



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

NOV 28 2007

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

Mr. Mark Morgan, Esq.  
Regulatory Counsel  
Petroleum Transportation & Storage Association  
4200 Wisconsin Avenue NW, Suite 106  
Washington, DC 20016

Ref. No. 07-0100

Dear Mr. Morgan:

This responds to your May 8, 2007 letter and subsequent emails requesting clarification of information provided in a July 31, 2006 letter (Ref. No. 06-0122) to Mr. Michael Ritchie of the Minnesota Department of Transportation regarding the appropriate proper shipping names for biodiesel blends B2 and B20.

Mr. Ritchie indicated that the biodiesel blends B2 and B20 consist of diesel fuel mixed with biodiesel at blending rates of 2% and 20% biodiesel, respectively. According to Mr. Ritchie, the biodiesel blends have flash points meeting the criteria for Class 3 (flammable) liquids under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Mr. Ritchie asked about shipping names appropriate for these products. In our July 31, 2006 letter, we stated that the B2 and B20 diesel/fuel oil/biodiesel blends must be described with the proper shipping names "Diesel fuel solution, NA1993," "Diesel fuel solution, UN1202," "Fuel oil solution, NA 1993," or "Flammable liquid, n.o.s. (diesel fuel/fuel oil) UN 1993."

As indicated in our initial letter, a mixture or solution of a hazardous material identified in the § 172.101 Hazardous Materials Table (HMT) by technical name and a non-hazardous material must be described using the proper shipping name of the hazardous material and the qualifying word "mixture" or "solution" unless otherwise excepted (see § 172.101(c)(10)). It is our understanding that diesel fuel/biodiesel blends that contain up to 5% biodiesel meet the criteria established in ASTM Standard D 975 for diesel fuel. For this reason, we are revising our response concerning the appropriate proper shipping name for biodiesel blend B2 – a shipper may use the proper shipping name "diesel fuel" without the qualifying term "solution" for diesel fuel/biodiesel blends containing up to 5% biodiesel.

The following chart shows the proper shipping names that may be used to describe the above-referenced blends of diesel fuel and biodiesel:

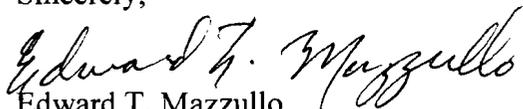
Blend	Components	Authorized Proper Shipping Names
B2	98% diesel fuel blended with 2% biodiesel	Diesel fuel, NA1993 Diesel fuel, UN1202 Gas oil, UN1202
B20	80% diesel fuel blended with 20% biodiesel	Diesel fuel solution, NA1993 Diesel fuel solution, UN1202 Gas oil solution, UN1202

Paragraphs (c)(4) and (c)(5) of section 172.336 provide an exception from UN identification number marking requirements for liquid petroleum distillate fuels. In accordance with this section, UN identification numbers are not required for each of the liquid petroleum distillate fuels transported in cargo tanks or compartmented cargo tanks provided the identification number is displayed for the distillate fuel having the lowest flash point. In conversations subsequent to your letter, you asked whether the exception from UN identification number marking requirements for liquid petroleum distillate fuels may be utilized for diesel fuel/biodiesel blends. The answer is yes. Thus, for petroleum distillate fuels, including diesel fuel/biodiesel blends, transported in cargo tanks or multi-compartmented cargo tanks, you may mark the transport vehicle with the UN identification number for the distillate fuel having the lowest flashpoint.

In addition to the above mentioned products, you asked about the proper shipping name for ethanol blend E10. Please note that, in a notice of proposed rulemaking (NPRM) published under Docket Number HM-218D (71 FR 55757; September 25, 2006), we proposed to add a new entry to the HMT for ethanol and gasoline mixtures containing more than 10% ethanol and to revise the HMT entries "Gasohol, gasoline mixed with ethyl alcohol, with not more than 20 percent alcohol," NA1203 and "Gasoline," UN1203. The proposed revisions are intended to help emergency response personnel respond appropriately to incidents involving such fuel mixtures. A copy of the HM-218D NPRM is enclosed.

I hope this information is helpful. Please contact us if you require additional assistance.

Sincerely,



Edward T. Mazzullo

Director

Office of Hazardous Materials Standards

Enclosure: HM-218D, Hazardous Materials; Miscellaneous Amendments, Notice of proposed rulemaking

Cc: Mr. Michael Ritchie  
Minnesota Department of Transportation



Petroleum Transportation & Storage Association

Der Kinderen  
§172.101  
Proper Shipping Name  
07-0100

May 8, 2007

Hattie Mitchell, Chief  
Regulatory Review and Reinvention  
U.S. DOT PHMSA  
East Building PHH-10  
1200 New Jersey Avenue, S.E.  
Washington, D.C. 20590

RE: HAZMAT Shipping Papers for Biodiesel and Ethanol

Dear Ms Mitchell:

In a letter dated July 31, 2006 to Mike Ritchie, Minnesota Department of Transportation (Ref. No. 06-0122) you clarified HMR; 49 CFR Parts 171-180 regarding proper shipping names for diesel fuel and fuel oils mixed with vegetable and animal oils and gasoline mixed with denatured alcohol (biodiesel and ethanol).

The U.S. DOT Hazardous Material Hotline is providing information for these shipping papers that differ from the proper shipping names contained in your letter to Mr. Ritchie. Please confirm that the following shipping names comply with the HMR for bio-diesel and ethanol blends:

- **B-2 Biodiesel**

"Diesel Fuel Solution NA1993 PG III" *or*

"Fuel Oil Solution NA1993 PG III" *or*

"Diesel Fuel Solution UN1202 PG III"

- **B-20 Biodiesel**

"Fuel Oil Solution NA1993 PG III" *or*

"Flammable Liquid n.o.s. (fuel oil solution) UN1993 PG II"

- **E-10**

"Gasohol NA1203 PG II" *or,*

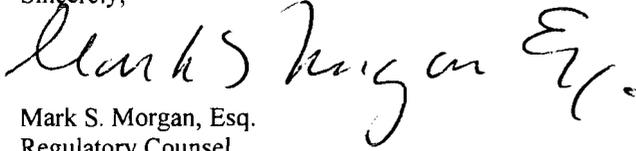
"Flammable Liquid, n.o.s. (contains gasoline with 10% denatured alcohol) UN 1993 PG II"

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Since there remains considerable confusion regarding this issue among not only the regulated industry but also within state and federal transportation enforcement authorities, I am requesting an expedited response to this inquiry.

If you should have any questions, please do not hesitate to contact me at (202) 364-6767 or [mmorganpts@cox.net](mailto:mmorganpts@cox.net). Thank you.

Sincerely,



Mark S. Morgan, Esq.  
Regulatory Counsel

Petroleum Marketers Association of America  
Petroleum Transportation and Storage Association

cc: Dan Gilligan, President  
Petroleum Marketers Association of America