



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

MAY 15 2007

Ms. Jennifer Eberle
Manager, Transportation Compliance
Veolia Environmental Services
One Eden Lane
Flanders, NJ 07836

Ref. No. 07-0074

Dear Ms. Eberle:

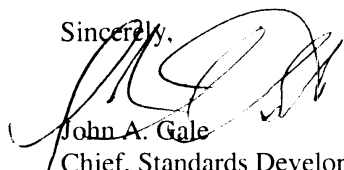
This responds to your April 10, 2007 letter requesting clarification on the use of the DANGEROUS placard under §172.504(b) of the Hazardous Material Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask for confirmation that the DANGEROUS placard is not required in your situation.

According to your letter, you have a truckload shipment of 3,300 pounds total aggregate gross weight of three Table 2 materials in non-bulk packages as follows: Class 8 and Class 3 materials (500 pounds each) and Division 5.1 material (2,300 pounds) loaded at one loading facility.

Section 172.504(b) authorizes the use of the DANGEROUS placard instead of the separate placards specified for the three hazardous materials in Table 2 for shipments of two or more categories of Table 2 materials in non-bulk packages that require different placards. Thus, the DANGEROUS placard is authorized for your mixed truckload shipment. However, when 1,000 kg (2,205 pounds) aggregate gross weight of more than one category of material is loaded at one loading facility, the placard specified in Table 2 for that category must be applied. The DANGEROUS placard is already authorized for use on the mixed truckload shipment, but, since the aggregate gross weight of the Division 5.1 material exceeds the 2,205 pound threshold, the OXIDIZER placard is now also required to cover the 2,300 pounds of Division 5.1 material that was loaded at one loading facility. Therefore, both the DANGEROUS and OXIDIZER placards should be used for this mixed truckload shipment to indicate the presence of both the Class 8 and Class 3 materials, as well as the Division 5.1 materials.

I hope this answers your inquiry.

Sincerely,


John A. Gale
Chief, Standards Development
Office of Hazardous Materials Standards



070074

172.504(b)



Boothle
§172.504(b)
Placarding
07-0074

April 10, 2007

Mr. Edward T. Mazzullo, Director
Office of Hazardous Materials Standards
USDOT/PHMSA (PHH-10)
400 7th Street, SW
Washington D.C. 20590-0001

Dear Mr. Mazzullo,

Please accept this letter as a request for a formal interpretation from your office. Veolia wishes to receive clarification related to the DANGEROUS placard exception found in §172.504(b).

It is our interpretation that a truckload shipment of non-bulk packages containing the following aggregate gross weights would be required to display only the OXIDIZER (5.1) placard:

- Class 8 = 500 pounds
- Class 3 = 500 pounds
- Class 5.1 = 2300 pounds

Is it correct to no longer consider the weight of a Table 2 material for which a specific placard has been applied towards the aggregate gross weight of Table 2 materials when determining the applicability of the DANGEROUS placard?

TABLE 2 MATERIAL	REQUIRED PLACARD
Class 5.1 = 2300 pounds	OXIDIZER 5.1 (>2,205 lbs. loaded at one loading facility)
Class 3 = 500 pounds Class 8 = <u>500 pounds</u> Total = 1,000 pounds	NONE (Total aggregate weight of Table 2 materials is < 1,001 lbs.)

Your written response to this question is greatly appreciated. If you require any further information regarding this letter please contact me at 973-448-4209 or jennifer.eberle@veoliaes.com.

Thank you,

Jennifer Eberle
Manager, Transportation Compliance