



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

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

JUN 20 2003

Mr. Randolph Martin
Dupont Global Services Business
1007 Market Street, Room D-5100
Wilmington, DE 19898

Ref. No. 03-0114

Dear Mr. Martin:

This responds to your November 18, 2002 letter requesting clarification on the proper shipping name to be marked on your tank cars under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). We apologize for the delay in responding and hope it has not caused you any inconvenience. Specifically, you ask if it is permissible to mark the proper shipping name, "Sulfuric Acid" for both your "Sulfuric acid, UN 1830" and "Sulfuric acid, spent, UN 1832" materials carried in the same fleet of rail tank cars.

According to your letter, you supply your customer with tank cars of "Sulfuric acid, UN1830". The customer then recovers and returns to you "Sulfuric acid, spent, UN 1832". In order to avoid changing the marking every time the tank car switches from "Sulfuric acid, UN 1830" to "Sulfuric acid, spent, UN 1832" and back again, you want to use "Sulfuric acid" to describe both materials. It is your understanding that it is permissible to use the proper shipping name, "Sulfuric acid" for both materials under the HMR.

Based on the information provided in your letter, it is the opinion of this Office that use of the words "Sulfuric acid" marked on the tank car to describe both materials is permissible. However, the proper UN identification number must be displayed on the tank car and the shipping papers must show the proper shipping description and UN identification number for the material being shipped.

I hope this answers your inquiry.

Sincerely,

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



030114

172.101

1007 Market Street
Wilmington, DE 19898cc: K.E. Treanor
M.J. TitzerBoothe
\$172.101
\$171.2(F)(2)
\$172.330
Markings
03-0114

November 18, 2002

Associate Administrator for Hazardous Materials Safety
Research and Special Programs Administration
U.S. Department of Transportation (DHM-1)
400 Seventh Street, SW
Washington, DC 20590-0001

Attention: Robert A. McGuire

Dear Dr. McGuire:

We currently have a customer that we supply with tank cars of Sulfuric Acid, UN1830. The customer then recovers and returns to us Sulfuric Acid, Spent, UN1832. We use the same fleet of tank cars and are trying to determine the correct markings for the proper shipping names.

Even though 172.330(a)(1)(ii) does not require that we mark the tank cars with the Proper Shipping Name for either of these products, our policy is to mark all our tank cars with either the Proper Shipping Name or the product name. So we have chosen "Sulfuric Acid" and "Sulfuric Acid, Spent" as the correct markings.

But in order to avoid changing the product marking every time the tank cars switches from UN1830 to UN1832 and back again (which is frequent), we are proposing to mark the tank cars "Sulfuric Acid" for both products. Our concern is that when a car contains Sulfuric Acid, Spent, UN1832, yet is marked "Sulfuric Acid" it may cause some confusion among regulators and inspectors, and would like your opinion as to whether or not this proposal is acceptable under the current regulations.



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Our interpretation of 171.2(f)(2) is that we cannot mark a rail car containing Sulfuric Acid with "Sulfuric Acid, Spent", but a rail car containing Sulfuric Acid, Spent could be marked "Sulfuric Acid". The reasoning is that while spent sulfuric acid is always also sulfuric acid (at least from a chemical composition perspective), the reverse is not true.

Your prompt attention is greatly appreciated.

Sincerely,

Randolph Martin
Hazardous Materials Distribution Consultant
DuPont Global Services Business
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Wilmington, DE 19898
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