



U.S. Department  
of Transportation

1200 New Jersey Avenue SE  
Washington, DC 20590

**Pipeline and Hazardous  
Materials Safety  
Administration**

SEP 17 2015

Daniel Stoehr  
Daniels Training Services  
PO Box 1232  
Freeport, IL 61032

Reference No. 15-0120

Dear Mr. Stoehr:

This is in response to your June 16, 2015 e-mail requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the marking, labeling, and placarding requirements of transport vehicles containing Intermediate Bulk Containers (IBCs). Your questions are paraphrased and answered below:

- Q1. You ask whether an IBC which uses the exception in § 172.514(c)(4) to display the proper shipping name and identification number markings in accordance with the size requirements of § 172.302(b)(2) in place of the identification number marking on an orange panel or placard, or white square-on-point specified in § 172.302(a), when labeling instead of placarding, must display the markings on two or more opposing sides.
- A1. The answer is no. Section 172.336(d) permits a bulk packaging that is labeled instead of placarded in accordance with § 172.514(c) to display identification number markings consistent with the non-bulk marking requirements of § 172.301(a)(1). Therefore, the proper shipping name and identification number must only be marked on one side of the package. Additionally, under § 172.331(c), the transport vehicle must also be marked on each side and each end with the identification numbers in the appropriate orange panel, placard or white square-on-point configuration as required by § 172.332.
- Q2. You ask whether the requirement to display labels on two opposing sides for an IBC having a volume more than 64 ft in § 172.406(e), requires an additional duplicate marking so that the labels and markings are on the same surfaces of the package in accordance with § 172.406 (a)(1)(ii).
- A2. The answer is no. Section 172.406(a)(1) provides an exception for packages requiring duplicate labeling in accordance with paragraph (e) of that section. We note, however, that you may permissively display additional markings.

I hope this satisfies your request.

Sincerely,

A handwritten signature in cursive script that reads "T. Glenn Foster". The signature is written in black ink and is positioned below the word "Sincerely,".

T. Glenn Foster  
Chief, Regulatory Review and Reinvention Branch  
Standards and Rulemaking Division

**Dodd, Alice (PHMSA)**

Lehman  
§ 172.514(c)(4)  
Bulk Packaging  
15-0120

**From:** Geller, Shelby CTR (PHMSA)  
**Sent:** Tuesday, June 16, 2015 2:32 PM  
**To:** Hazmat Interps  
**Subject:** FW: Request for Letter of Interpretation Regarding Marking Requirements for IBCs

Dear Shante and Alice,

Forwarded is a request for a formal letter of interpretation. Mr. Stoehr spoke with Adam Lucas in the HMIC.

Thanks,  
Shelby

**From:** Daniel Stoehr [mailto:info@danielstraining.com]  
**Sent:** Tuesday, June 16, 2015 11:48 AM  
**To:** INFOCNTR (PHMSA)  
**Subject:** Fwd: Request for Letter of Interpretation Regarding Marking Requirements for IBCs

**Please disregard my email sent earlier (just a few minutes ago) on this subject. The message below contains additional information.**

----- Forwarded message -----

**From:** Daniel Stoehr <info@danielstraining.com>  
**Date:** Tue, Jun 16, 2015 at 10:30 AM  
**Subject:** Request for Letter of Interpretation Regarding Marking Requirements for IBCs  
**To:** [infocntr@dot.gov](mailto:infocntr@dot.gov)

My question relates to the marking requirements in 49 CFR, Subpart D of the Hazardous Material Regulations for an IBC (Intermediate Bulk Container). Due to the inter-related nature of the regulations - and relief from them - regarding hazard communication on IBCs, the regulations related to labels and placards, 49 CFR Subparts E and F respectively, must be considered as well.

***My question is this: How many times must the proper shipping name and identification number appear on an IBC that is using the relief of 49 CFR 172.514(c)(4) to display labels instead of placards?***

§172.514(a) by reference to §172.504(a) requires a bulk packaging, such as an IBC, to be placarded on each side and each end, i.e. all four sides. §172.514(c) includes relief from placards on all four sides and allows for placards on certain bulk packagings to be displayed on two opposing sides or alternatively, to be labeled per 49 CFR 172, Subpart E (no reference is made here to the display of labels on two opposing sides). §172.514(c)(4) specifies that an IBC labeled according to 49 CFR 172, Subpart E may display the proper shipping name and identification number in accordance with the size requirements of §172.302(b)(2), i.e. width of at least 0.16" and height of at least 1". §172.514(c)(4) also indicates that this marking option (proper shipping name and identification number) may be used in place of the UN number on an orange panel, placard or white square-on-point.

No mention is made at §172.514(c)(4) of the placement of the proper shipping name or identification number on the IBC or if it is to be displayed on one side, on two opposing sides, or on each side and each end. §172.302

indicates that bulk packagings of <1,000 gallon capacity must display the required identification number on two opposing sides while those bulk packagings with a capacity at or above 1,000 gallons must display the identification number on each side and each end. A person may be led to believe that the proper shipping name and identification number marking required by §172.514(c)(4) is required on two opposing sides since it is to be used, "in place of the UN number on an orange panel, placard or white square-on-point".

Further complicating the issue is the requirement of §172.406(e)(6) to display labels on at least two sides or two ends (other than the bottom) for an IBC with a volume of 64 cubic feet (~479 gallons) or more. This requirement for the duplicate placement of the required labels is important because §172.406(a)(1)(iii) requires labels to be displayed *on the same surface of the package and near the proper shipping name marking* (emphasis mine).

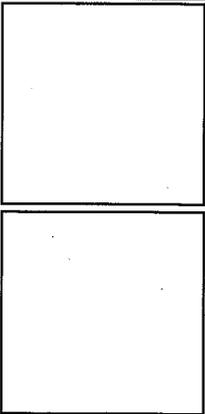
However, §172.336(d) may apply. It reads that a bulk packaging that is labeled instead of placarded per §172.514(c), may display the identification number (no mention of the proper shipping name) according to §172.301(a)(1) which is the general marking requirements for a non-bulk packaging. A person can assume that this means the identification number on an IBC in this circumstance need only be displayed once. Note: Letter of interpretation 12-0059 makes clear that the size requirements of §172.302(b)(2) for the markings would continue to apply.

What are the requirements for the proper shipping name and identification number marking in the following scenarios? (Shipper is using the relief of 49 CFR 172.514(c)(4) to display labels according to Subpart E instead of placards):

1. An IBC with a volume of less than 64 cubic feet.
2. An IBC with a volume of equal to or greater than 64 cubic feet.

Thank you in advance for your assistance.

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Daniel Stoehr  
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