



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

MAR 22 2005

Capt. Bruce Bugg
Law Enforcement Division
Georgia Department of Motor Vehicle Safety
P.O. Box 80447
Conyers, GA 30013-8047

Ref. No. 05-0051

Dear Capt. Bugg:

This responds to your electronic mail requesting clarification under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) of the marking requirements for certain bulk packagings. Specifically, you ask whether a bulk packaging that is dual marked as a DOT specification intermediate bulk container (IBC) and a DOT specification portable tank is required to be marked with the identification number as required in § 172.331 for IBCs, or the proper shipping name, the name of the owner or lessee, and the identification number as required in § 172.326 for portable tanks.

An IBC must be marked with the identification number in accordance with § 172.331 and a portable tank must be marked with the proper shipping name, the name of the owner or lessee, and the identification number in accordance with § 172.326. Therefore, to satisfy the marking requirements, the dual-marked bulk packaging must be marked with the proper shipping name, the name of the owner or lessee, and the identification number as specified in § 172.326. Also, the bulk packaging must conform to all applicable specification requirements and be authorized for the hazardous material being transported.

I hope this information is helpful. If you have additional questions, please do not hesitate to contact us.

Sincerely,

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



050051

172.326
172.331

INFOCNTR <PHMSA>

From: Bruce Bugg [obbugg@dmvs.ga.gov]
Sent: Wednesday, March 09, 2005 5:45 PM
To: INFOCNTR <PHMSA>
Subject: Request for Clarification

Follow Up Flag: Follow up
Flag Status: Flagged

McIntyre
§ 172.326
172.331.
Markings
05-0051

This e-mail requests a written clarification of the marking requirements for certain bulk packagings. Some bulk packagings are "dual marked" as both a DOT Specification Portable Tank and as an Intermediate Bulk Container (IBC).

Do such packagings have to comply with the marking requirements of 49 CFR §172.326 (requiring proper shipping name and owner / lessee markings) or the requirements of 49 CFR §172.331 (requiring only the ID number)?

Capt. Bruce Bugg
Special Projects Coordinator
Law Enforcement Division
Georgia Department of Motor Vehicle Safety
P.O. Box 80447
Conyers, GA 30013-8047
Phone: 678.413.8825
Fax: 678.413.8832
e-mail: obbugg@dmvs.ga.gov <mailto:obbugg@dmvs.ga.gov>