



Pollack, A.
26-0111

Fwd: Request for Interpretation / Confirmation of Guidance: Aggregate Weight Calculation for Non-Bulk Class 9 Materials (§ 172.504(c) and § 172.504(f)(9))

1 message

INFOCNTR (PHMSA) <infocntr.infocntr@dot.gov>
To: "Baker, Yul (PHMSA)" <yul.baker@dot.gov>
Cc: Hazmat Interps <hazmatinterps@dot.gov>

Tue, Aug 25, 2026 at 2:25 PM

Good afternoon,

Please see the following request for a letter of interpretation. Let us know if you need anything.

Best,

Aminah

----- Forwarded message -----

From: **Sherrill - CDPS, Jordan** <jordan.sherrill@state.co.us>

Date: Mon, Aug 24, 2026 at 7:39 PM

Subject: Re: Request for Interpretation / Confirmation of Guidance: Aggregate Weight Calculation for Non-Bulk Class 9 Materials (§ 172.504(c) and § 172.504(f)(9))

To: INFOCNTR (PHMSA) <infocntr.infocntr@dot.gov>

Hello,

Please use:

15065 South Golden Road
Golden, CO 80401

That is our office address, Attn Jordan Sherrill.

Thank you.

On Mon, Aug 24, 2026 at 2:36 PM INFOCNTR (PHMSA) <infocntr.infocntr@dot.gov> wrote:

Dear Jordan,

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.phmsa.dot.gov/phmsa-regulations>

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

- Physical Mailing Address

Sincerely,

Aminah, 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>

On Mon, Aug 24, 2026 at 3:24 PM Sherrill - CDPS, Jordan <jordan.sherrill@state.co.us> wrote:
Greetings,

I am writing to request an official written letter of interpretation regarding the aggregate gross weight calculation for placarding under 49 CFR § 172.504(c) when transporting mixed loads containing non-bulk Class 9 hazardous materials.

Background:

Historical agency guidance, specifically RSPA Letter of Interpretation #97-0099 (issued July 8, 1997), clarified that because Class 9 materials are excepted from domestic placarding requirements under 49 CFR § 172.504(f)(9), the gross weight of non-bulk Class 9 materials is excluded when calculating the 1,001 lb (454 kg) aggregate gross weight threshold for other Table 2 hazardous materials under § 172.504(c).

While this interpretation remains available through 3rd party websites, Letter #97-0099 is no longer accessible on PHMSA's online public interpretations portal. Consequently, there is ongoing confusion among instructors, shippers, and enforcement personnel regarding whether this position remains active agency policy or if non-bulk Class 9 material must be summed with other Table 2 materials.

Scenario for Consideration:

A transport vehicle in domestic highway transportation carries a non-bulk load consisting of:
990 lbs gross weight of Class 9 (Miscellaneous) Hazardous Material
50 lbs gross weight of Class 3 (Flammable Liquid) Hazardous Material

Questions:

Does the historical guidance issued in Letter #97-0099 still represent PHMSA's official position?

In the scenario described above, is the 990 lbs of non-bulk Class 9 material excluded from the 1,001 lb aggregate gross weight calculation under § 172.504(c)?

Because the qualifying Table 2 material requiring placarding (Class 3) totals only 50 lbs, is the transport vehicle exempt from displaying placards under § 172.504(c)?

Thank you for your time and assistance in clarifying this issue for hazardous materials transportation safety and compliance.

Sincerely,

Trooper Jordan Sherrill
Hazardous Materials Response Team
Colorado State Patrol
Cell: 719.740.8215

ColoradoStatePatrol.com

[FaceBook.com/ColoradoStatePatrol](https://www.facebook.com/ColoradoStatePatrol)

[Twitter.com/CSP_News](https://twitter.com/CSP_News)

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