



U.S. Department
of Transportation

Research and
Special Programs
Administration

APR 15 1999

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

Corporal W.T. Rucker III
Hazardous Material Unit
S.C. State Transport Police
800 Dutch Square Blvd.
Dutch Plaza Suite 205C
Columbia, SC 29210

Ref. No. 98-0315

Dear Corporal Rucker:

This is in response to your letter of October 9, 1998, regarding requirements to identify marine pollutants on shipping papers under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically you ask if it is acceptable to describe leaded gasoline on a shipping paper as "Gasoline (leaded), 3, UN1203, PG II, Marine Pollutant."

The answer is yes. Section 172.203(1)(1) states that if a proper shipping name for a material that is a marine pollutant does not identify the component making it a marine pollutant, the name of that component must appear in parentheses in association with the basic description. A previous letter of clarification dated October 19, 1993 (enclosed) states the shipping name "Gasoline" and the notation "Marine Pollutant" which appear as part of the proper shipping description are sufficient to identify the marine pollutant "Gasoline, leaded." It is the opinion of this Office that the description "Gasoline, (leaded), 3, UN1203, PG II, Marine Pollutant" is also an acceptable description for leaded gasoline.

I hope this satisfies your request.

Sincerely,

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards

Enclosure



980315

172.202

I would like an interpretation on this matter, if you have one.



BP OIL

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803-896-8284

BP Oil Company
206 Public Square
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Stevens
§ 172.202
98-0315

October 9, 1998

--- FAX TO ---
803/896-8289

South Carolina State Transport Police
101 Executive Center Drive
Saluda Bldg., Suite 120
Columbia, SC. 29210
Attn. Corporal R. Rucker.

RE: STATE POLICE DRIVER-VEHICLE REPORT # 256746 Dated 10/08/1998

BP OIL CO. is respectfully requesting further review and consideration by the South Carolina State Transport Police regards the "shipping paper" violation reflected on the subject report.

BP OIL CO. is the shipper in this incident and the HAZMAT being shipped is AVIATION GASOLINE.

The inspection report indicates an apparent violation as to the HAZMAT description reflected on the BILL OF LADING issued by BP OIL CO. for this shipment. The Bill of Lading describes the material as: "GASOLINE (leaded) 3 UN1203 PG II Marine Pollutant". The inspection report indicates that the entry (leaded) following the description "GASOLINE" is out of place.

BP OIL CO. believes that the shipping paper as presented is in accord with the regulations.

Our decision to present the "proper shipping name" and "basic description" as we have is based on the following references:

172.101 Appendix B List of Marine Pollutants which lists "GASOLINE, LEADED"
(copy of the list is attached for reference)

172.203 Additional description requirements (l) Marine Pollutants, states:
If the proper shipping name for a material which is a marine pollutant does not identify by name the component which makes the material a marine pollutant, the name of that component must appear in parentheses in association with the basic description.

Your review of this information and consideration as to our position in this regard will be most appreciated.

Thank you

172.203
BP OIL CO.
216 588-8752

Attachments
cc: K.M. Charity
J.H. Cundey
L.L. Bucher