



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

NOV 7 2006

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

Mr. Don Ladner
Safety Supervisor
Dufour Petroleum LP
P.O. Box 1184
Petal, MS 39465

Ref. No. 06-0210

Dear Mr. Ladner:

This is in response to your September 14, 2006 letter requesting clarification of the requirements in the Hazardous Materials Regulations (HMR; 49 CFR Parts 100-180) applicable to marking requirements for shipments of liquefied petroleum gas (LPG). In your letter, you state your company transports odorized and non-odorized LPG in MC 330 and MC 331 cargo tanks, and tank cars. Your questions are paraphrased and addressed as follows:

- Q1. Are we required to mark each of our cargo tanks with the NON-ODORIZED or NOT ODORIZED marking by September 30, 2006, or only the cargo tanks transporting non-odorized LPG?
- A1. Section 172.328 requires that, after September 30, 2006, no person may offer for transportation or transport a cargo tank containing unodorized LPG as authorized in § 173.315(b)(1) unless it is legibly marked NON-ODORIZED or NOT ODORIZED on two opposing sides near the marked proper shipping name as specified in § 172.328(b)(1), or near the placards. This marking requirement is not applicable until you offer for transportation or transport a cargo tank containing unodorized LPG as authorized in § 173.315(b)(1). In addition, this marking requirement does not specifically state that this marking may appear on a cargo tank used for both odorized and non-odorized LPG; however, it is not prohibited under § 172.303. We will clarify this requirement in a future rulemaking.
- Q2. What is the height requirement for the NON-ODORIZED or NOT ODORIZED marking on cargo tanks?
- A2. Section 172.302 requires the NON-ODORIZED or NOT ODORIZED marking to have a width of at least 6.0 mm (0.24 inch) and a height of at least 100 mm (3.9 inches) for rail cars.
- Q3. Is the NON-ODORIZED or NOT ODORIZED marking required to be on two opposing sides of the cargo tank near the proper shipping name, or near the placards?



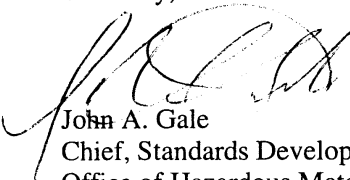
060210

172.328(b)
172.315

- A3. See A1.
- Q4. Are we required to mark each of our rail tank cars with the NON-ODORIZED or NOT ODORIZED marking by September 30, 2006, or only the tank cars transporting non-odorized LPG?
- A4. Section 172.330 requires that, after September 30, 2006, no person may offer for transportation or transport a tank car or multi-unit tank car tank containing unodorized LPG unless it is legibly marked NON-ODORIZED or NOT ODORIZED on two opposing sides near the marked proper shipping name required by paragraphs (a)(1) and (a)(2) of § 172.330, or near the placards. This marking requirement is not applicable until you offer for transportation or transport a tank car or multi-unit tank car tank containing unodorized LPG. In addition, the NON-ODORIZED or NOT ODORIZED marking may appear on a tank car or multi-unit tank car tank used for both unodorized and odorized LPG.
- Q5. What is the height requirement for the NON-ODORIZED or NOT ODORIZED marking on rail tank cars?
- A5. Section 172.302 requires that the NON-ODORIZED or NOT ODORIZED marking must have a width of at least 6.0 mm (0.24 inch) and a height of at least 100 mm (3.9 inches) for rail cars.
- Q6. Is the NON-ODORIZED or NOT ODORIZED marking required to be on two opposing sides of a rail tank car near the proper shipping name, or near the placards?
- A6. See A4.

I trust this satisfies your inquiry.

Sincerely,



John A. Gale

Chief, Standards Development
Office of Hazardous Materials Standards

Foster
§ 172.328(b)
Markings
06-0210

Drakeford, Carolyn <PHMSA>

From: INFOCNTR <PHMSA>
Sent: Thursday, September 14, 2006 5:04 PM
To: Drakeford, Carolyn <PHMSA>
Subject: FW: 172.328(b)(e)

Mr. Edward Mazzulla

In regards to the regulation 172.328(b) (e), NON-ODORIZED marking on cargo tanks containing LPG, I would like a formal interpretation to clear up some questions that are unclear to me.

Our MC 330 and MC 331 cargo tanks will be hauling odorized and non-odorized LPG. Is it required for us to still mark each tank with the NON-ODORIZED marking by September 30, 2006 or just the ones hauling non-odorized LPG? In other words can we wait to mark the tanks hauling odorized LPG when we start hauling non-odorized LPG? Is it correct to have the markings no less than 2" in height on two opposing sides near the proper shipping name or near the placards?

I will also like a formal interpretation pertaining to the same questions as above in regards to our Rail Cars hauling LPG. Is it correct to have the markings no less than 3.9" in height on two opposing sides near the proper shipping name or near the placards?

Don Ladner
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Thanks,
Don Ladner

9/15/2006