



U.S. Department of Transportation  
**Pipeline and Hazardous Materials  
Safety Administration**

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

DEC 15 2010

Ms. Kellie Toth  
FedEx Custom Critical  
1475 Boettler Rd  
Uniontown, OH 44685

Ref. No.: 10-0185

Dear Ms. Toth:

This responds to your letter regarding the large quantities marking requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180), as they apply to highway transportation of a material described as "UN1791 Hypochlorite Solutions, 8, II", Ltd Qty. In your letter you indicate that the material is packaged in 490 boxes, 5880 liters, totaling 15,680 pounds. You state that each box is marked with the UN identification number and the proper shipping name. Specifically, you ask if the transport vehicle must be marked in accordance with § 172.301(a)(3).

Section §172.301(a)(3) states that a transport vehicle or freight container containing only a single hazardous material in non-bulk packages must be marked with the identification number specified for the material, subject to the following provisions and limitations:

- (1) Each package is marked with the same proper shipping name and identification number;
- (2) The aggregate gross weight of the hazardous material is 4,000 kg (8,820 pounds) or more;
- (3) All of the hazardous material is loaded at one loading facility;
- (4) The transport vehicle or freight container contains no other material, hazardous or otherwise;  
and
- (5) These requirements do not apply to Class 1, Class 7, or to non-bulk packagings for which identification numbers are not required.

However, § 172.301(a) indicates that identification numbers are not required on packagings that contain only ORM-D materials or limited quantities, except for limited quantities marked in accordance with § 172.315. Also, § 172.315 indicates that a proper shipping name is not required to be marked on a package containing a limited quantity when the package is marked with an identification number displayed inside a white square-on-point configuration. This marking is optional and may be used in lieu of the marking requirements prescribed in § 172.301(a)(1).

Based on these exceptions from marking the identification number on the package, it is the opinion of this Division that the large quantities marking requirements in § 172.301(a)(3) do not apply to limited quantities excepted from the identification number marking requirements.

I hope this information is helpful. If we can be of further assistance, please contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Supko", with a long, sweeping horizontal line extending to the right.

Ben Supko  
Acting Chief, Standards Development  
Standards and Rulemaking Division

Drakeford, Carolyn (PHMSA)

From: INFOCNTR (PHMSA)  
Sent: Wednesday, September 01, 2010 4:45 PM  
To: Drakeford, Carolyn (PHMSA)  
Subject: FW: Hazmat Information Center Feedback: Interpretations (Letters) Issued by PHMSA

Engrum  
§ 172.301  
§ 172.315  
§ 172.101  
Marking 109 0185

Carolyn, please log as a new interp request.

-----Original Message-----

From: PHMSA-Feedback [mailto:PHMSA-Feedback]  
Sent: Wednesday, September 01, 2010 4:38 PM  
To: PHMSA HM InfoCenter; PHMSA Webmaster  
Subject: Hazmat Information Center Feedback: Interpretations (Letters) Issued by PHMSA

I am requesting a formal letter of interpretation regarding this question. Thank you

Mr. Charles Betts  
Acting Director  
Office of Hazardous Materials Standards  
Pipeline and Hazardous Materials Safety Administration 1200 New Jersey Avenue, SE, PHH-10  
Washington, DC 20590-0001

I was directed to you by Eileen Edmonson, Transportation Regulations Specialist with PHMSA. I have a shipper who is offering for ground transport UN1791, Hypochlorite Solutions, 8, II Ltd Qty packaged in 490 boxes, 5880 liters totaling 15,680 lbs. Each box has a UN# & PSN listed on it.

I want to know if the customer is required in association with 49 CFR 173.301(a)(3) the large quantity of a single hazmat to place an ID marking on the outside of the transport vehicle? Or is there relief from this section regarding this marking requirement?

In my discussion with Eileen we discussed the following sections: 49 CFR 172.301(a)(1) excepts the LTD QTY from being marked with ID #'s except those marked only with ID#'s as required in 172.315, 172.301(a)(i) states each package is subject to the large quantity marking if each package is marked with the same PSN & ID#, and 172.301 (a)(3)(v) excepts packages from complying with large quantity markings if ID's are not required on the package.

Any guidance you can provide regarding this topic would be appreciated. Thank you.

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