



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

1200 New Jersey Avenue, SE  
Washington, DC 20590

June 5, 2025

Mark Bonenberger  
Program Manager  
Buckeye Partners, L.P.  
6161 Hamilton, Blvd.  
Allentown, PA 18106

Reference No. 25-0024

Dear Mr. Bonenberger:

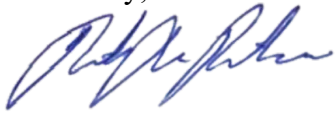
This letter is in response to your February 27, 2025 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to reclassifying a flammable liquid to a combustible liquid. Specifically, you state that your company transports aviation fuel (*i.e.*, jet fuel) throughout the United States and Canada by cargo tank motor vehicle. You understand that according to the requirements in §§ 173.150(f)(1) and 172.332(c)(4), the HMR permits the reclassification of a flammable liquid to a combustible liquid and the use of a combustible placard, respectively.

We have paraphrased and answered your questions as follows:

- Q1. Can jet fuel with a flash point at or above 38 °C (100 °F), not meeting the definition of any hazard class, and transported in a cargo tank motor vehicle, be described as “UN1863, Fuel, aviation, turbine engine, Combustible liquid, PG III?”
- A1. Yes. Please note that, in accordance with § 173.150(f)(3) of the HMR, a combustible liquid in a bulk packaging is not subject to the requirements of the HMR, except for those requirements listed in § 173.150(f)(3)(i) through (f)(3)(xi).
- Q2. Can the United Nations identification number be displayed on a COMBUSTIBLE placard conforming to either § 172.332(c)(1) and (c)(2) or § 172.332(c)(4) of the HMR?
- A2. Yes. Both types of placards are permitted for display of the identification number on a cargo tank motor vehicle. However, please note that a COMBUSTIBLE placard with a white background as described in § 172.332(c)(4) of the HMR for display of the identification number *must* be used during rail transportation but *may* be used during highway transportation.

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', written in a cursive style.

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

**From:** [INFOCNTR \(PHMSA\)](#)  
**To:** [Dodd, Alice \(PHMSA\)](#)  
**Cc:** [Hazmat Interps](#)  
**Subject:** FW: Buckeye - Request for Letter of Interpretation  
**Date:** Thursday, February 27, 2025 4:47:19 PM  
**Attachments:** [Buckeye - Request for Letter of Interpretation.msg](#)

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Dear Alice,

See the attached interpretation request. Let us know if you need anything else.

Best,

Aminah

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**From:** Bonenberger, Mark P. <[MBonenberger@buckeye.com](mailto:MBonenberger@buckeye.com)>  
**Sent:** Thursday, February 27, 2025 1:02 PM  
**To:** INFOCNTR (PHMSA) <[INFOCNTR.INFOCNTR@dot.gov](mailto:INFOCNTR.INFOCNTR@dot.gov)>  
**Subject:** RE: Buckeye - Request for Letter of Interpretation

You don't often get email from [mbonenberger@buckeye.com](mailto:mbonenberger@buckeye.com). [Learn why this is important](#)

**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.

See attached.

Thanks,  
Mark

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**From:** INFOCNTR (PHMSA) <[INFOCNTR.INFOCNTR@dot.gov](mailto:INFOCNTR.INFOCNTR@dot.gov)>  
**Sent:** Thursday, February 27, 2025 1:00 PM  
**To:** Bonenberger, Mark P. <[MBonenberger@buckeye.com](mailto:MBonenberger@buckeye.com)>  
**Subject:** Automatic reply: Buckeye - Request for Letter of Interpretation

**WARNING:** This email originated outside of Buckeye Partners, L.P.  
**DO NOT CLICK** links or attachments unless you recognize the sender and  
know the content is safe.  
**If you have any questions please contact the Buckeye Partners service  
desk.**

Thank you for contacting the HAZMAT Info Center (HMIC) within the Pipeline and Hazardous Materials Safety Administration (PHMSA). The HMIC assists with the use of the Hazardous Materials Regulations (HMR), and provides other services as noted on our website (click [here](#)). The information center is staffed Monday through Friday, 9am-5pm EST. This email acknowledges

receipt of your inquiry.

To better assist you, we ask that you provide your name, a phone number, and a detailed question or concern. You may respond to this email or contact the HMIC by phone at +1 (800) 467-4922 or +1 (202) 366-4488.

Regards,

HazMat InfoCenter Team

**From:** Bonenberger, Mark P. <MBonenberger@buckeye.com>  
**Sent:** Thursday, February 27, 2025 12:59 PM  
**To:** INFOCNTR (PHMSA)  
**Cc:** Parker, Cindy L.; Osika, Robert; Czonstka, Lisa; Mengel, Jason L.  
**Subject:** Buckeye - Request for Letter of Interpretation  
**Attachments:** 150187R.pdf; 090093.pdf

Email: [infocntr@dot.gov](mailto:infocntr@dot.gov)

February 27, 2025

Pipeline and Hazardous Materials Safety Administration (PHMSA)  
U.S. Department of Transportation  
East Building, 2nd Floor  
1200 New Jersey Avenue, SE  
Washington, DC 20590

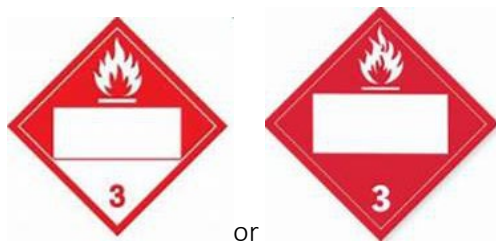
**Subject: Request for Letter of Interpretation on the use of UN 1863, Fuel, Aviation, Turbine Engine, Combustible Liquid, PG III, and the use of a Combustible Placard on a Cargo Tanker**

Dear PHMSA Office of Hazardous Materials Safety,

I am writing to request a formal letter of interpretation regarding the transportation requirements for the reclassification of Jet Fuel from a FLAMMABLE to COMBUSTIBLE under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

Our company is involved in the transportation of aviation turbine fuel (Jet Fuel) throughout the United States and Canada. Given that under 49 CFR §173.150(f)(1) and §172.332 (c)(4), HMR allows for the reclassification of a FLAMMABLE to COMBUSTIBLE and the use of a COMBUSTIBLE placard, we are seeking clarification on the following points:

1. For jet fuel transported via bulk cargo tanker with a flash point at or above 38 °C (100 °F) that does not meet the definition of any other hazard class, is the following DOT description acceptable under 49 CFR §172.101 and 173.150(f)(1)? **UN 1863, Fuel, Aviation, Turbine Engine, Combustible Liquid, PG III**
2. Under 49 CFR § 172.332 (c)(4), can the cargo tanker use the following combustible placard for jet fuel using **UN 1863**?



Given the importance of compliance with DOT regulations and ensuring safe transportation practices, we would appreciate PHMSA's official guidance on this matter. If further clarification is required, I am available to discuss or provide additional information.

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

Sincerely,

*Mark P Bonenberger / Program Manager, Environmental Compliance*

***Buckeye Partners, L.P.***

*The Buckeye Building*

*6161 Hamilton Blvd | Allentown PA 18106*

*Mobile: 610.360.2619*

[\*mbonenberger@buckeye.com\*](mailto:mbonenberger@buckeye.com)



***Think Safe, Work Safe, Leave Safe... LIVE Safe***

***If you SEE something, SAY something!***

 Please consider the environment before printing this e-mail.



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

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

OCT 26 2010

Mr. Eric Barcaskey  
Manager, Hazmat Transportation Safety  
Valspar  
P.O. Box 1461  
Minneapolis, MN 55440

Reference No. 09-0093

Dear Mr. Barcaskey:

This is in response to your letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to combustible liquids. Specifically, you ask how to properly describe "UN 1263, Paint, 3 (flammable liquid), PG III" with a flash point of 49 °C (120 °F) when it has been reclassified as a combustible liquid and placed in either a non-bulk or bulk packaging. We apologize for the delay in responding to your letter and any inconvenience this may have caused.

Q1. May a paint product with a flash point of 120 °F in a bulk packaging be described as "UN 1263, Paint, Combustible liquid, PG III"?

A1. Yes, provided the paint does not meet the definition of any other hazard class. According to the provisions of 49 CFR 172.101(d) (4), Class 3 entries in the Hazardous Materials Table are modified to read "Combustible liquid" when that material is reclassified in accordance with § 173.150(e) or (f) or has a flash point above 60 °C (140 °F) but below 93 °C (200 °F). Section 173.150(f)(1) permits a flammable liquid with a flash point at or above 38°C (100 °F) that does not meet the definition of any other hazard class to be reclassified as a combustible liquid in domestic transportation. (See also § 173.120(b)(2).) Please note, this provision does not apply to transportation by vessel or aircraft, except where other means of transportation is impracticable. Combustible liquids in bulk packagings, and combustible liquids that are hazardous substances, hazardous wastes, or marine pollutants must also comply with requirements for hazard communication, incident reporting, packaging, training, and emergency response information. (See § 173.150(f)(3).)

Q2. May a paint product in a non-bulk packaging with a flash point of 120 °F that contains a hazardous substance in an amount that exceeds its reportable quantity be described as "UN 1263, Paint, Combustible liquid, PG III, RQ (with the name of the hazardous substance(s) in parentheses)"?

A2. Yes. As specified in § 172.203(c)(1), if the proper shipping name for a material that is a hazardous substance does not identify the hazardous substance by name, the name of the hazardous substance must be entered in parentheses in association with the basic description.

This may be accomplished by placing the name of the hazardous substance either immediately following the proper shipping name or the basic description. If a material contains two or more hazardous substances, at least two hazardous substances, including the two with the lowest reportable quantities (RQs), must be identified. Further, § 172.203(c)(2) requires a hazardous material that meets the definition of a hazardous substance, defined in § 171.8, to have the letters "RQ" appear before or after the basic shipping description on a shipping paper to denote the package contains a reportable quantity of this material.

- Q3. Is the package containing the combustible liquid paint product described in Question Q2 permitted, required, or forbidden to be labeled with a FLAMMABLE LIQUID label conforming to § 172.419? Can this label be used without the "FLAMMABLE LIQUID" text?
- A3. Liquid paint with a flash point of 60 °C (140 °F) or less that is described as a Class 3 flammable liquid must be labeled with a FLAMMABLE LIQUID label conforming to § 172.419. Liquid paint with a flash point at or above 38 °C (100 °F) but not exceeding 60 °C (140 °F), such as the paint you described with a flash point of 120 °F, that does not meet the definition of any other hazard class and is reclassified as a combustible liquid must not be labeled with a FLAMMABLE LIQUID label, regardless of whether or not text indicating the hazard class is included on the label (see § 173.120(b)(2)). For your information, the HMR do not require text indicating the FLAMMABLE LIQUID hazard class on a primary or subsidiary label (see § 172.405(a)). Although the HMR do not prescribe a label for the combustible liquid hazard class, they do prescribe a placard for COMBUSTIBLE LIQUID (see the § 172.400(b) table and § 172.544), and permit a FLAMMABLE LIQUID placard to be used in place of a COMBUSTIBLE LIQUID placard on a bulk package that contains a combustible liquid (see § 172.504(f)(2)).

On April 5, 2010, PHMSA published an advance notice of proposed rulemaking (ANPRM; Docket No. PHMSA-2009-0241 (HM-242) copy enclosed), titled "Hazardous Materials Regulations: Combustible Liquids," in the Federal Register [75 FR 17111] soliciting comments on ways to revise, clarify, or relax certain regulatory requirements for combustible liquids. Although the comment period closed on July 6, 2010, we encourage you to submit your comments on this matter. To view the rulemaking electronically, please visit the website "www.regulations.gov," and search using the last four digits of the rulemaking's docket number, "0241," and further refine your search results with this agency's acronym "PHMSA."

I hope this satisfies your request.

Sincerely,



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

Enclosure

valspar

PO Box 1461  
Minneapolis, MN 55440

Edmonson  
\$173.150(f)  
\$172.101  
Shipping Name  
09-0093

April 9, 2009

US DOT PHMSA  
Office of Hazardous Materials Standards, PHH-10  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

Re: Combustible liquid applicability

Dear Mr. Mazzullo,

49CFR §173.120(b)(2) permits an otherwise flammable liquid to be "...reclassified as a combustible liquid." with further criteria referenced both in this subparagraph, and in §173.150(f). Please advise whether the following are correct applications, with corrections as appropriate:

1) A paint product in bulk packaging with flashpoint of 120°F;

**UN1263, Paint, Class Combustible liquid, PG III**

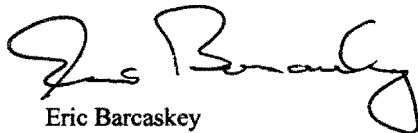
2) A paint product in non-bulk packaging with flashpoint of 120°F, and containing a hazardous substance above its reportable quantity;

**UN1263, Paint, Class Combustible liquid, PG III**  
**RQ (Listed hazardous substance)**

3) Whether use of a Flammable Liquid label (§172.419, with or without text) is permissible, required or forbidden in instance 2) above.

We have experienced recent carrier and state enforcement questions on the above and assure your office that a written interpretation is of great interest. Thank you in advance for your reply.

Sincerely,



Eric Barcaskey  
Manager, Hazmat Transport Safety

Phone (612) 851-7930  
ebarcaskey@valspar.com



U.S. Department  
of Transportation

Pipeline and Hazardous  
Materials Safety  
Administration

1200 New Jersey Avenue, SE  
Washington, DC 20590

DEC 21 2016

Lieutenant Bryan Gay  
Florida Highway Patrol  
6030 County Road 2321  
Panama City, FL 32404

Reference No. 15-0187R

Dear Lieutenant Gay:

This letter is a response to your September 14, 2015, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the shipping description of diesel fuel reclassified as a "combustible liquid." This letter is an additional clarification revision to interpretation letter 15-0187 published on February 8, 2016. In your original incoming letter, you note that § 172.202(a)(3)(ii) states the hazard class need not be included for the entry "Combustible liquid, n.o.s." You further list two proper shipping descriptions for diesel fuel reclassified as a combustible liquid:

- 1) NA1993, Diesel Fuel, Combustible liquid, PG III
- 2) NA1993, Combustible Liquid n.o.s. (diesel fuel), Combustible liquid, PG III

You ask if the shipping description "NA1993, Combustible liquid n.o.s." must be used when taking the exception in § 172.202(a)(3)(ii) and which of the previously-listed shipping descriptions is correct.

For additional clarification, in accordance with § 172.202(a)(3)(ii) of the HMR, the hazard class need not be included for the entry "Combustible liquid, n.o.s." While this exception is specific only to the "Combustible liquid n.o.s." shipping description, § 172.101(d)(4) specifies that a Class 3 material can be modified to read "combustible liquid" when that material is reclassified in accordance with § 173.150(e) or (f).

Further, using the listing provided, shipping description number 1 would be appropriate for diesel fuel reclassified as a combustible liquid. It should be noted that "UN1202, Diesel Fuel, Combustible liquid, PG III" may also be used as an alternative description.

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

Sincerely,

T. Glenn Foster  
Chief, Regulatory Review and Reinvention Branch  
Standards and Rulemaking Division

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

Andrews  
§ 173.150(f)  
Combustible liquids  
5-0187

What, if any, special requirements must a motor carrier follow if the motor carrier is going to reclassify a flammable liquid as a combustible liquid and utilize the 173.150(f)(3) exemptions while transporting a cargo tank load of diesel fuel? Which of the two shipping papers entries below is appropriate for this shipment? When identifying the hazard class on shipping papers, 172.202(a)(3)(ii) indicates hazard class 3 need not be included for entries of Combustible Liquid, n.o.s. Combustible Liquid, n.o.s. is a proper shipping name, and it's the only HM table entry that indicates "Comb Liq" in column 3 of the 172.101 table. This indicates to me that if a motor carrier is wanting to utilize the 173.150 exceptions, the motor carrier must determine the flashpoint, reclassify the material as a combustible liquid, and ship the material as a Combustible Liquid n.o.s. instead of using the original proper shipping name, e.g., Diesel Fuel, Fuel Oil, etc.

NA1993, Diesel Fuel, Combustible Liquid, PG III  
NA1993, Combustible Liquid n.o.s (Diesel Fuel), Combustible Liquid, PG III

173.150(f) Combustible liquids. (1) A flammable liquid with a flash point at or above 38 °C (100 °F) that does not meet the definition of any other hazard class **may be reclassified as a combustible liquid.**

172.202(a)(3) The hazard class or division number prescribed for the material, as shown in Column 3 of the §172.101 table.

(ii) The hazard class need not be included for the entry "Combustible liquid, n.o.s."

Symbol	Hazardous materials descriptions and proper shipping names	Hazard Class or Division	Identification Numbers	PG	NA
DG	Combustible liquid, n.o.s.	Comb Liq	NA1993	III	8

Sincerely,



Lieutenant Bryant Gay  
Florida Highway Patrol  
6030 County Road 2321  
Panama City, FL 32404  
850-767-3665  
[bryantgay@flhsmv.gov](mailto:bryantgay@flhsmv.gov)