



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

OCT 28 2005

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

CPL F. Allen Mauger, Jr.  
Special Operations/Traffic Safety  
Uwchalan Township Police Department  
717 N. Ship Road  
Exton, PA 19341-1946

Ref No.: 05-0252

Dear CPL Mauger:

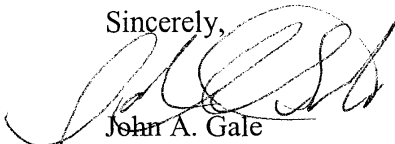
This is in response to your September 30, 2005 letter and subsequent telephone conversation with Ben Supko of my staff requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). First, you ask if a cargo tank motor vehicle transporting fuel oil may be placarded on the sides and rear with combustible placards marked with "UN1993" and a "fuel oil" placard on the front. Second, you ask if CORROSIVE placards with a white panel area in the center but no identification number marked in the white panel area are acceptable for a non-bulk shipment.

A cargo tank containing fuel oil, classed as a combustible liquid, must display COMBUSTIBLE placards. In accordance with § 172.544(c), the placards may be modified to read "FUEL OIL" rather than "COMBUSTIBLE." Therefore, the placement of a COMBUSTIBLE placard with the words "FUEL OIL" on the front of the cargo tank is not a violation of the HMR. However, § 172.302(a) requires the identification number for the material to be marked on each side and each end of a packaging with a capacity of 3,785 L (1,000 gallons) or more. Since the COMBUSTIBLE placard with the words "FUEL OIL" is displayed on the front of the cargo tank and the identification number is not marked on an orange panel or white square-on-point configuration (see § 172.332(b)), the marking requirements in § 172.302(a) are not fulfilled.

The CORROSIVE placard must conform to the requirements in § 172.558, except that it may be modified to display the identification number of the material (see § 172.332(c)), or modified by removing the word "CORROSIVE" (see § 172.519(b)(3)). The placard you describe, a CORROSIVE placard with a blank white panel area in the center, does not fulfill the requirements of § 172.558 or the exceptions mentioned above.

I hope this information is helpful. Please contact us if you require additional assistance.

Sincerely,



John A. Gale

Chief, Standards Development  
Office of Hazardous Materials Standards



050252

172.504

**UWCHLAN TOWNSHIP POLICE DEPARTMENT**  
C H E S T E R   C O U N T Y   P E N N S Y L V A N I A

September 30, 2005

Supko  
§ 172.504

Placarding  
02-0252

Mr. John Gale  
Chief, Standards Development  
Office of Hazardous Material Standards  
Pipeline and Hazardous Materials  
Safety Administration  
400 Seventh Street, S.W.  
Washington, D.C. 20590

Dear Mr. Gale,

I am requesting clarification from your office on the two following matters:

1. The first matter involved a cargo tank vehicle delivering combustible products. It displayed combustible placards with 1993 markings in the placard on the sides and rear. At the same time, it displayed a combustible placard with the words "fuel oil" on the front. After reading your interpretation dated June 13, 2005 to Sgt. David Feathers, you addressed mixing placards on non-bulk shipments. Would this apply to this matter as well?
  
2. The second matter involved a truck displaying corrosive placards with a white panel area in the center for the UN number/marking. There were no UN numbers in the panels. While observing the truck crossing the scales, it was very hard to determine if they were placards and what kind they were until the vehicle was very close. The driver stated that his company permits this practice in case they pickup a bulk shipment. He would then write the proper UN number in the panel area. The white panel area (3.9 inches x 8.5 inches) takes up approximately 28% of the placard area without providing any additional information. This was most noticeable on the black/white corrosive placard.

Additionally, if a violation exists, what section/subsection would you cite for each of the examples?

Your assistance in this matter would be greatly appreciated.

Sincerely,



F. Allan Mauger Jr., Corporal  
Special Operations/Traffic Safety