



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

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

OCT 5 2007

Ms. Adrainne B. Scheurman  
Compliance Manager  
Applied Specialties, Inc.  
33555 Pin Oak Parkway  
Avon Lake, OH 44012

Ref. No.: 01-0209

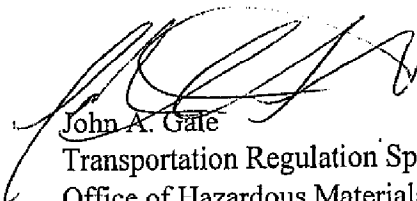
Dear Ms. Scheurman:

This is in response to your letter requesting clarification of the placarding requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you asked if a cargo tank that previously transported a Class 9 material in domestic commerce and was placarded "Class 9" must remain placarded when it is empty, but has not been cleaned.

The answer is no. The requirements in § 172.514(b) that a bulk packaging must remain placarded when it is emptied apply only to required placarding. As provided in § 172.504(f)(9), placards are not required on a bulk packaging containing a Class 9 material in domestic transportation. However, a bulk packaging containing a Class 9 material must be marked on each side and each end with the appropriate identification number.

I trust this satisfies your inquiry.

Sincerely,



John A. Gale  
Transportation Regulation Specialist  
Office of Hazardous Materials Standards



010209



APPLIED SPECIALTIES INC.

Phone Number 440/933-9442

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Corbin  
172.504 (f)(g)  
Placarding  
01-0209

Mr. Edward T. Mazzullo  
Director of the Office of Hazardous Material Standards  
US DOT  
Flash RSPA (DHM-10)  
400 7<sup>th</sup> Street SW  
Washington, DC 20590-0001

August 3, 2001

Letter of Interpretation

Dear Mr. Mazzullo:

Any assistance or direction in helping us determine the correct placarding requirement for the following scenerio would be very much appreciated.

Is placarding required on an empty but not cleaned cargo tanker in domestic highway travel if it had previously held an Environmentally Hazardous Substance, Class 9? In our particular situation, our product contains a chemical listed in Appendix A of the 171.101 table that has a reportable quantity of 100 pounds. Calculations show that our product contains the reportable quantity once 133 gallons is exceeded in one container. When the tanker is filled to more than 133 gallons the tanker is placarded with the Class 9 placard and the proper shipping name "Environmentally Hazardous Substance Liquid, N.O.S., (Sodium Nitrite)" is used on the paperwork.

The regulations clearly state that a container must remain placarded even after it is empty if it contained a hazardous material. In this case, however, after the delivery is made and before the tanker is washed, purged or filled with another product, the tanker only contains a residue of the original product and does not contain enough product to meet the requirements of an "Environmentally Hazardous Substance" according to the regulation.

At this point, should the placards remain on the tanker or should they be removed? In order that we comply correctly with the regulations, please advise us of your opinion of this situation.

Should you require any further information or clarification of the question, please do not hesitate to contact me at 800-933-9915. Thank you for your assistance in this matter.

Respectfully,

Adrainne B. Scheurman  
Compliance Manager

