



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

MAR 04 2014

Mr. Andrew N. Romach  
URS Corporation  
1600 Perimeter Drive  
Morrisville, NC 27560

Ref No.: 14-0016

Dear Mr. Romach:

This is a response to your January 17, 2014 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) with regard to the applicability of security plans in § 172.800. Specifically, you ask whether subsidiary hazards should be considered when determining the applicability of the security plan requirements for shippers and carriers. In your email, you describe a shipment of a large bulk quantity of “UN2920, Corrosive liquid, flammable, n.o.s.,” with a primary hazard of Class 8, packing group II and a subsidiary hazard of Class 3, packing group III.

In accordance with § 172.800(b), each person who offers for transportation or transports a hazardous material in a quantity indicated in paragraphs (b)(1) through (b)(16) must develop and adhere to a security plan. In § 172.800(b), a “large bulk quantity” refers to a quantity greater than 3,000 kg (6,614 pounds) for solids or 3,000 liters (792 gallons) for liquids and gases in a single packaging.

In regards to a large bulk quantity of “UN2920, Corrosive liquid, flammable, n.o.s., 8, 3, II,” with a primary hazard of Class 8, packing group II and a subsidiary hazard of Class 3, packing group III, a security plan would not be required, as there are no corresponding applicability in § 172.800(b) for this material. Unless specified in paragraph (b) of this section, the applicability for security plans refers to the primary hazard of a material or the definition of a hazard class.

I hope this information is helpful. If you have any more questions, please do not hesitate to contact this office.

Sincerely,

Robert Benedict  
Chief, Standards Development  
Standards and Rulemaking Division



January 17, 2014

Suchak  
§172.800(b)(6)  
Security Plans  
14-0016

Mr. Charles Betts, Division Director  
Standards and Rulemaking (PHH-10)  
U.S. Department of Transportation  
Pipeline and Hazardous Materials Safety Administration  
East Building, 2nd Floor  
1200 New Jersey Ave., SE  
Washington, DC 20590

Dear Mr. Betts:

I am writing to request a Department of Transportation (DOT) interpretation concerning the applicability of a DOT Security Plan in 49 CFR 172.800(b)(6).

**Question:** Would shipping a large bulk quantity of *UN2920, Corrosive liquid, flammable, n.o.s.* with a primary corrosive hazard (8, II) and subsidiary flammable hazard (3, III), which is assigned overall classification of 8(3), II when using the precedence of hazard table in 49 CFR 173.2a(b), be required to have a DOT Security Plan? The flashpoint of this material is 120°F. Even though the overall packing group of the hazardous material is PGII due to the Class 8 hazard, the Class 3 hazard is actually PGIII.

Based on verbal guidance provided by Neil Suchak in DOT Standards Development, he stated that the applicability of the Security Plan is based on the Primary Hazard Class of the hazardous material and only considers the Subsidiary Risk for those materials in 49 CFR 172.800(b)(4) and (b)(14).

Please confirm that in determining DOT Security Plan applicability for the 8(3), II scenario described above, a DOT Security Plan would not be required.

I would appreciate your assistance with this question.

Sincerely,

Andrew N. Romach  
Regulatory Compliance Manager  
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