



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

JUN 26 2001

Mr. Andrew N. Romach  
URS Corporation  
PO Box 13000  
Research Triangle Park, NC 27560

Ref. No. 01-0148

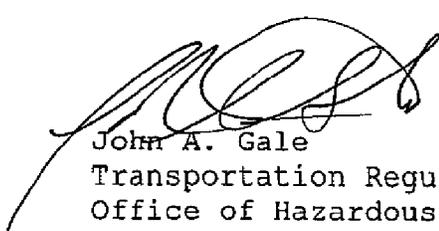
Dear Mr. Romach:

This is in response to your June 13, 2001, letter requesting clarification of marking requirements in § 172.322(d)(3) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the highway transportation of a placarded bulk packaging or transport vehicle containing a hazardous material that is also a marine pollutant.

A packaging containing a marine pollutant must have the "Marine Pollutant" mark placed on each bulk and non-bulk packaging when transported by vessel. For transportation by highway, rail, or air, the "Marine Pollutant" mark is required on each bulk packaging that contains a marine pollutant, and each vehicle or freight container that contains a package that requires the "Marine Pollutant" mark. However, as provided by § 172.322(d)(3), the "Marine Pollutant" mark is not required on a bulk package or transport vehicle that is already labeled or placarded in accordance with Subpart E or F of Part 172, except when transported by vessel.

I hope this satisfies your request.

Sincerely,



John A. Gale  
Transportation Regulations Specialist  
Office of Hazardous Materials Standards



010148

172322



BAAH  
§ 172.322  
Marking  
01-0148

June 13, 2001

Mr. Ed Mazzullo, Director  
Office of Hazardous Material Standards (DHM-10)  
Research and Special Programs Administration  
U.S. Department of Transportation  
400 7th Street, SW  
Washington, DC 20590-0001  
FAX: (202) 366-3012

*Carolyn:  
this is a good  
BAH letter  
John S.*

Dear Mr. Mazzullo:

I am writing to you to request a written regulatory interpretation concerning "Marine Pollutant" marking requirements for a bulk quantity of a Marine Pollutant transported exclusively over the highway. The specific Marine Pollutant being transported is Nonylphenol (which meets the definition of a "Marine Pollutant" as well as a Class 8 Corrosive material).

Specifically, my question concerns the provision outlined in 49 CFR 172.322(d). Based on my reading of this provision, if a transport vehicle is placarded with Class 8 "Corrosive" placards as specified in Subpart F, then that transport vehicle is not required to have the "Marine Pollutant" markings.

Transport vehicles carrying Nonylphenol have been stopped by State Police because the phrase "Marine Pollutant" appears on the HAZMAT Bill of Lading but the transport vehicle does not have the "Marine Pollutant" markings on all four sides of the vehicle--even though the transport vehicle is appropriately placarded on all four sides with Class 8 "Corrosive" placards. It is my understanding that, if taking advantage of the exception provided in 49 CFR 172.322(d), the "Marine Pollutant" markings are not required.

If you have any questions, you can call me directly at 919.461.1220 or you can FAX me at 919.461.1371. I appreciate your clarification of this matter.

Sincerely,

Andrew N. Romsch  
Regulatory Manager  
URS Corporation

URS Corporation  
P.O. Box 13000  
Research Triangle Park, NC 27709  
1600 Perimeter Park Drive  
Morrisville, NC 27560  
Tel: 919.461.1100  
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U.S. Department  
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Washington, D.C. 20590

JUN 20 2001

Mr. Don Lampshire  
Gas Service and Supply, Co.  
3396 Swan Lake Road  
Bossier City, Louisiana 71111

Ref. No. 01-0154

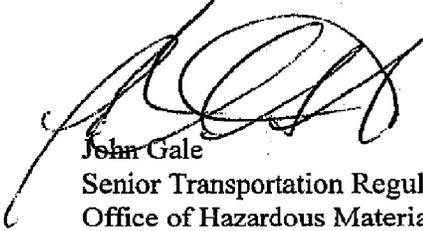
Dear Mr. Lampshire:

This responds to your June 15, 2001 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to hoses on cargo tanks. Specifically, you ask if hose marking and periodic inspection and testing requirements apply to stainless steel flexible hoses on cargo tanks used to transport liquefied compressed gases.

The hose identification, inspection, and testing requirements for hoses on cargo tanks used to transport liquefied compressed gases are in § 180.416 of the HMR. These requirements apply to delivery hoses and hose assemblies only. A stainless steel hose used as a flexible connector in the piping system of a cargo tank is not a delivery hose. Thus, such stainless steel flexible connectors need not be marked with a unique identifier and are not subject to the periodic inspection, testing, and recordkeeping requirements applicable to delivery hose assemblies in § 180.416. Note, however, that stainless steel flexible connectors must be inspected and tested in accordance with requirements applicable to piping systems in § 180.416.

I hope this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,



John Gale

Senior Transportation Regulations Specialist  
Office of Hazardous Materials Standards



010154

180.416

**Gorsky, Susan**

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**From:** GSSPROVERS@aol.com  
**Sent:** Friday, June 15, 2001 4:49 PM  
**To:** susan.gorsky@rspa.dot.gov  
**Subject:** Stainless Steel Flexible Hose

Dear Susan:

Please clarify the use of stainless steel flexible hoses in applications other than a delivery hose on MC-330, MC-331 & non-specification cargo tanks. Do the stainless steel hoses require testing, dates, and record retention of the information? Do these stainless steel hoses require an identification tag? An interpretation on this matter would be greatly appreciated.

Sincerely,  
Don Lampshire  
Gas Service & Supply, Co.  
3396 Swan Lake Road  
Bossier City, LA 71111  
(318) 742-5881 Phone  
(318) 747-3425 Fax  
[gssprovers@aol.com](mailto:gssprovers@aol.com)

6/18/01