



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

DEC 21 2016

Lieutenant Bryan Gay  
Florida Highway Patrol  
6030 County Road 2321  
Panama City, FL 32404

Reference No. 15-0187R

Dear Lieutenant Gay:

This letter is a response to your September 14, 2015, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the shipping description of diesel fuel reclassified as a “combustible liquid.” This letter is an additional clarification revision to interpretation letter 15-0187 published on February 8, 2016. In your original incoming letter, you note that § 172.202(a)(3)(ii) states the hazard class need not be included for the entry “Combustible liquid, n.o.s.” You further list two proper shipping descriptions for diesel fuel reclassified as a combustible liquid:

- 1) NA1993, Diesel Fuel, Combustible liquid, PG III
- 2) NA1993, Combustible Liquid n.o.s. (diesel fuel), Combustible liquid, PG III

You ask if the shipping description “NA1993, Combustible liquid n.o.s.” must be used when taking the exception in § 172.202(a)(3)(ii) and which of the previously-listed shipping descriptions is correct.

For additional clarification, in accordance with § 172.202(a)(3)(ii) of the HMR, the hazard class need not be included for the entry “Combustible liquid, n.o.s.” While this exception is specific only to the “Combustible liquid n.o.s.” shipping description, § 172.101(d)(4) specifies that a Class 3 material can be modified to read “combustible liquid” when that material is reclassified in accordance with § 173.150(e) or (f).

Further, using the listing provided, shipping description number 1 would be appropriate for diesel fuel reclassified as a combustible liquid. It should be noted that “UN1202, Diesel Fuel, Combustible liquid, PG III” may also be used as an alternative description.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

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

Andrews  
§ 173.150(b)  
Combustible liquids  
5-0187

U.S. DOT  
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What, if any, special requirements must a motor carrier follow if the motor carrier is going to reclassify a flammable liquid as a combustible liquid and utilize the 173.150(f)(3) exemptions while transporting a cargo tank load of diesel fuel? Which of the two shipping papers entries below is appropriate for this shipment? When identifying the hazard class on shipping papers, 172.202(a)(3)(ii) indicates hazard class 3 need not be included for entries of Combustible Liquid, n.o.s. Combustible Liquid, n.o.s. is a proper shipping name, and it's the only HM table entry that indicates "Comb Liq" in column 3 of the 172.101 table. This indicates to me that if a motor carrier is wanting to utilize the 173.150 exceptions, the motor carrier must determine the flashpoint, reclassify the material as a combustible liquid, and ship the material as a Combustible Liquid n.o.s. instead of using the original proper shipping name, e.g., Diesel Fuel, Fuel Oil, etc.

NA1993, Diesel Fuel, Combustible Liquid, PG III  
NA1993, Combustible Liquid n.o.s (Diesel Fuel), Combustible Liquid, PG III

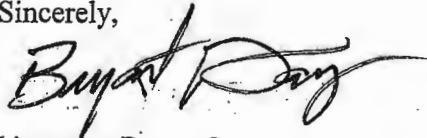
173.150(f) Combustible liquids. (1) A flammable liquid with a flash point at or above 38 °C (100 °F) that does not meet the definition of any other hazard class **may be reclassified as a combustible liquid.**

172.202(a)(3) The hazard class or division number prescribed for the material, as shown in Column 3 of the §172.101 table.

(ii) The hazard class need not be included for the entry "**Combustible liquid, n.o.s.**"

Symbol	Hazardous materials descriptions and proper shipping names	Hazard Class or Division	Identification Numbers	PG	Other
DG	Combustible liquid, n.o.s.	Comb liq	NA1993	III	

Sincerely,



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