JAN 6 1998

Mr. Hugh Taylor
Regulatory Specialist
The Dow Chemical Company
Midland, MI 48674

Dear Mr. Taylor:

This is in response to your letter dated November 5, 1997, regarding residues of Class 9 hazardous substances under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether tank cars and cargo tanks that contain residues of Class 9 hazardous substances may be returned from the consignee without removing the ID number marking and/or the placards.

The answer is yes. The HMR do not require removal of the identification markings and/or placards when a package has a residue of a Class 9 hazardous substance. However, the shipping paper should be consistent with the transport vehicle's hazard communications by prefacing the shipping description with "RESIDUE Last Contained ***" as provided by § 172.203(e)(1). However, markings or placards may be removed when the Class 9 hazardous substance residue is below its reportable quantity. No shipping paper is necessary if placards and markings are removed.

I hope this information is helpful. If we can be of further assistance, please do not hesitate to contact us.

Sincerely,

/S/

Delmer F. Billings
Chief, Regulations Development
Office of Hazardous Materials Standards

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