



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

September 22, 2025

Collin B. Mooney, MPA, CAE
Executive Director
Commercial Vehicle Safety Alliance
99 M Street, SE, Suite 1025
Washington, DC 20003

Reference No. 25-0055

Dear Mr. Mooney:

This letter is in response to your email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to recent changes to the HMR regarding reduced-size combustible placards on intermediate bulk containers (IBCs) and portable tanks (see § 172.514(c)(1) and (c)(4)). You state that your organization has identified several issues regarding the changes made to this section and is requesting clarification on their scope and intent.

We have paraphrased and answered your questions as follows:

- Q1. Would it be acceptable to use a reduced-size placard that is not the exact same size as a label, but between the size of a label and a placard?
- A1. Yes. Paragraphs (c)(1) and (c)(4) in § 172.514 state that portable tanks and IBCs containing combustible liquids may be placarded with a combustible placard that meets the label specifications for size in § 172.407(c). That section states that each label must be *at least* (emphasis added) 100 mm (3.9 inches) on each side. This provision allows labels to be more than 100 mm on each side. Therefore, a smaller sized placard that meets the labeling provision in § 172.407(c) complies with the requirements in the HMR.
- Q2. You note that the HM-219D final rule^a did not address the size requirements for United Nations (UN) identification numbers on reduced sized placards. You ask if it is acceptable to use a combustible placard with the UN identification number printed on it as the reduced-size placard.

^a 89 FR 15636 (Mar. 3, 2024)

- A2. Yes, as noted in A1, § 172.514(c)(1) and (c)(4) allow the use of a reduced-size placard that meets the label *size* specifications (emphasis added) in 49 CFR § 172.407(c). This provision permits placards that otherwise conform to all applicable parts of the HMR to be reduced in size, based on the reasoning that labels were already permitted as an alternative to placards on portable tanks with a capacity of less than 1,000 gallons and IBCs.
- Q3. You note that HMR does not include a combustible liquid label and that a reduced-size combustible placard could be the same size as a label, potentially leading to incorrectly cited roadside violations and unnecessary shipment delays. You ask why PHMSA did not authorize a combustible label, with label specifications, into the regulations for IBCs and portable tanks.
- A3. In accordance with § 173.150(f)(2), the HMR does not apply to a material classed as a combustible liquid in a non-bulk packaging unless the combustible liquid is a hazardous substance, a hazardous waste, or a marine pollutant. This means that, in many cases, combustible liquids are only subject to HMR requirements when in bulk packaging, which typically require placards rather than labels. The use of the term “placard” was purposeful to avoid confusion between requirements for bulk packaging and those for non-bulk packaging.

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

Sincerely,

A handwritten signature in blue ink, reading "Alexander Wolcott". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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

Pollack, Arthur (PHMSA)

From: Adrienne Gildea <adrienne.gildea@cvsa.org>
Sent: Thursday, May 30, 2024 2:28 PM
To: Kelley, Shane (PHMSA)
Cc: Bill Reese; Collin Mooney
Subject: Letter to PHMSA Requesting Clarification on Reduced Sized Combustible Placard
Attachments: Letter to PHMSA Requesting Clarification on Reduced Sized Combustible Placard.pdf

Good afternoon Mr. Kelly,

Attached, please find a letter requesting clarification on the recent changes to the Hazardous Materials Regulations regarding reduced-size combustible placards on intermediate bulk containers and portable tanks.

We appreciate your consideration of this request.

Thank you,
Adrienne



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Commercial Vehicle Safety Alliance

Improving commercial motor vehicle safety and enforcement

May 30, 2024

Mr. Shane Kelley
Director, Standards and Rulemaking Division (PHH-10)
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
1200 New Jersey Ave. SE
Washington, DC 20590

RE: Clarification on the reduced-size combustible placards on intermediate bulk containers and portable tanks

Dear Director Kelley,

On March 4, the Pipeline and Hazardous Materials Safety Administration (PHMSA) published its Adoption of Miscellaneous Petitions and Updating Regulatory Requirements Final Rule (Docket Number: PHMSA–2020–0102), making a series of changes to the Hazardous Materials Regulations. The final rule was effective April 3 with a delayed compliance date of March 4, 2025. Included in the final rule were changes to § 172.514(c)(1) for portable tanks and § 172.514(c)(4) for intermediate bulk containers (IBCs). These changes to the regulations allow for a reduced-size combustible label to be used on portable tanks and IBCs. The reduced-size placards are allowed to be the same size as a label. The Commercial Vehicle Safety Alliance (CVSA) identified several issues regarding the changes and is requesting clarification on the scope and intent.

CVSA is a nonprofit organization comprised of local, state, provincial, territorial and federal commercial motor vehicle safety officials and industry representatives. The Alliance aims to prevent commercial motor vehicle crashes, injuries and fatalities and believes that collaboration between government and industry improves road safety and saves lives. Our mission is to improve commercial motor vehicle safety and enforcement by providing guidance, education and advocacy for enforcement and industry across North America.

Request

CVSA requests that PHMSA address the following questions regarding these new regulations for portable tanks and IBCs.

- 1) Can the reduced-size placard be a size between a label (100 mm) and a placard (250 mm); for example, 175 mm?

- 2) Given that the final rule did not address identification (ID) numbers and the reduced-size ID numbers would not meet the minimum size requirements, can a placard with a white bottom and ID number on it be reduced and the ID number left on the label?
- 3) Currently, the regulations expressly state there is no combustible liquid label. However, this reduced-size combustible placard is the size of a label, which will result in roadside violations being cited incorrectly and shipments being unnecessarily delayed. Why did PHMSA not authorize a combustible label for IBCs and portable tanks and add label specifications into the regulations?

Justification

As noted above, the changes to the labeling and marking requirements for portable tanks and IBCs have resulted in confusion and the risk of inconsistent enforcement. CVSA has a cooperative agreement with the Federal Motor Carrier Safety Administration to provide required certification training for state and local law enforcement officers in the proper procedures to conduct roadside inspections of commercial motor vehicles. The changes made in the Adoption of Miscellaneous Petitions and Updating Regulatory Requirements Final Rule must be incorporated into the North American Standard Inspection certification training curriculum. To ensure the regulations are being enforced correctly and inspectors are receiving accurate training instruction regarding the requirements for labeling and marking IBCs and portable tanks, CVSA is requesting answers to the questions above. PHMSA's guidance on this matter will ensure CVSA provides the correct guidance to the state and local officials conducting roadside inspections.

CVSA works to closely monitor, evaluate and identify potentially unsafe transportation processes and procedures as well as to help facilitate and implement best practices for enhancing safety on our roadways. Commercial motor vehicle safety continues to be a challenge and we need the involvement of all affected parties to help us better understand these issues and put into place practical solutions. We appreciate the agency's commitment to safety and stakeholder involvement.

If you have further questions or comments, please do not hesitate to contact me at 202-998-1008 or collin.mooney@cvsa.org.

Respectfully,



Collin B. Mooney, MPA, CAE
Executive Director
Commercial Vehicle Safety Alliance