



U.S. Department
of Transportation

Pipeline and Hazardous
Materials Safety
Administration

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

SEP 09 2014

Mr. John Billingsley
GP Trucking
125 Access Road
Gaston, SC 29053

Ref. No. 14-0130

Dear Mr. Billingsley:

This is a response to your June 30, 2014 email requesting clarification of general requirements for loading and unloading under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you request clarification on whether failure to secure the non-hazardous cargo in a mixed hazardous and non-hazardous shipment would be a violation of § 177.834.

The answer is no. The requirements found in § 177.834 are applicable to the carriage of packages containing hazardous materials by highway. However, in accordance with § 177.804(a), compliance with applicable Federal Motor Carrier Safety Regulations (FMCSR) is required. Regulations covering protection against shifting and falling cargo can be found in 49 CFR Part 393, Subpart I.

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

Sincerely,

Dirk Der Kinderen
Acting Chief, Standards Development
Standards and Rulemaking Division

Suchat
177.834
General Requirements
14-0130

Dodd, Alice (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Monday, June 30, 2014 3:47 PM
To: Hazmat Interps
Subject: FW: Hazmat Information Center Feedback: Specifications for Packagings (Sections 178.1 – 178.819)

This caller requested we submit this e-mail as a formal letter of interpretation for a written response. Thanks, Victoria

-----Original Message-----

From: PHMSA Webmaster
Sent: Monday, June 30, 2014 12:22 PM
To: PHMSA HM InfoCenter; PHMSA Webmaster
Subject: Hazmat Information Center Feedback: Specifications for Packagings (Sections 178.1 – 178.819)

When carrying Hazardous and non-hazardous materials in a towed unit , would failing to secure the non-hazardous portion of the load be considered a violation of 177.834?

Name: John Billingsley
Organization:
Email: bilj@gptruck.com
Phone: 803.936.8585
FAX:

Suchak, Neal (PHMSA)

From: Bomgardner, Paul (FMCSA)
Sent: Thursday, August 28, 2014 9:21 AM
To: Suchak, Neal (PHMSA); Hardridge, John (FMCSA)
Cc: Rach, Suzanne (FMCSA)
Subject: RE: Interp for review

Neal:

Pretty much sums it up. I concur.

Thanks,
Paul

From: Suchak, Neal (PHMSA)
Sent: Thursday, August 28, 2014 9:01 AM
To: Hardridge, John (FMCSA)
Cc: Bomgardner, Paul (FMCSA); Rach, Suzanne (FMCSA)
Subject: Interp for review

Good morning,

Would you all mind reviewing the attached interp and providing comment/FMCSA concurrence? It's fairly simple this time (no cargo tanks!). As always, I appreciate your time and input! Thanks.

Respectfully,

Neal Suchak