



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

JUL 27 2005

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

Mr. Jerry J. Jennett  
President  
Georgia Gulf Sulfur  
P. O. Box 1165  
Valdosta, Georgia 31603-1165

Ref. No.: 05-0158

Dear Mr. Jennett:

This responds to your letter dated June 28, 2005, regarding the requirements for marking and placarding a shipment of powdered sulfur in 2000 pound super sacks under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

Domestically, in accordance with Special Provision 30, in § 172.102 of the HMR, a material described as "Sulfur, 9, NA 1350, III", is not subject to the requirements of the HMR if transported in a non-bulk packaging or if formed to a specific shape (e.g., prills, granules, pellets, pastilles, or flakes).

A CLASS 9 placard is not required in domestic transportation for a Class 9 (Miscellaneous) material. However, a bulk packaging (e.g., 2000 lb. super sack) containing a Class 9 material must display the identification number in accordance with § 172.331. The identification number marking may be displayed on a CLASS 9 placard, an orange panel, or a white square-on-point display configuration (see §§ 172.332 and 172.504(f)(9)). In addition, for a bulk packaging contained in or on a transport vehicle or a freight container, if the identification number marking is not visible, the transport vehicle or freight container must be marked as required by §172.332 on each side and each end with the identification number marking for that material (see § 172.331(c)).

I hope this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,

John A. Gale  
Chief, Standards Development  
Office of Hazardous Materials Standards



050158

172.504  
172.516

# GEORGIA GULF SULFUR

June 28, 2005

Mr. John A. Gale, Chief  
Standards Development  
U.S. Dept. of Transportation  
400 Seventh Street, S.W.  
Washington, DC 20590

RE: Solid Sulfur NA 1350

Dear Mr. Gale:

In recent months, two issues have arisen dealing with the shipment of powdered sulfur in 2000 lb. super sacks. Our transportation suppliers universally agree that formed sulfur and or sulfur packaged in nonbulk containers (less than 400 kg) are not marked or placarded. We have one carrier; Werner that insists that trucks carrying 2000 lb. super sacks of powdered sulfur must be placarded with class 9 placards showing the 1350 designation. We do properly mark and label our super sacks on two opposing sides according to 172.514 (c) (3) and (4). USA Trucking insists that the same shipment requires the trucks to be marked with orange panels according to 172.331 (c).

The trucking companies have agreed among themselves to charge an extra \$125 per load if their trucks are placarded or paneled and this potential increase in cost, if not required, is considerable to rubber manufacturers. Our view is that placards are clearly not required but the words "is not visible" in 172.331 (c) seem to support orange panels. A further question would be if shipments of returned empty super sacks should also be paneled.

A letter from your office is the only thing that will clear the air with our truckers.

We appreciate any help you can give us.

Sincerely,



Jerry J. Jennett  
President

JJJ/nda

*Engrum*  
*\$ 172.504*  
*172.516*  
*Placarding*  
*05-0158*

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