



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

October 29, 2024

Harry Hopes
Principal
Specialized Professional Services, Inc.
300 Commercial Drive
Washington, PA 15301

Reference No. 24-0055

Dear Mr. Hopes:

This letter is in response to your June 18, 2024, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the transportation of hazardous materials in rail tank cars. Specifically, you describe a scenario in which you transport “UN3295, Hydrocarbons, liquid, n.o.s. (Natural Gasoline), 3, PG I” in a DOT-112 tank car that had previously been used to transport unodorized “UN1075, Liquefied petroleum gas, 2.1” (LPG). You state that the “NOT ODORIZED” marking—required by § 172.330(c) for the transportation of unodorized LPG—is left on the tank car, while all other LPG markings and placards are removed and replaced with appropriate markings and placards for the transport of UN3295. You ask whether the HMR require the inclusion of the wording “Non-Odorized” or “Not-Odorized” on the shipping paper when transporting UN3295 in the scenario as described.

There is no HMR requirement to mark “Non-Odorized” or “Not-Odorized” on a tank car transporting UN3295, or to note this on the corresponding shipping papers. However, the “Non-Odorized” and “Not-Odorized” markings are typically only used for LPG. Therefore, leaving the mark on a tank car transporting a different material, especially one with its own distinct odor (regardless of whether an odorant has been added), could be misleading to an inspector or first responder, resulting in further frustration of your shipment or disruption of an incident response scenario. Additionally, leaving markings on the tank car that are not reflected on the shipping papers could result in further frustration of your shipment and could mislead emergency responders during a rail incident. We strongly encourage you to remove or cover up these unnecessary marks.

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

Sincerely,

Alexander Wolcott
Acting Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

From: [INFOCNTR \(PHMSA\)](#)
To: [Dodd, Alice \(PHMSA\)](#)
Cc: [Hazmat Interps](#)
Subject: FW: Letter of Interpretation - Non Odorized markings
Date: Tuesday, June 25, 2024 4:27:30 PM

Hello Alice,

Please see the below interpretation request and mailing address.

Let us know if you need anything.

Sincerely,
Janaye

From: Harry Hopes <hopes@spcigroup.com>
Sent: Monday, June 24, 2024 6:50 AM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Re: Letter of Interpretation - Non Odorized markings

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.

My mailing address is:

Specialized Professional Services, Incorporated
Harry Hopes - Principal
300 Commercial Drive
Washington, PA 15301
704-490-1891
724-228-2700 (24 hour number)

Harry Hopes, CHMM
hopes@spcigroup.com

On Jun 21, 2024, at 3:53 PM, INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov> wrote:

Dear Harry,

We have received your request for a written letter of interpretation regarding the hazardous materials regulations (49 CFR Parts 171-180). The hazardous materials regulations are available at the following URL:

https://www.ecfr.gov/cgi-bin/text-idx?SID=1d49a3b137cb1b6fc45251074e634b44&tpl=/ecfrbrowse/Title49/49tab_02.tpl

However, before we can submit your request for processing, please respond to this email with:

- Physical Mailing Address

Sincerely,

Janaye, 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. <https://www.phmsa.dot.gov/standards-rulemaking/hazmat/hazardous-materials-information-center>

From: Harry Hopes <hopes@spcigroup.com>
Sent: Tuesday, June 18, 2024 1:01 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Letter of Interpretation - Non Odorized markings

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Scenario:

A client regularly ships Liquefied Petroleum Gas (LPG) in DOT112 tank cars. They also transport Hydrocarbons, Liquid, N.O.S. (Natural Gasoline), classified as a Class 3 Flammable Liquid - Packing Group I. Typically, these flammable liquids are shipped in DOT111 or DOT117 tank cars. However, occasionally, the client needs to use DOT112 cars for this Class 3 product. In such cases, the existing Liquefied Petroleum Gas markings on the rail cars are removed, but the "Non-Odorized" markings remain since this product lacks an odorant.

Regulation Inquiry:

I have carefully reviewed the relevant regulations found (49CFR172.203(p) and 172.330(c) and

found that they pertain specifically to Liquefied Petroleum Gas.

Question:

Is there a regulation requiring the inclusion of "Non-Odorized" wording on the shipping documents for this Class 3 liquid shipped in DOT112 cars?

Thank you

Harry Hopes, CHMM
hopes@spcigroup.com