



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue SE
Washington, DC 20590

JUL 09 2015

Mr. Michael Lesser
Crowley Liner Service
9487 Regency Square Blvd
Jacksonville, FL 32225

Reference No. 15-0034

Dear Ms. Lesser:

This is response to your February 11, 2015 e-mail and subsequent conversations with members of my staff requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to placarding. In your letter, you state that your driver receives a loaded intermodal container that is exempt from placarding under § 172.504 but loses the exception by vessel. You ask whether the driver loses the ability to use the exception for placarding by highway if his destination is a port, or may the driver apply the placard (required for vessel transportation) after leaving public roads but prior to entering the port.

Shipments of non-bulk combustible materials do not require placards as specified in § 172.504 when shipped under the HMR. However, the HMR does not prevent the use of placards when shipping non-bulk shipments of combustible materials provided the placards appropriately represent the hazard classes being shipped. If placards are required for vessel transportation for a hazardous material that does not require a placard for highway transportation, the placards could be placed on the container at the port prior to transportation by vessel.

I hope this satisfies your request.

Sincerely,

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

Goodall, Shante CTR (PHMSA)

Andrews
172.504
Placarding
15-0084

From: Ciccarone, Michael CTR (PHMSA)
Sent: Wednesday, February 11, 2015 3:02 PM
To: Hazmat Interps
Subject: FW: §172.504

Shante/Alice,

Please submit this for a formal letter of interpretation. Mr. Lesser spoke with Shelby and Vince Babich.

Thanks,

Mike

From: Lesser, Michael [<mailto:Michael.Lesser@crowley.com>]
Sent: Wednesday, February 11, 2015 1:43 PM
To: Ciccarone, Michael CTR (PHMSA)
Subject: RE: §172.504

Crowley Liner Service
9487 Regency Square Blvd
Jacksonville, Florida 32225

Thank you

From: m.ciccarone.ctr@dot.gov [<mailto:m.ciccarone.ctr@dot.gov>]
Sent: Wednesday, February 11, 2015 11:49 AM
To: Lesser, Michael
Subject: RE: §172.504

Dear Michael,

We have received your request for a written letter of interpretation regarding the hazardous materials regulations (49 CFR Parts 171-180).

Please include your company's physical address to expedite the submission process.

Sincerely,

Mike, Hazardous Materials Specialist

An e-mail response from this office is considered informal guidance. Formal guidance may be requested in accordance with 49 CFR 105.20. <http://phmsa.dot.gov/hazmat/regs/interps>

From: Lesser, Michael [<mailto:Michael.Lesser@crowley.com>]
Sent: Tuesday, February 10, 2015 10:01 AM
To: PHMSA HM InfoCenter
Subject: §172.504

A driver receives a loaded intermodal container from a shipper with instructions to drive the load to a port. The contents of the container allows the driver to transport over the highway without applying placards under §172.504(1). Does the driver lose this exemption if his destination is a port – or may the driver apply the placards (required for vessel transportation)after leaving open access roadways but before entering the port?

Michael Lesser PCM

CMC

MANAGER, HSSE

TERMINAL MGMT-JAX

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*****Work

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n/a Home

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