



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

DEC 15 2016

Sgt. Brad Wagner  
Hazardous Materials Coordinator  
Nebraska State Patrol  
3920 West Kearney  
Lincoln, NE 68524

Reference No. 16-0020

Dear Sergeant Wagner:

This letter is in response to your February 2, 2016, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to hazard communication. Specifically, you ask about the consistent display of identification (ID) numbers on shipping papers, bulk package markings, and placards. In your letter, you provide two scenarios and ask whether they conform to the requirements of the HMR.

Scenario 1: The § 172.101 Hazardous Materials Table (HMT) lists two entries for diesel fuel. One entry has an “I” in column 1 and the ID number UN1202 in column 4 indicating its use for international and domestic U.S. transportation. The other entry has a “D” in column 1 and the ID number NA1993 in column 4 indicating its use for domestic U.S. transportation only. We have paraphrased and answered your questions as follows:

- Q1. May a person mix and match ID numbers in transportation? For example, the shipping paper indicates ID number UN1202, but the cargo tank motor vehicle (CTMV) indicates ID number NA1993. Is this practice permissible under the HMR, or must the ID numbers be consistent?
- A1. 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 ID number specified for the material in the § 172.101 HMT. Nevertheless, although the practice is not explicitly prohibited by the HMR, ID numbers on shipping papers and package markings should be consistent. This consistency is especially critical for emergency responders involved in an incident.
- Q2. If ID numbers are required by the HMR to be consistent and are not, is such practice considered a misrepresentation of the hazardous material being transported even though both ID numbers refer to diesel fuel?
- A2. The answer is no. See A1.

Q3. If a compartmented CTMV contains diesel fuel in two different tanks and the shipments are described on a shipping paper with both ID numbers UN1202 and NA1993, are both ID numbers required to be marked on the CTMV?

A3. The answer is no. Because diesel fuel is considered a petroleum distillate, the exceptions provided in § 172.336(c) require that only one of the two ID numbers be displayed on the CTMV. Otherwise, because both shipments are indicated separately on the shipping paper, both ID numbers would normally be required to be marked on the CTMV.

Scenario 2: Section 172.338 addresses the replacement of ID numbers on placards, orange panels, and white square-on-point configurations and permits them to be handwritten under certain circumstances. Along with your letter, you attached several photographs of handwritten ID numbers displayed on white square-on-point configurations that were not replacements. We have paraphrased and answered your questions as follows:

Q4. When displaying an ID number on a white square-on-point configuration in an instance that the marking is not a replacement, must it be commercially printed, or is it permissible to hand-write the ID number with an indelible marker?

A4. If the white square-on-point configuration meets *all* the requirements for ID number markings prescribed in § 172.336(b), the HMR allow it to be handwritten. This includes the font size prescribed in paragraph (c)(1).

Q5. Does the ID number displayed on a white square-on-point configuration need to be in proximity to its corresponding placard?

A5. The answer is yes. Section 172.336(b) requires that ID numbers be displayed on orange panels or the plain white square-on-point display configuration in association with the required placards. Although “in association with” is not defined in the HMR, it is understood to mean as close as practicable.

Q6. If the answer to Q5 is yes, are the ID numbers depicted in the attached photographs considered to be in proximity to their corresponding placards?

A6. You included three photographs with your letter. It is the opinion of this Office that only the second photograph meets the proximity requirements of the HMR. In photographs one and three, the ID numbers are located excessively distant from their corresponding placards.

- Q7. Under the HMR, what distance is considered to be in proximity to the placard?
- A7. The HMR do not prescribe specific distances between the hazard communication required of bulk packagings. Generally speaking, next to each other would be considered in association with or in proximity to the placard.
- Q8. What are the size requirements for ID numbers displayed on a white square-on-point configuration?
- A8. Section 172.336(b)(1) requires that the 100 mm (3.9 inch) by 215 mm (8.5 inches) area containing the ID number must be located as prescribed by § 172.332 (c)(1) and (c)(2) and may be outlined with a solid or dotted line border. In accordance with § 172.332(c)(1), the ID number must be displayed across the center area of the placard in 88 mm (3.5 inches) black Alpine Gothic or Alternate Gothic No. 3 numerals on a white background. For your information, we realize that there may be some ambiguity in the regulatory language prescribed in this paragraph and intend to clarify its intent in a future rulemaking.

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

Sincerely,

A handwritten signature in black ink, appearing to read "T. Glenn Foster". The signature is written in a cursive style with a long horizontal flourish extending to the right.

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

Stevens  
§ 172.101  
HMT  
16-0020

**Dodd, Alice (PHMSA)**

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**From:** Foster, Glenn (PHMSA)  
**Sent:** Wednesday, February 03, 2016 10:35 AM  
**To:** Dodd, Alice (PHMSA); Goodall, Shante CTR (PHMSA)  
**Cc:** Betts, Charles (PHMSA); Horsley, Adam (PHMSA); Solomey, Joe (PHMSA); Stevens, Michael (PHMSA)  
**Subject:** ID number display consistency  
**Attachments:** 12-1-2015 001 (2).JPG; 12-1-2015 001 (1).JPG; 12-1-2015 001 (5).JPG

Alice / Shante,

Please have the attached and incoming as a request checked in as a letter of Interpretation and assign it to Michael Stevens.

Michael,

Please work with Adam Horsley on the response.

Thanks,  
Glenn

**From:** Betts, Charles (PHMSA)  
**Sent:** Wednesday, February 03, 2016 9:29 AM  
**To:** Foster, Glenn (PHMSA)  
**Cc:** Solomey, Joe (PHMSA); Horsley, Adam (PHMSA)  
**Subject:** FW: ID number display consistency

Glenn –

Please ask Michael to work with Adam regarding this issue.

Thanks,  
Charles

**From:** Solomey, Joe (PHMSA)  
**Sent:** Wednesday, February 03, 2016 8:56 AM  
**To:** Betts, Charles (PHMSA); Horsley, Adam (PHMSA)  
**Subject:** FW: ID number display consistency

I assigned this to Adam Horsley this morning. The incoming is from Sgt. Wagner of the Nebraska Highway Patrol. He just finished a 2 years term as President of COHMED. I suspect that someone on your team will work with Adam on this and you may want to issue an interpretation.

Joe

**From:** Wagner, Brad [<mailto:Brad.Wagner@nebraska.gov>]  
**Sent:** Tuesday, February 02, 2016 5:42 PM  
**To:** Solomey, Joe (PHMSA)  
**Subject:** ID number display consistency

Joe,

Here are the questions that I had for you when I spoke with you last week.

The §172.101 Hazardous Materials Table lists two entries for diesel fuel one with identification number UN1202 with an I in column 1 for international transportation and the other NA1993 with a D in column 1 for domestic transportation. Since a person can utilize either identification number for transportation in the United States but only NA1993 in the United States and Canada my questions are as follows:

Question #1 – May a person mix and match ID numbers in transportation, (for example: the shipping paper lists UN1202 but the marking on the cargo tank displays the ID number 1993), or are they required to be consistent throughout?

Question #2 – If ID numbers are required to be consistent throughout but are not, would it be considered as misrepresenting the material being transported even though both refer to diesel fuel?

Question #3 – If a compartmented cargo tank is carrying diesel fuel described on a shipping paper with two descriptions one compartment with an ID number of UN1202 and the other compartment with an ID number of NA1993 would the cargo tank need to be marked with both the 1202 and 1993 ID numbers?

49CFR §172.338 addresses replacement of ID numbers on placards, orange panels or white square on point configurations allowing them to be handwritten. Please find attached photos of handwritten ID numbers displayed on a white square on point configuration that were not replacements relating to the following questions.

Question #4 – When displaying ID numbers on the white square on point configuration do they have to be commercially printed or can they be handwritten with an indelible marker even though they are not replacements?

Question #5 – Does the ID number displayed on a white square on point configuration need to be in proximity to the placard?

Question #6 – If the answer to question #5 is yes, would the ID numbers in the attached photos be considered in proximity to the placard?

Question #7 – What distance is considered to be in proximity to the placard?

Question #8 – What are the size requirements for ID numbers displayed on a white square on point configuration?

Any clarification you can provide would be greatly appreciated. Thank you for your time and attention in this matter.

Respectfully,

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