



U.S. Department
of Transportation

1200 New Jersey Avenue SE
Washington, DC 20590

**Pipeline and Hazardous
Materials Safety
Administration**

OCT 27 2015

Lt. John V. Guzzo
Unit Head
HMTEU
New Jersey State Police
P.O. Box 7068
West Trenton, NJ 08628

Reference No. 15-0148

Dear Lt. Guzzo:

This is in response to your July 15, 2015 email concerning the interchangeability of proper shipping name and the identification number on shipping papers and markings on cargo tanks. In your letter you request guidance on the following scenario: A cargo tank is stopped for an inspection and the driver produces a shipping paper with the following description: 1 Cargo Truck, UN1202, Heating Oil, Light, Class 3, PG III, 2400 gallons. The cargo tank is placarded with a Class 3 flammable liquid placard displaying ID number "1993."

The HMR specify in § 171.2 that no person may offer or accept a hazardous material for transportation in commerce unless the hazardous material is properly classed, described, packaged, marked, labeled, and in a condition for shipment as authorized by the HMR. Your letter did not provide an indication of the actual contents of the cargo tank, however the basic description provided on the shipping papers and the identification number markings displayed on the cargo tank must be consistent and must accurately identify the hazardous material being transported.

If the shipping papers did not accurately describe the hazardous material being transported then there was a violation of § 172.202(a), and if the identification numbers displayed on the cargo tank did not accurately reflect the material being transported then there was a violation of § 172.303(a).

I trust this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

Ben Supko
Senior Regulations Officer
Standards and Rulemaking Division

Leary
\$172.300
Marking
15-0148

Dodd, Alice (PHMSA)

From: Geller, Shelby CTR (PHMSA)
Sent: Wednesday, July 15, 2015 3:12 PM
To: Hazmat Interps
Subject: FW: (NA1993 vs. UN1202)

Dear Shante and Alice,

Attached is a request for a formal letter of interpretation. Lt. Guzzo spoke with Mike Ciccarone in the HMIC.

Thanks,
Shelby

From: John Guzzo [<mailto:lpp4528@gw.njsp.org>]
Sent: Wednesday, July 15, 2015 11:02 AM
To: Murray, Anthony (PHMSA); Michael.ciccaroni@dot.gov; PHMSA HM InfoCenter
Cc: Cooke, Andrew (PHMSA); Gavas, John (FMCSA); Townsend, Melissa (FMCSA); Durkin, Patrick (PHMSA); Stephen Albanese; Lawrence Higgins
Subject: (NA1993 vs. UN1202)

To whom it may concern;

Can I please obtain an Official Interpretation on the below listed scenario.

A non-spec cargo truck leaves a terminal and is stopped for a CV Inspection.
The Driver / Carrier / Owner hands over a Shipping paper that states ;

1 Cargo Truck - UN1202, Heating Oil, Light, Class 3, PG III , 2400 gallons.

The Cargo Truck is Marked with Flammable Placards and ID# 1993 inside them.

The OS Guide / HazMat Section - Transport Vehicle Marking (4) states " an OS condition exists w/ 50% or when any ID# misrepresents the Material transported.

Yes, the chemical make up, is probably exactly the same. The issue is that the ID # Markings on the Package do not match the ID# assigned on the Shipping paper. The shipping paper is generated by the Manufacture / Shipper. (they should know their product better than anyone).

NA1993 is NOT listed in Appendix "A" as "Heating Oil, Light".

Thanks for all your assistance,

Lt. John V. Guzzo # 4528
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