle carrying NA1993 material in non-bulk packagings.

A2. As provided in § 173.150(f), a material, such as NA1993, described and classed as a combustible liquid that is transported in a non-bulk packaging is not subject to the HMR, unless the combustible liquid is a hazardous substance, a hazardous waste, or a marine pollutant. You did not provide information as to whether the combustible liquid is a hazardous substance, a hazardous waste, or a marine pollutant; however, based on the copy of the shipping paper provided with your request, indicating the material as non-hazmat, it is the opinion of this Office that your understanding is correct that the transport vehicle is not subject to placarding or identification number marking requirements for the NA1993 material in non-bulk packagings.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dirk Der Kinderen".

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division

From: [INFOCNTR \(PHMSA\)](#)
To: [Dodd, Alice \(PHMSA\)](#)
Cc: [Hazmat Interps](#)
Subject: FW: Request for letter of Interpretation
Date: Tuesday, January 16, 2024 10:10:17 AM
Attachments: [Request for letter of interpretation 01.12.24.pdf](#)

Hi Alice,

Please see the attached interpretation request.

Let us know if you need anything.

Regards,

-Breanna

From: samantha.lang@dandyservice.com <samantha.lang@dandyservice.com>
Sent: Friday, January 12, 2024 12:31 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Request for letter of Interpretation

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

Please find my request for letter of interpretation attached.

Thank you,

<p>Samantha Dziak Safety Manager at Dandy Service Corporation Phone: 724-935-1920 Mobile: 724-766-4503 Email: samantha.lang@dandyservice.com 916 Brush Creek Road Warrendale, PA 15086 www.dandyservice.com</p>	
---	--

January 12, 2024

U.S. DOT
PHMSA Office of Hazardous Materials Standards & Rulemaking Division
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590

To whom it may concern:

We are a hazmat carrier and hauled a load of

72 55Gallon Drums of UN3266, Corrosive liquid, basic, inorganic, n.o.s. (Postassium Hydroxide), 8, PGIII [weight 38232lbs]

-and-

27 15Gallon Drums of NA1993, combustible liquid, n.o.s (isopropanol), Combustible Liquid, PGIII [weight 3658.5lbs]

According to the regulations, we placarded this load only with a Corrosive, 8, placard without an identification number.

During a roadside inspection, we were told that the vehicle is placarded incorrectly. The violations are as follows:

1. Violation code 177.832A – No Placards/markings when required: na1993, 3,442.5 lbs loaded in one location identified as combustible liquid, nos has no placards of ID #'s as required for 2205 lbs of product.
2. Violation code 172.332A – Failure to display ID numbers when required: cargo un3266, corrosive liquid nos 36,432 lbs required 4 of 4 labels to be displayed on transport vehicle, vehicle is placarded as class 8 corrosive, non-bulk

Per the regulations, I am under the impression that the Class 8, Corrosive placard **only** is sufficient in this situation, with reasons being:

1. *In regards to the 172.332A violation-* That quantity of Class 8 Corrosive requires the display of the Class 8 placard on all four sides of the vehicle, but it is not required to display the identification number of the class 8 corrosive on the vehicle since it is not the only material-hazardous or otherwise- on the vehicle per **49 CFR 172.301(a)(3)**
2. *In regards to the violation 177.832A violation-* A Class 3 Combustible Liquid as described on BOL meets the criteria for the Combustible Liquid Exception. Therefore, it is not subject to any USDOT regulations, per **49 CFR 173.150(f)**. There is also the regulation of **49 CFR 172.500(b)(5)** which states placard is not required for combustible liquids non-bulk packaging.

I have attached a copy of the bill of lading to help with the description of material and quantity. Overall, would just a Class 8 corrosive placard without identification numbers be acceptable for this shipment?

Thank you for your attention to this matter.

Samantha Dziak
Manager of Safety

STRAIGHT BILL OF LADING

B/L DATE
12/14/2023
B/L NO.
57522

TO



FROM



CUST. NO. CW112120 SALES AG. SC001 OPERATOR StaceyG REQ. NO. Dandy TRUCKING SHIP VIA

CUST. ORDER NO. 2193-1 SHIP DATE 12/26/2023 WHSE 001 FREIGHT 0 FOB REMARK Ambridge, PA 15003 DATE CHECKED BY

QUANTITY ORDERED	QUANTITY SHIPPED	PACKAGING	H M	DESCRIPTION	NET WEIGHT	GROSS WEIGHT	FRT CLAS
72	72	55GDrum	X	UN3266, Corrosive liquid, basic, inorganic, n.o.s. (Potassium Hydroxide), 8, PGIII CW776A Foamy One Step 72 Drum	36432 lbs	38232 lbs	55
27	27	15GDrum		NA1993, combustible liquid, n.o.s. (isopropanol), Combustible Liquid, PGIII Triple Polish Low pH - Blue 27 Drum	3442.5 lbs	3658.5 lbs	55
Total Weights:					39875	42,735	
				21 SKIDS			
				SEAL# C1598520			

Note-Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding:

This is to verify that the above-named materials are properly classified, described, packaged, marked and labeled and are in proper condition for transportation according to the applicable regulations of the Department of Transportation.

Subject to Section 7 of the conditions, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement:
The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.

**FOR CHEMICAL EMERGENC
CALL CHEMTEL
1-800-255-3924**

Mark DeMa
Signature

(Signature of Consignor)

Contract # MIS0003785

RECEIVED, subject to the classifications and lawfully filed tariffs in effect on the date of the issue of this Bill of Lading, the property described above in apparent good order, except as noted (contents and conditions of contents of packages unknown), marked, consigned, and destined as indicated above which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed as to each carrier of all or any

of, said property over all or any portion of said route to destination and as to each party at any time interested in all or any said property, that every service to be performed hereunder shall be subject to all the bill of lading terms and conditions in the governing classification on the date of shipment.

Shipper hereby certifies that he is familiar with all the Bill of Lading terms and conditions in the governing classification and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

SHIPPER	CARRIER	COD Amt: \$ 0.00
SHIPPER <i>Mark DeMa</i> DATE <i>12/26/2023</i>	PLACARDS OFFERED DRIVER PLEASE INITIAL. <i>GB</i> AGENT <i>Guy Buntius</i> PER _____ TOTAL NO. OF PACKAGES REC'D. _____	FREIGHT CHARGES If charges are to be prepaid, write or stamp here, "TO BE PREPAID." TO BE PREPAID