



U.S. Department
of Transportation

Pipeline and Hazardous
Materials Safety
Administration

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

APR 24 2012

Ms. Rhonda Heltzel
DOT Manager
Lane Christensen Company
1900 Shawnee Mission Parkway
Mission Woods, KS 66205

Ref. No. 12-0080

Dear Ms. Heltzel:

This is in response to your March 19, 2012 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically you inquire about the exception for non-bulk shipments of combustible liquids in § 173.150(f)(2) and the shipping paper requirements in Subpart C of Part 172. Your questions are paraphrased and answered as follows:

Q1. Does the exception in § 173.150(f)(2), which states that "the HMR do not apply to a material classed as a Combustible liquid in a non-bulk packaging unless it is a hazardous substance, a hazardous waste, or a marine pollutant," apply on a single shipment consisting only of non-bulk packages of diesel fuel with an aggregate gross weight of 1,132 pounds?

A1. Yes. Provided that the diesel fuel meets the definition of combustible liquid per § 173.120 and is in non-bulk packaging as defined in § 171.8, the exception in § 173.150(f)(2) applies on the shipment, regardless of the aggregate gross weight.

Q2. Do the HMR require the address of the consignee or consignor on a shipping paper?

A2. No. There is currently no requirement in the HMR for a shipping paper to include the name and address of the person offering the shipment or the person to whom the shipment will be delivered.

I hope this answers your inquiry. If you need additional assistance, please contact this office at 202-366-8553.

Sincerely,

Ben Supko
Acting Chief, Standards Development Branch
Standards and Rulemaking Division

Winter
§ 173.150(f)(2)
Exceptions
12-0080

Layne Christensen Company

1900 Shawnee Mission Parkway – Mission Woods, Kansas 66205 - 913-342-4803

March 19, 2012

Charles Betts
Director, Standards and Rulemaking Division
US Department of Transportation
Pipeline and Hazardous Materials Safety Administration
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Dear Mr. Betts,

The Exceptions for Class 3 (flammable and combustible liquids), 173.150 (f) (2) states the requirements in this subchapter do not apply to any material classed as a combustible liquid in non-bulk packaging unless the combustible liquid is a hazardous substance, a hazardous waste or a marine pollutant.

Would this exemption apply when transporting two (2) or more 80 gallon non-bulk tanks of diesel fuel? The rules do not indicate or give direction for aggregate amounts, which in this case would be a total of 160 gallons (1132 lbs).

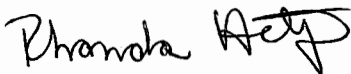
Additionally the regulations for shipping documents do not specify that an exact address be displayed on the shipping paper. An example is:

To: Layne
Cosignee: Layne
Street: Exit 434, Patterson CA
Destination: Drill site

We are registered as a private motor carrier and do not transport hazardous materials for any other reasons than servicing clients for well rehabilitation. Most of our job site locations are located in rural areas that do not have an official address. The client does give us a travel route to locate the job site.

Let me know if you have any questions,

Sincerely,



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