



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

SEP 21 2000

Mr. Thomas Dutkiewicz
40 Central Street
Forestville, CT 06010

Ref. No. 00-0252

Dear Mr. Dutkiewicz:

This is in response to your September 15, 2000, letter regarding placarding provisions in §§ 172.502 and 172.504(f)(2) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Your questions are paraphrased and answered as follows:

Q1: What does the term "permissive placarding" mean as specified in § 172.502(c)?

A1: "Permissive placarding" as referenced in § 172.502(c) allows the display of placards for a hazardous material, even when not required, if the placards represent the hazard of the material and otherwise conform to the requirements in Part 172, Subpart F.

Q2: Section 172.504(f)(2) allows the use of FLAMMABLE placards in place of COMBUSTIBLE placards on a cargo tank or portable tank containing a combustible liquid. May COMBUSTIBLE placards be displayed on a cargo tank filled with a flammable liquid?

A2: The answer is no. A COMBUSTIBLE placard may not be used in place of a FLAMMABLE placard for a cargo tank carrying flammable liquids.

I hope this satisfies your request.

Sincerely,



John A. Gale

Transportation Regulations Specialists
Office of Hazardous Materials Standards



000252

172.502

September 15, 2000

Attn: Edward Mazzallo
Hazardous Material Section
Department of Transportation
Washington, DC

Re: Clarification of regulations

Mr. Mazzallo,

BAH
172.502
Placarding
00-0252

I need a clarification, interpretation and a definition of certain regulations. I do believe I spoke to Jonathan yesterday. I was told I needed to put this request in writing for a written response.

The first request is what does the term "Permissive Placarding" mean and what it does not mean as stated in 172.502 Prohibited and permissive placarding.

The Second request is for 172.504(f)(2), "A FLAMMABLE placard may be used in place of a COMBUSTIBLE".

My employer gives employees paperwork with a DOT description using "3" as a hazard class. But the employees are placarding their single container tanker trucks with the Combustible two tone (red/white) background placard. The employer is under the impression that permissive placarding is using a combustible placard to represent a flammable liquid and you can use either for a flammable description. I told him flammable and combustible liquids are two different materials and need to be placarded appropriately.

Is it my understanding that according to 172.504(f)(2) that if the hazard class was "Combustible liquid" you can placard the tanker truck with a red background or a flammable with the UN number 1270, but it can not be the other way around in my case. To me you are misplacarding or misrepresenting the true hazard if you use a combustible placard to describe a flammable liquid.

Could you please respond to me in writing to clarify this problem. Please give me a call before you respond to make sure you understand my request. I need this on or before September 22, 2000. Thank you for your time.

Respectfully Submitted,

Thomas Dutkiewicz
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Forestville, CT 06010
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