



U.S. Department of Transportation
Pipeline and Hazardous Materials
Safety Administration

1200 New Jersey Avenue, SE
Washington, DC 20590

DEC 18 2009

Mr. John Macpherson
Region Maintenance Manager
CHS Transportation
16682B 245th Street
Mason City, IA 50401

Reference No. 09-0184

Dear Mr. Macpherson:

This is in response to your August 11, 2009 letter concerning placarding requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if you may use the opposite side of a metal plate mounted on a cargo tank motor vehicle to display the proper shipping name and coordinating placard with UN identification number for "UN 1075, Liquefied petroleum gas (LPG), 2.1 (flammable gas)" and "UN 1005, Ammonia, anhydrous, 2.2 (non-flammable gas)."

According to your letter and the enclosed pictures, you flip the plate to display the appropriate placard and identification number marking for the material in the cargo tank motor vehicle; however, the opposite side showing the placard for the material not in the cargo tank remains visible from certain angles. You ask if this is a violation of § 172.502(a)(1) of the HMR, which prohibits the display of a placard on a packaging, freight container, unit load device, motor vehicle or rail car offered for or transported in commerce unless the placard represents a hazard of the material being transported.

The answer is yes. In the photographs you enclosed, the placards and markings on the sides of the plates facing the vehicle, which do not represent the material contained in the cargo tank, are visible from the road and may confuse a responder to an emergency situation involving one of these vehicles. However, if your company were to cover the interior markings and placard in a way that obscured their view from the road, the plates would conform with § 172.502(a)(1).

I hope this satisfies your request.

Sincerely,

Hattie L. Mitchell
Chief, Regulatory Review and Reinvention
Office of Hazardous Materials Standards



CHS Transportation
16682B 245th Street
Mason City, IA 50401
PH: (641) 422-9346
Fax: (641) 422-9348

August 11, 2009

Edmonson
§172.502(a)(1)
Placarding
09-0184

Mr. Edward T. Mazzullo
Director, Office of Hazardous Material Standards
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590

RE: 172.502

Dear Mr. Mazzullo,

CHS Transportation is a division of CHS Inc. We operate approximately 322 MC331 DOT Transport vessels carrying Liquefied Petroleum Gas and Anhydrous Ammonia products through the U.S. During the spring we will convert these vessels from LPG to NH₃. In the fall of the year we will convert them back from NH₃ to LPG. Because these vessels are in dedicated service, and to control cost, it has been our practice since 1972 to affix the placards to a panel and attach to the front, rear, and both sides. During the conversion process we will flip the panels over displaying the product intended to be hauled.

Recently we have been informed by the State of Wisconsin that our practice of flipping the Placards will not be allowed because it is not in compliance with 172.502(a)(1). Specifically they are stating because you can see part of the Placard when looking at them from the rear they can be confused with the product actually being hauled. I have enclosed some pictures depicting the issue so you have a clear understanding of the issue.

Question: Is our practice of flipping the Placards in violation of 172.502?

Sincerely,

John Macpherson

CHS Transportation
Region Maintenance Manager
16682B 245th Street
Mason City, IA 50401
PH: (641) 422-9346
FX: (641) 422-9348
CELL: (605) 201-8666
John.macpherson@chsinc.com