



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DEC 10 1999

Ref. No: 99-0307

Mr. Rod Day
Michels Pipeline Construction, Inc.
817 W. Main
Brownsville, WI 53006-0128

Dear Mr. Day:

This is in response to your letter of November 15, 1999, and subsequent telephone conversation with Diane LaValle, of my staff, requesting clarification on placarding requirements under the Hazardous Materials Regulations. You provided a scenario where you transport permanently secured non-bulk tanks under the provisions of § 173.8 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You ask whether placarding is required when transporting one 35 gallon and one 85 gallon tank in this manner if the aggregate gross weight of both tanks is less than 1001 pounds..

The answer is no. An exception is provided in § 172.504(c) where a transport vehicle carrying less than 1001 pounds aggregate gross weight (packaging plus contents) of Table 2 hazardous materials in non-bulk packaging need not be placarded.

I hope this information is helpful.

Sincerely,

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



990307

172.504



MICHELS PIPELINE CONSTRUCTION, INC.

Underground Utility Contractors

Lawalle
172.504

DATE 11-15-99 TIME 2:05 PM

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME DIANE

NUMBER OF PAGES (INCLUDING COVER PAGE) 3

THIS TELEFAX IS BEING SENT BY:

NAME Bob

IF ANY PROBLEMS OCCUR OR IF YOU DO NOT RECEIVE ALL OF THE PAGES,
PLEASE CALL OUR BROWNSVILLE OFFICE AT (920)583-3132.

OUR FAX NUMBER: (920) 583-3240

MESSAGE _____

817 W. MAIN
BROWNSVILLE, WI 53006-0128
(414) 583-3132
FAX (414) 583-3429

5265 N. 124TH ST.
MILWAUKEE, WI 53225-2994
(414) 781-3240
FAX (414) 781-3643

Dear Diane,

Per our telephone conversation today, the question is

When Hazardous Materials are shipped in separate fuel tanks (i.e. 80 gal. of diesel fuel in one fuel tank and 35 gal. of gasoline in another fuel tank) are placards required to be displayed on the truck they are hauled in?

Our court date in 12-08-99.

Thank you,

Rod Day