



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

1200 New Jersey Avenue, SE  
Washington, DC 20590

May 25, 2022

Ms. Sandy Volk  
Traffic Manager  
Old Bridge Chemicals, Madison Industries, Inc.  
554 Waterworks Road  
Old Bridge, NJ 08856

Reference No. 22-0017

Dear Ms. Volk:

This letter is in response to your April 25, 2022, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to hazardous materials placarding and hazardous materials endorsements on commercial driver's licenses. Specifically, you state that your companies manufacture and transport zinc sulfate and cupric sulfate, and that these materials are described as "UN3077, environmentally hazardous substances, solid, n.o.s., 9, PG III."

We have paraphrased and answered your questions as follows:

- Q1. You ask if a hazardous materials endorsement is required on the Commercial Driver's Licenses (CDL) for drivers who transport these materials.
- A1. The answer is no. For purposes of 49 CFR Part 383 and the applicability of the CDL hazmat endorsement, a "hazardous material" is defined in 49 CFR 383.5 as a material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under Subpart F of 49 CFR Part 172; or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73. For Class 9, a CLASS 9 placard is not required for domestic transportation in accordance with Subpart F of 49 CFR Part 172 (see § 172.504(f)(9)).
- Q2. You ask if a driver requires a hazardous materials endorsement on their CDL if they are transporting this material for import or export, and there is a Class 9 placard displayed.
- A2. The answer is no. For purposes of 49 CFR Part 383 and the applicability of the CDL hazmat endorsement, a "hazardous material" is defined in 49 CFR 383.5 as a material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be

placarded under Subpart F of 49 CFR Part 172; or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73. For Class 9, a CLASS 9 placard is not required for domestic transportation, including that portion of international transportation, defined in § 171.8, which occurs within the United States.

Q3. You ask whether a driver transporting these materials to a rail yard for an intermodal shipment requires the hazardous materials endorsement on their CDL, and if a placard is required for rail transportation.

A3. The answer is no. Please see A1.

Q4. You state that cupric sulfate is a marine pollutant. You ask if the marine pollutant marking is only required for international vessel shipments.

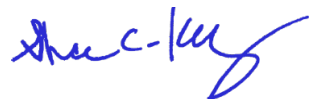
A4. The answer is no. As stated in § 171.4(a), no person may offer for transportation or transport a marine pollutant, as defined in § 171.8, in intrastate or interstate commerce except in accordance with the requirements specific to marine pollutants in the HMR. There is an exception to the marine pollutant requirements in § 171.4(c)(1) which states that except when all or part of the transportation is by vessel, the requirements of the HMR specific to marine pollutants do not apply to non-bulk packagings transported by motor vehicle, rail car or aircraft.

Q5. You ask if drivers transporting these Class 9 materials must follow specified hazardous materials routes.

A5. The Federal Motor Carrier Safety Administration is responsible for the Federal Motor Carrier Safety Regulations (FMCSR), Parts 200-399, addressing maintenance and use of motor carrier vehicles, including driving and parking rules and routing of non-radioactive hazardous materials (NRHM). Federal standards for establishing, maintaining, or enforcing specific NRHM routing designations over which NRHM may or may not be transported is found in 49 CFR § 397.71. Except for radioactive materials, neither the HMR nor the FMCSR preclude States or other jurisdictions from determining appropriate routes for NRHM, such as on bridges or through tunnels. You should contact the State(s) you are interested in to determine whether NRHM may pass over its bridges and through its tunnels.

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

Sincerely,



Shane C. Kelley  
Director,  
Standards and Rulemaking Division

**From:** [Jones, Breanna CTR \(PHMSA\)](#)  
**To:** [Dodd, Alice \(PHMSA\)](#)  
**Cc:** [Hazmat Interps](#)  
**Subject:** FW: Automatic reply: Clarification letter for Old Bridge Chemicals and Madison Industries  
**Date:** Monday, March 14, 2022 4:02:45 PM

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Hi Alice,

Please see below for the letter of interpretation request?

We are still waiting for some information from the requestor. Once I get it, I will forward it over.

Regards,

-Breanna

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**From:** Sandy Volk <[svsv28@gmail.com](mailto:svsv28@gmail.com)>  
**Sent:** Thursday, March 3, 2022 2:15 PM  
**To:** INFOCNTR (PHMSA) <[INFOCNTR.INFOCNTR@dot.gov](mailto:INFOCNTR.INFOCNTR@dot.gov)>  
**Subject:** Re: Automatic reply: Clarification letter for Old Bridge Chemicals and Madison Industries

**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.

Brianna

Do you have all the info you need to send old bridge chemicals a letter? If not I will send whatever you need

Sandy Volk

Sent from my iPhone

On Feb 28, 2022, at 9:37 AM, Sandy Volk <[svsv28@gmail.com](mailto:svsv28@gmail.com)> wrote:

Good morning Brianna,

Spoke to Josh this morning. I will be resending you our physical address and a copy of the letter we are using now. In addition I will send you a copy of the materials we hand the driver.

To remind you, we are requesting a letter with our company name on it rather than another companies name. Actually, we will need two letters. One for Madison Industries which ships zinc sulfate and one for Old Bridge Chemicals which ships cupric Sulfate.

I will be going into the office around 11 and will send it then.

Thanks.

Sandy Volk

Sent from my iPad

On Feb 25, 2022, at 5:28 PM, Sandy Volk <[svsv28@gmail.com](mailto:svsv28@gmail.com)> wrote:

Thanks for your response. Old bridge chemicals and Madison Industries are located at 554 waterworks Road. Old Bridge NJ 08857

We look forward to your letter. Please address it to me. sandy Volk.

Any questions you can call me at 732-682-5762.

Sandy volk

Sent from my iPhone

On Feb 25, 2022, at 2:37 PM, INFOCNTR (PHMSA)  
<[INFOCNTR.INFOCNTR@dot.gov](mailto:INFOCNTR.INFOCNTR@dot.gov)> wrote:

Dear Sandy,

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.ecfr.gov/cgi-bin/text-idx?SID=1d49a3b137cb1b6fc45251074e634b44&tpl=/ecfrbrowse/Title49/49tab\\_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?SID=1d49a3b137cb1b6fc45251074e634b44&tpl=/ecfrbrowse/Title49/49tab_02.tpl)

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

-Physical Mailing Address

Sincerely,

Breanna, 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>

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**From:** Sandy Volk <[svsv28@gmail.com](mailto:svsv28@gmail.com)>  
**Sent:** Friday, February 18, 2022 10:25 AM  
**To:** INFOCNTR (PHMSA) <[INFOCNTR.INFOCNTR@dot.gov](mailto:INFOCNTR.INFOCNTR@dot.gov)>  
**Subject:** Re: Automatic reply: Clarification letter for Old Bridge Chemicals and Madison Industries

**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.

Hi

I requested a clarification letter for my companies regarding class 9 material shipping. Specifically cdl requirements and marking vs. placarding. We ship Zinc Sulfate and Cupric Sulfate. UN3077. We have been using a letter you wrote to another company that ships hazmat class 9. We would just like a letter with our name on it since we give it the drivers when they arrive to help them understand the regs. I can be reached at 732-682-5762 anytime. My name is Sandy Volk.

Thank you.

Old Bridge Chemicals, Madison Industries

Sent from my iPad

On Feb 18, 2022, at 10:01 AM, INFOCNTR (PHMSA) <[INFOCNTR.INFOCNTR@dot.gov](mailto:INFOCNTR.INFOCNTR@dot.gov)> wrote:

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. Due to the volume of inquiries during the COVID-19 public health emergency, our response may be delayed.

For information regarding PHMSA operations

during the public health emergency, please visit:

<https://www.phmsa.dot.gov/news/assistance-public-during-covid-19>

For the quickest response, 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 (202) 366-4488.

Regards,

HazMat InfoCenter Team

**From:** [INFOCNTR \(PHMSA\)](#)  
**To:** [Dodd, Alice \(PHMSA\)](#)  
**Cc:** [Hazmat Interps](#)  
**Subject:** FW: Clarification letter for Old Bridge Chemicals and Madison Ind.  
**Date:** Tuesday, March 15, 2022 1:57:13 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[1ST PAGE TO DOT PACKAGE 2.22.22.pdf](#)  
[DOT PKG.pdf](#)

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Hi Alice,

This was the information that was missing from the request from Sandy Volk. If possible, could you please merge this request from Nancy with Sandy's as they are for the same company?

Let me know if you need me to clarify anything.

Regards,

-Breanna

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**From:** Nancy Levine <nlevine@oldbridgechem.com>  
**Sent:** Monday, February 28, 2022 11:56 AM  
**To:** INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>  
**Cc:** Sandy Volk <svsv28@gmail.com>; Sandy Volk <sandy@oldbridgechem.com>  
**Subject:** Clarification letter for Old Bridge Chemicals and Madison Ind.

**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.

Good morning Brianna,

As Sandy discussed earlier with Josh, I am requesting the clarification for Class 9 for Zinc Sulfate and Cupric Sulfate as shipped from Madison Industries and Old Bridge Chemicals accordingly.

As requested, you can see the address for both companies below in my signature.

To clarify, Zinc Sulfate is manufactured by Madison Industries, and Cupric Sulfate is manufactured by Old Bridge Chemicals.

**The proper shipping name for Zinc Sulfate is:**

UN3077, Environmentally Hazardous Substances, N.O.S. (zinc sulfate), 9, PGIII, RQ, MARINE POLLUTANT, ERG 171, NO PLACARD REQUIRED, 172.504

**The proper shipping name for Cupric Sulfate is:**

UN3077, Environmentally Hazardous Substances, N.O.S. (cupric sulfate), 9, PGIII, RQ, MARINE POLLUTANT, ERG 171, NO PLACARD REQUIRED, 172.504

I am also including the current letter from the US DOT, as well as our information pages that we distribute to the drivers when they take our loads. We are requesting a new letter, because we feel it would be easier for the drivers and dispatchers to understand that Old Bridge Chemicals and Madison Industries have approval from the DOT for these Class 9 shipments.

I hope this information is all you need to process the letter I am requesting. If you have any other questions, feel free to contact Sandy at 732-682-5762.

Thank you for your assistance,

Nancy Levine / Sandy Volk

**Nancy Levine**  
Traffic Department



554 Waterworks Road | Old Bridge, NJ USA 08857

Phone: 732-727-2225, Ext. 327

[nlevine@oldbridgechem.com](mailto:nlevine@oldbridgechem.com) | [www.oldbridgechem.com](http://www.oldbridgechem.com)

***\*\*FOR GPS, PLEASE USE 57 WATERWORKS ROAD, OLD BRIDGE, NJ, 08857 \*\****



**Domestic Shipping of Cupric Sulfate (Class 9 Hazardous Material)**  
**Domestic Shipping of Zinc Sulfate in Bulk Packaging (Class 9 Hazardous Material)**

*as interpreted by DOT officials*

ISSUE	Description	49 CFR Regulation
Proper Shipping Name:	UN3077, Environmentally Hazardous Substances, solid, n.o.s., (Cupric Sulfate) 9, III, RQ, MARINE POLLUTANT ERG 171, NO PLACARD REQUIRED 172.504 UN3077, Environmentally Hazardous Substances, solid, n.o.s., (Zinc Sulfate) 9, III, RQ, MARINE POLLUTANT ERG 171, NO PLACARD REQUIRED 172.504	49 CFR 172.101 (C) (8)
Placards are <b>NOT</b> required	<u>Class 9 placards are not required for domestic (USA ground) transportation.</u> However, a bulk package or bulk truck (i.e. a bulk bag (IBC) or Bulk Truck with more than a Reportable Quantity of 1000 pounds must be marked with the appropriate 3077 ID (Identification number) number on a white square-on-point display.	172.504 (f) (9)
Bulk Packaging's	An Intermediate Bulk Container (IBC or Bulk Bag) may be placarded on two opposite sides, however because of the above placard exemption, identification numbers on Markings can be used in the same configuration as a Placard.	172.514 (c) (4)
Markings	Identification numbers must be displayed on orange panels or placards as specified in the section or, when appropriate, on plain white square-on-point with the appropriate identification number.	172.336 (b)
Markings are <b>NOT</b> placards	<u>An ID number on a white square-on-point MARKING is not considered to be a placard.</u>	172.336 (b)
Visibility of Markings	For a bulk packaging container in or on a transport vehicle or freight container, if the identification number on the bulk packaging (e.g., an IBC or bulk bag) is not visible, <u>the transport vehicle or freight container must be marked on each side and each end with the identification.</u>	172.331 (c)
Hazardous Endorsed CDL is <b>NOT</b> required	<u>In accordance with the FMCSR's (Federal Motor Carrier Safety Regulations), only drivers of vehicles transporting hazardous materials that are required to be placarded in accordance with Subpart F of Part 172 of the HMR must have a hazardous materials endorsement to their CDL. Thus a hazardous materials endorsement is NOT required for a driver transporting class 9 materials.</u>	49 CFR 383.93

When we offer our Copper (Cupric) Sulfate or Zinc Sulfate products for domestic transportation, and when shipping in a package containing 1000 lbs or more (bulk bag or bulk truck) per package, we can legally use a **MARKING** on the bulk bag (two opposing sides) and/or the bulk truck (on each side and each end) with a plain white panel square-on-point **MARKING** that is equal in size to a placard, but is not considered a placard. Because we are not required to provide a placard, a hazardous endorsed CDL is **NOT** required. Furthermore, when we ship our bulk bags inside of a van truck or flatbed truck that has been tarped, so that the markings on the bulk bags are not visible from the outside of the truck (visible from an inspecting officer's station), we need to mark the outside of the truck with the identification number 3077 white square-on-point **MARKING**, as used on the bulk bags, and again, a hazardous material endorsement CDL is **NOT** required.

# GUIDE SUBSTANCES (LOW TO MODERATE HAZARD) 171

## POTENTIAL HAZARDS

### FIRE OR EXPLOSION:

- Some may burn but none ignite readily.
- Containers may explode when heated.
- Some may be transported hot.
- For UN3508, be aware of possible short circuiting as this product is transported in a charged state.

### HEALTH

- Inhalation of material may be harmful.
- Contact may cause burns to skin and eyes.
- Inhalation of Asbestos dust may have a damaging effect on the lungs.
- Fire may produce irritating, corrosive and/or toxic gases.
- Some liquids produce vapors that may cause dizziness or suffocation.
- Runoff from fire control may cause pollution.

## PUBLIC SAFETY

- **CALL EMERGENCY RESPONSE** Telephone Number on Shipping Paper first. If Shipping Paper not available or no answer, refer to appropriate telephone number listed on the inside back cover.
- As an immediate precautionary measure, isolate spill or leak area in all directions for at least 50 meters (150 feet) for liquids and at least 25 meters (75 feet) for solids.
- Keep unauthorized personnel away.
- Stay upwind, uphill and/or upstream.

### PROTECTIVE CLOTHING

- Wear positive pressure self-contained breathing apparatus (SCBA).
- Structural firefighters' protective clothing will only provide limited protection.

### EVACUATION

#### Spill

- See **Table 1 - Initial Isolation and Protective Action Distances** for highlighted materials. For non-highlighted materials, increase, in the downwind direction, as necessary, the isolation distance shown under "PUBLIC SAFETY".

#### Fire

- If tank, rail car or tank truck is involved in a fire, ISOLATE for 800 meters (1/2 mile) in all directions; also, consider initial evacuation for 800 meters (1/2 mile) in all directions.



**EMERGENCY RESPONSE**

**FIRE:**

**Small Fire**

- Dry chemical, CO<sub>2</sub>, water spray or regular foam.

**Large Fire**

- Water spray, fog or regular foam.
- Do not scatter spilled material with high-pressure water streams.
- Move containers from fire area if you can do it without risk.
- Dike fire-control water for later disposal.

**Fire Involving Tanks**

- Cool containers with flooding quantities of water until well after fire is out.
- Withdraw immediately in case of rising sound from venting safety devices or discoloration of tank.
- ALWAYS stay away from tanks engulfed in fire.

**SPILL OR LEAK:**

- Do not touch or walk through spilled material.
- Stop leak if you can do it without risk.
- Prevent dust cloud.
- Avoid inhalation of asbestos dust.

**Small Dry Spill**

- With clean shovel, place material into clean, dry container and cover loosely; move containers from spill area.

**Small Spill**

- Pick up with sand or other non-combustible absorbent material and place into containers for later disposal.

**Large Spill**

- Dike far ahead of liquid spill for later disposal.
- Cover powder spill with plastic sheet or tarp to minimize spreading.
- Prevent entry into waterways, sewers, basements or confined areas.

**FIRST AID**

- Ensure that medical personnel are aware of the material(s) involved and take precautions to protect themselves.
- Move victim to fresh air.
- Call 911 or emergency medical service.
- Give artificial respiration if victim is not breathing.
- Administer oxygen if breathing is difficult.
- Remove and isolate contaminated clothing and shoes.
- In case of contact with substance, immediately flush skin or eyes with running water for at least 20 minutes.

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

1200 New Jersey Ave, S.E.  
Washington, D.C. 20590

MAY 5 2009

Mr. Jeff Buckner  
Vice President, Finance  
Crown Technology, Inc.  
7513 E. 96<sup>th</sup> Street  
Indianapolis, IN 46256

Ref. No. 09-0077

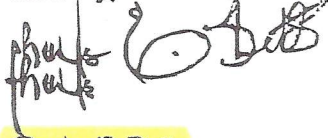
Dear Mr. Buckner:

This responds to your April 6, 2009 request for clarification of the placarding requirements in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) and the commercial drivers license (CDL) requirements under 49 CFR 383.93. Specifically, you ask if the § 172.504(f)(9) placarding exception for Class 9 materials also excepts your drivers from the hazardous materials endorsement requirement of 49 CFR 383.93 of the Federal Motor Carrier Safety Regulations (FMCSRs).

The answer is yes. In accordance with § 172.504(f)(9), placarding is not required for Class 9 materials when shipped domestically. In accordance with the FMCSRs, only drivers of vehicles transporting hazardous materials that are required to be placarded in accordance with Subpart F of Part 172 of the HMR must have a hazardous materials endorsement to their CDL. Thus, a hazardous materials endorsement is not required for a driver transporting Class 9 materials.

I hope this answers your inquiry.

Sincerely,



Charles E. Betts  
Chief, Standards Development  
Office of Hazardous Materials Standards