



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

JAN 29 2019

Dan Reilly  
HOMENERGY Services, Inc.  
33 Depot Street, Suite 1  
Saranac Lake, NY 12983

Reference No. 18-0096

Dear Mr. Reilly:

This letter is in response to your June 29, 2018, email and August 21, 2018, phone conversation requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to placarding. Specifically, you indicate that you transport diesel fuel, heating oil, kerosene, and gasoline in multi-compartment cargo tanks.

We have paraphrased and answered your questions as follows:

Q1. You ask if it is appropriate to display the identification number "1993" on the outside of the cargo tank motor vehicle when transporting only diesel fuel.

A1. The answer is yes. As prescribed in § 172.302(a), no person may offer for transportation or transport a hazardous material in a bulk packaging unless the packaging is marked, as required by § 172.332, with the identification number specified for the material in the § 172.101 Hazardous Materials Table (HMT). Therefore, if you are transporting diesel fuel domestically as "NA1993, Diesel fuel, Combustible, III," it is appropriate to display "1993" on the outside of the cargo tank motor vehicle in accordance with § 172.332.

Furthermore, while not explicitly prohibited by the HMR, it is recommended that in order to avoid confusion and frustration in transportation, the identification number on the shipping paper and package marking should be consistent (i.e., the shipping paper should not list "UN1202, Diesel fuel, Combustible, III," while "1993" is displayed as the identification number on the outside of the cargo tank motor vehicle).

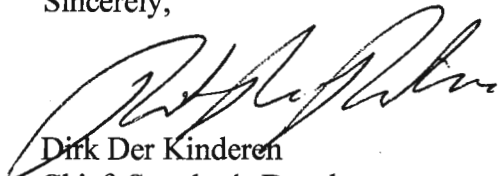
Q2. You ask if it is appropriate to display the identification number "1993" on the outside of the cargo tank motor vehicle when transporting only heating oil.

A2. If you are transporting heating oil domestically as "NA1993, Fuel oil, Combustible, III," the answer is yes. See A1.

- Q3. You ask if it is appropriate to display the identification number “1223” on the outside of the cargo tank motor vehicle when transporting only kerosene.
- A3. The answer is yes. Kerosene, described as “UN1223, Kerosene, 3, III,” must display “1223” on the outside of the cargo tank motor vehicle in accordance with § 172.332.
- Q4. When transporting more than one of the materials identified in your request, you ask which identification number must be displayed on the outside of the cargo tank motor vehicle.
- A4. In accordance with § 172.336(c), for the specific materials identified in your request, when a cargo tank contains more than one petroleum distillate fuel, it needs only to display the identification number of the liquid petroleum distillate fuel with the lowest flashpoint. For example, if the cargo tank is transporting “NA1993, Diesel fuel, Combustible, III” and “UN1203, Gasoline, 3, II,” it needs to display UN1203 only, as gasoline has a lower flashpoint than diesel fuel. Please note that if only one petroleum distillate fuel is being transported in the cargo tank, the identification number for that petroleum distillate fuel must be displayed.

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

Sincerely,



Dirk Der Kinderen  
Chief, Standards Development  
Standards and Rulemaking Division

Geller  
Cargo Tanks  
18-0096

**January, Ikeya CTR (PHMSA)**

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**From:** INFOCNTR (PHMSA)  
**Sent:** Friday, June 29, 2018 4:59 PM  
**To:** Hazmat Interps  
**Subject:** FW: Cargo tank interpretation for NYS Police

**Importance:** High

Hi Ikea,

Below is a request for a letter of interpretation. Mr. Reilly spoke with Jonathon. Please let me know if you have any questions. I

Thank you,  
Jodi

**From:** Dan Reilly [mailto:Dan@homenergyservices.com]  
**Sent:** Friday, June 29, 2018 11:02 AM  
**To:** INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>  
**Cc:** Jamie <jstaves@homenergyservices.com>; 'Tim' <tim@homenergyservices.com>  
**Subject:** Cargo tank interpretation for NYS Police  
**Importance:** High

Hello DOT,

We are a small fuel company in far northern New York state. We use multi-compartment, cargo tank trucks to deliver: heating oil, diesel fuel, kerosene, and gasoline to residential and small commercial customers. We are not inter-state, nor do we cross the Canadian border. Our work is exclusively within our immediate, intra-state, area.

We have been delivering these fuels from this location for 24 years, using these placards:

- 1993 diesel fuel and heating oil
- 1223 kerosene
- 1203 gasoline.

Yesterday, the New York State Police DOT ticketed us for incorrect placards, as follows:

- 1) We are told that 1993 is not correct placarding for diesel fuel and heating oil, and
- 2) that we must use 1202 placards for: diesel fuel and heating oil and kerosene.

Therefore, that our only placards going forward will be 1202 and 1203.

I would very much like an opinion on:

- 1) the required use of 1202 placards, and
- 2) the use of 1202 exclusively, including for kerosene, and
- 3) the discontinued use of 1993.

We were told that these changes went into effect within the past year. The problem is that we are now changing our placards and our shipping papers. Very few companies in the US even sell 1202 placards.

Please note that diesel fuel and heating oil and kerosene can be classified Combustible Liquid, based-on flash points: 126F - 205F diesel fuel and heating oil, and, 100F - 150F for Kerosene.

Letter would best be addressed to:

Trooper Mike Spadaro  
New York State Police  
1097 NYS Route 86, Box 100,  
Ray Brook, NY 12977-0100

Officer Spadaro runs the NY State Police DOT unit in this area.

I would also like a copy of your letter of interpretation. Thank you for your help.

Best Regards,

Dan Reilly

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