



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

May 7, 2020

Rex Railsback
HazMat Specialist
Railsback HazMat Safety Professionals LLC
312 Lawrence Ave
Lawrence, KS 66049

Reference No. 20-0022

Dear Mr. Railsback:

This letter is in response to your March 5, 2020 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to placarding. Specifically, you request the applicability of the response in previous Letter of Interpretation (LOI) No. 05-0108 as it relates to a number of scenarios you describe. You state the scenario in LOI No. 05-0108 involves a transport vehicle that requires placards, but also meets the requirements to utilize the “Dangerous” placard as specified in § 172.504(b). In the same scenario, a vehicle is placarded on two ends with “Flammable Gas” placards, and on two sides with “Dangerous” placards. You state that LOI No. 05-0108 specifies that such placarding would not be authorized by the HMR, and that the vehicle should be placarded with the same placard(s) on both ends and both sides. Lastly, you state it is your understanding that this letter implies a person cannot mix required placards with other placards that are authorized by an exception.

We have paraphrased and answered your questions as follows:

- Q1. You ask whether use of the “Flammable” and “Corrosive” placards on three sides of a vehicle and the “Dangerous” placard on the fourth side in accordance with the exception requirements for the “Dangerous” placard in § 172.504(b) is permitted for a transport vehicle that is loaded with 600 lbs. of Class 3 (Flammable) material in non-bulk packages and 600 lbs. of Class 8 (Corrosive) material in non-bulk packages.
- A1. The answer is no. A freight container, unit load device, transport vehicle, or rail car which contains non-bulk packages with two or more categories of hazardous materials that require different placards specified in table 2 of § 172.504(e) may be placarded with a “Dangerous” placard instead of the separate placarding specified for each of the materials in table 2. However, each side and each end of a freight container, unit load device, transport vehicle, or rail car must have identical placards in design and quantity.
- Q2. You ask whether use of the “Flammable Gas” placard on two ends of the vehicle and the “Flammable Gas” and “Non-Flammable Gas” placards on two sides of the vehicle using

the exception for the “Non-Flammable Gas” placard in § 172.504(f)(3) is permitted for a transport vehicle that is loaded with 600 lbs. of Division 2.1 (Flammable Gas) material in non-bulk packages and 600 lbs. of Division 2.2 (Non-flammable Gas) material in non-bulk packages.

- A2. The answer is no. Each side and each end of a freight container, unit load device, transport vehicle, or rail car must have identical placards in design and quantity.
- Q3. You ask whether use of the “Non-Flammable Gas” placards on two ends of the vehicle and the “Oxygen” placard on two sides of the vehicle in accordance with the exception for the “Oxygen” placard in § 172.504(f)(7) is permitted if a transport vehicle is loaded with 1,200 lbs. of Division 2.2, Oxygen, compressed in non-bulk packages.
- A3. The answer is no. Each side and each end of a freight container, unit load device, transport vehicle, or rail car must have identical placards in design and quantity.

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

Sincerely,

A handwritten signature in blue ink that reads "T. Glenn Foster". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

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

Lenson
20-0072

Dodd, Alice (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Thursday, March 5, 2020 2:15 PM
To: Hazmat Interps
Subject: FW: Written Letter of Clarification Request
Attachments: Railsback Interp.docx

Hello Alice and Ikeya,

Below is a request for Letter of Interpretation.

Thanks,

Jonathon, HMIC

From: Rex Railsback [mailto:rex@hazmatgeek.com]
Sent: Thursday, March 5, 2020 1:45 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Cc: Rex Railsback <rex@hazmatgeek.com>
Subject: Written Letter of Clarification Request

I'm requesting clarification of PHMSA's letter of clarification Ref. No. 05-0108 and other placarding exception scenarios. The scenario presented in 05-0108 has a transport vehicle requiring placards and qualifying to use Dangerous placards per 172.504(b), but the vehicle is placarded on the two ends with Flammable Gas placards and the two sides with Dangerous placards. The clarification letter states that the placards have to be the same on each side and each end. It implies that you cannot mix required placards with placards allowed per an exception.

Would the clarification in 05-0108 stay the same under the scenario #1? Using the implied clarification of 05-0108, ref. not mixing required placards with placards allowed per an exceptions, would my understanding of the exceptions in 172.504(f)(3) and (f)(7), Scenario #2 & 3 respectively, be correct.

Scenario #1 – A transport vehicle is loaded with 600 lbs class 3 in non-bulk packages and 600 lbs class 8 non-bulk packages. The driver placards the vehicle on three sides with Flammable and Corrosive placards. On the fourth side the driver uses only a Dangerous placard. My understanding of 05-0108, is that if using the exception in 172.504(b), then all four sides of the transport vehicle have to display the same placard(s), either Flammable and Corrosive on each side and each end or Dangerous on each side and each end.

Scenario #2 – A transport vehicle is loaded with 600 lbs of Division 2.1 in non-bulk cylinders and 600 lbs of Division 2.2 non-bulk cylinders. The vehicle is displaying Flammable Gas placards on the two ends and Flammable Gas & Non-flammable Gas placards on the two sides. My understanding of 172.504(f)(3) would not allow the Non-flammable Gas placards on the two sides, since 172.504(a) requires the required placards to be displayed on each side and each end. Additionally, if I chose to utilize the placarding exception in 172.504(f)(3), I have to use the exception in full and not partially.

Scenario #3 – A transport vehicle is loaded with 1200 lbs of Division 2.2, Oxygen, compressed non-bulk cylinders. The vehicle is displaying Non-flammable Gas placards on two ends and Oxygen placards on the two sides. My understanding of 172.504(f)(7) would not allow the display of the Non-flammable Gas on the ends and Oxygen placards on the sides, since 172.504(a) requires the required placards to be displayed on each side and each end. Additionally, if I chose to utilize the placarding exception in 172.504(f)(7), I have to use the exception in full and not partially.

Respectfully

Rex Railsback, HazMat Specialist

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RAILSBACK HAZMAT SAFETY PROFESSIONALS LLC



Your HazMat Training & Compliance Specialist

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