



U.S. Department
of Transportation

**Pipelines and
Hazardous Materials Safety
Administration**

MAY -1 2006

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

Mr. Michael Ritchie
MN DOT Office of Motor Carriers
Mail Stop 420
1110 Centre Pointe Curve
Mendota Heights, MN 55120-4152

Ref. No. 01-0082R

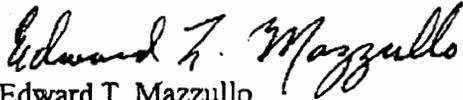
Dear Mr. Ritchie:

On April 24, 2001, we responded to your request for clarification of requirements in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) for marking bulk packages containing petroleum distillate fuels (Ref. No. 01-0082). Specifically, we stated a fuel containing 80% ethyl alcohol and 20% petroleum was eligible for the marking exceptions in § 172.336(c)(4) or (5). Because of concerns about appropriate emergency response procedures for incidents involving alcohol and alcohol blends, we are retracting our April 24, 2001 letter and issuing this correction.

The marking exceptions in § 172.336(c)(4) and (5) permit a cargo tank containing different liquid petroleum distillate fuels to be marked with the identification number applicable to the distillate fuel having the lowest flash point. However, this marking exception may lead to some confusion for emergency responders handling a fire or other incident involving a fuel containing more than 10% alcohol. Fires involving ethanol/gasoline mixtures containing more than 10% ethanol must be treated differently than traditional gasoline fires because these flammable liquid mixtures tend to be polar/water-miscible (i.e., they mix with water) and will degrade the effectiveness of fire-fighting foam that is not alcohol-resistant. The 2004 Emergency Response Guidebook (ERG 2004) refers to Guide 127 (Flammable Liquids Polar/Water-Miscible) for incidents involving Alcohols, n.o.s., 3, UN1987, or Denatured alcohol, 3, NA1987. Guide 127 specifies the use of alcohol-resistant foam. Similarly, ERG 2004 refers to Guide 128 (Flammable Liquids Non-Polar/Water-Immiscible) for incidents involving Flammable liquids, n.o.s., (ethanol, gasoline) 3, UN1993, and Gasohol, 3 NA 1203. Guide 128 specifies the use of regular foam, but includes the following warning: "CAUTION: For mixtures containing a high percentage of an alcohol or polar solvent, alcohol-resistant foam may be more effective." To ensure emergency responders utilize the most effective emergency response procedures for fuel mixtures containing alcohol, bulk packaging containing fuel blends with more than 10% alcohol must be marked with the identification number applicable to the material being transported. The marking exceptions in § 172.336(c)(4) and (5) do not apply to such materials.

We have issued a Safety Alert to inform emergency responders of the appropriate emergency response guidance for responding to incidents involving fuel mixtures containing ethanol (or "ethyl alcohol") and gasoline in various concentrations. In addition, we are currently evaluating the need for changes to shipping descriptions and other hazard communication requirements for ethanol/gasoline fuel mixtures.

Sincerely,

A handwritten signature in black ink that reads "Edward T. Mazzullo". The signature is written in a cursive style with a large, prominent "M".

Edward T. Mazzullo
Director, Office of Hazardous
Materials Standards

Enclosure