



U.S. Department
of Transportation

Research and
Special Programs
Administration

400 Seventh Street, S.W.
Washington, D.C. 20590

MAR 20 1998

Mr. Michael Ritchie
Office of Motor Carrier Services
Minnesota Department of Transportation
1110 Centre Pointe Curve
Mendota Heights, MN 55118

Dear Mr. Ritchie:

This is in further reference to your August 7, 1997 letter and my January 16, 1998 response concerning the placarding requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). The response to "Q1" was in error and is corrected. Also, the response to "Q3" is revised for clarity.

- Q1. A truck in interstate commerce is carrying 800 pounds of "Chlorine, 2.3, UN1017", a poisonous gas with subsidiary hazard Class 8 (corrosive), in non-bulk cylinders with no other hazardous material on board. What placard(s) are required?
- A1. The POISON GAS placard is required, as prescribed by § 172.504(e), Table 1.
- Q2. A truck in interstate commerce carries 1,500 pounds of "Chlorine, 2.3, UN1017," a poisonous gas with subsidiary hazard Class 8 (corrosive), in non-bulk cylinders with no other hazardous material on board. What placard(s) are required? Since the load exceeds 454 kg. has the placarding requirement changed because of the subsidiary hazard?
- A2. The answer is the same as in A1. The fact that the load exceeds 454 kg does not alter the placarding requirement.
- Q3. A truck in interstate commerce, carries in non-bulk packagings, 800 pounds of "Bromine, 8, UN1744, PG I," a poisonous-by-inhalation Hazard Zone A material that is corrosive and has a subsidiary hazard class of Division 6.1 (poisonous material). What placard(s) are required?

- A3. Both CORROSIVE and POISON INHALATION HAZARD placards are required, as prescribed by § 172.504(e) Table 2, and § 172.505(a), respectively. The 454 kg (1,001 pounds) exception in § 172.504(c) does not apply to a material such as bromine, which is required to display a subsidiary POISON INHALATION HAZARD placard in accordance with § 172.505(a).

I hope this information is helpful. Should you have further questions, please contact us.

Sincerely,

A handwritten signature in cursive script that reads "Hattie L. Mitchell". The signature is written in dark ink and is positioned above the typed name and title.

Hattie L. Mitchell, Chief
Regulatory Review and Reinvention
Office of Hazardous Materials Standards



US Department
of Transportation

Research and
Special Programs
Administration

JAN 17 1995

U.S. DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C. 20590

Mr. John V. Currie
President
Currie Associates
1601 Bay Road
Lake George, NY 12845-9742

Dear Mr. Currie:

This is in response to your letter dated August 17, 1994, requesting clarification of the placarding requirements in 49 CFR 172.504. I apologize for the delay in responding and hope that it has not caused you any inconvenience.

Paragraph (c) of § 172.504 has been revised to allow the 454 kg (1,001 pounds) placarding exception for any material covered in Table 2 other than those materials that are poisonous-by-inhalation. This eliminates the requirement to placard for the other Table 2 hazardous materials on a transport vehicle, but have an aggregate gross weight of less than 454 kg (1,001 pounds). For example, as prescribed in § 172.505(a), any material that is poisonous-by-inhalation and also meets another hazard class must be placarded in accordance with § 172.504, regardless of the aggregate gross weight.

If we can be of further assistance, please feel free to contact us.

Sincerely,

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

181/172.504



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MAR 20 1998

Mr. Michael Ritchie
Office of Motor Carrier Services
Minnesota Department of Transportation
1110 Centre Pointe Curve
Mendota Heights, MN 55118

Dear Mr. Ritchie:

This is in further reference to your August 7, 1997 letter and my January 16, 1998 response concerning the placarding requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). The response to "Q1" was in error and is corrected. Also, the response to "Q3" is revised for clarity.

- Q1. A truck in interstate commerce is carrying 800 pounds of "Chlorine, 2.3, UN1017", a poisonous gas with subsidiary hazard Class 8 (corrosive), in non-bulk cylinders with no other hazardous material on board. What placard(s) are required?
- A1. The POISON GAS placard is required, as prescribed by § 172.504(e), Table 1.
- Q2. A truck in interstate commerce carries 1,500 pounds of "Chlorine, 2.3, UN1017," a poisonous gas with subsidiary hazard Class 8 (corrosive), in non-bulk cylinders with no other hazardous material on board. What placard(s) are required? Since the load exceeds 454 kg. has the placarding requirement changed because of the subsidiary hazard?
- A2. The answer is the same as in A1. The fact that the load exceeds 454 kg does not alter the placarding requirement.
- Q3. A truck in interstate commerce, carries in non-bulk packagings, 800 pounds of "Bromine, 8, UN1744, PG I," a poisonous-by-inhalation Hazard Zone A material that is corrosive and has a subsidiary hazard class of Division 6.1 (poisonous material). What placard(s) are required?

MODE = MEMORY TRANSMISSION
START=MAR-20 11:07
END=MAR-20 11:08
FILE NO. = 142
NO. STATION NAME/ PAGES PGM. NO. PROGRAM NAME
COM RBBR/NTLK TELEPHONE NO.
91612405602 002/002
OK #
-RSPR/RRMS
*****-202 366 3753-*****



Minnesota Department of Transportation

Office of Motor Carrier Services
GNB Building, MS420
1110 Centre Pointe Curve
Mendota:Heights, MN 55118

BeH
file 172.504
SC: 270, 274

612/405-6060
Fax: 612/405-6082
TDD: 612/405-6072

August 7, 1997

Thomas G. Allen
Deputy Director
Office of Hazardous Materials Standards
US DOT/ RSPA
400 Seventh St. S.W.
Washington, D.C. 20590

Re: Request for interpretation of placarding regulations.

49 CFR 172.504 requires placarding of transport vehicles and freight containers carrying hazardous materials. Paragraph (c) of that section gives the exceptions from placarding for loads of less than 454 kg.. Paragraph (c) also states that the "454 kg. exception" does not apply to bulk packagings or hazardous materials subject to section 172.505.

My office has received complaints of inconsistent interpretations and enforcement of the placarding requirements for materials that are designated as poison inhalation hazards by the hazardous materials table and section 172.203(m). The complainant is a Minnesota based interstate carrier of hazardous materials, who reports they have been inspected and found with no defects in one state, and then crossed a state line with the same exact load and placards and have been cited for improper placarding. They have requested immediate assistance and written clarification of the placarding requirements for hazardous materials with primary or subsidiary PIH classifications. They have provided the following examples:

1. A truck in interstate commerce is carrying 800 pounds of "Chlorine, 2.3, UN1017" in non-bulk cylinders. Chlorine has a Class 8 subsidiary hazard. No other hazmat is on the truck. What placard(s) are required?
2. A truck in interstate commerce carries 1500 pounds of "Chlorine, 2.3, UN1017" in non-bulk cylinders. No other hazmat is carried. What placard(s) are required? Since the load exceeds 454 kg. has the placarding requirement changed because of the subsidiary hazard?
3. A truck in interstate commerce carries 800 pounds of "Bromine, 8, UN1744, PG I" in non-bulk packaging. Bromine has a subsidiary hazard of Division 6.1, and is designated a PIH material in hazard zone A by Special provision 1 on the hazardous materials table. No other hazmat is carried. What placard(s) are required?

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The carrier reports they transport Chlorine frequently, and they will comply with all placarding requirements. They intend to carry a copy of the RSPA interpretation letter in their trucks.

Thank you for your assistance in this matter. Please send your response to me at the address below, or fax it to me at (612) 405-6082. If you have any questions, my direct telephone is (612) 405-6120 .

Yours truly,

A handwritten signature in cursive script, appearing to read "Michael Ritchie".

Michael Ritchie
Hazardous Material Specialist
Minnesota Department of Transportation
Office of Motor Carrier Services
1110 Centre Pointe Curve
Mendota Heights, MN 55118

MEMORANDUM
OF CALL

Previous editions usable

TO:

Hattie

YOU WERE CALLED BY— YOU WERE VISITED BY—

Jack Cherne

OF (Organization)

(Comp. Gas Assoc?)

PLEASE PHONE ▶ FTS AUTOVON

202-872-4723

WILL CALL AGAIN IS WAITING TO SEE YOU

RETURNED YOUR CALL WISHES AN APPOINTMENT

MESSAGE

*Re: Mitchell Ritchie (tr
(1/16/98)*

*# A1 - says cogasine placard
required when its ^{subsidiary} optional.
Can we issue correction?*

RECEIVED BY *Edum* DATE *2/18* TIME *AM*

63-110 NSN 7540-00-634-4018

STANDARD FORM 68 (REV. 8-81)
Prescribed by GSA
FPMR (41 CFR) 101-11.6

* U.S. GPO 1990 - 262-080