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(i) Sign and date the manifest acknowledging acceptance of the hazardous waste;

(ii) Return a signed copy of the manifest to the non-rail transporter;

(iii) Forward at least three copies of the manifest to:

(A) The next non-rail transporter, if any;

(B) The designated facility, if the shipment is delivered to that facility by rail; or

(C) The last rail transporter designated to handle the waste in the United States; and

(iv) Retain one copy of the manifest and rail shipping paper in accordance with 40 CFR 263.22.

(2) Rail transporters must ensure that a shipping paper containing all the information required on the manifest (excluding the EPA identification numbers, generator certification and signatures) and, for exports, an EPA Acknowledgment of Consent accompanies the hazardous waste at all times. Intermediate rail transporters are not required to sign either the manifest or shipping paper.

(3) When delivering hazardous waste to the designated facility, a rail transporter must:

(i) Obtain the date of delivery and handwritten signature of the owner or operator of the designated facility on the manifest or the shipping paper (if the manifest has not been received by the facility); and

(ii) Retain a copy of the manifest or signed shipping paper in accordance with 40 CFR 263.22.

(4) When delivering hazardous waste to a non-rail transporter, a rail transporter must:

(i) Obtain the date of delivery and the handwritten signature of the next non-rail transporter on the manifest; and

(ii) Retain a copy of the manifest in accordance with 40 CFR 263.22.

(5) Before accepting hazardous waste from a rail transporter, a non-rail transporter must sign and date the manifest and provide a copy to the rail transporter.

(g) The person delivering a hazardous waste to an initial rail carrier shall send a copy of the manifest, dated and signed by a representative of the rail carrier, to the person representing the designated facility.

(h) A hazardous waste manifest required by 40 CFR part 262, containing all of the information required by this subpart, may be used as the shipping paper required by this subpart.

(i) The shipping description for a hazardous waste must be modified as required by §172.101(c)(9).

[Amdt. 172–58, 45 FR 34698, May 22, 1980, as amended by Amdt. 172–90, 49 FR 10510, Mar. 20, 1984; 49 FR 11184, Mar. 26, 1984; Amdt. 172–248, 61 FR 28675, June 5, 1996; 70 FR 34075, June 13, 2005]

Subpart D—Marking

§172.300 Applicability.

(a) Each person who offers a hazardous material for transportation shall mark each package, freight container, and transport vehicle containing the hazardous material in the manner required by this subpart.

(b) When assigned the function by this subpart, each carrier that transports a hazardous material shall mark each package, freight container, and transport vehicle containing the hazardous material in the manner required by this subpart.

(c) Unless otherwise provided in a specific rule, stocks of preprinted packagings marked in accordance with this subpart prior to the effective date of a final rule may be continued in use, in the manner previously authorized, until depleted or for a one-year period subsequent to the compliance date of the marking amendment, whichever is less.

[Amdt. 172–101, 45 FR 74666, Nov. 10, 1980, as amended at 76 FR 3365, Jan. 19, 2011]

§172.301 General marking requirements for non-bulk packagings.

(a) *Proper shipping name and identification number.* (1) Except as otherwise provided by this subchapter, each person who offers a hazardous material for transportation in a non-bulk packaging must mark the package with the proper shipping name and identification number (preceded by ''UN'', ''NA'' or ''ID,'' as appropriate) for the material as shown in the §172.101 Table.

(2) The proper shipping name for a hazardous waste (as defined in §171.8 of

this subchapter) is not required to include the word ''waste'' if the package bears the EPA marking prescribed by 40 CFR 262.32.

(3) *Large quantities of a single hazardous material in non-bulk packages.* A transport vehicle or freight container containing only a single hazardous material in non-bulk packages must be marked, on each side and each end as specified in the §172.332 or §172.336, with the identification number specified for the hazardous material in the §172.101 Table, subject to the following provisions and limitations:

(i) Each package is marked with the same proper shipping name and identification number;

(ii) The aggregate gross weight of the hazardous material is 4,000 kg (8,820 pounds) or more;

(iii) All of the hazardous material is loaded at one loading facility;

(iv) The transport vehicle or freight container contains no other material, hazardous or otherwise; and

(v) The identification number marking requirement of this paragraph (a)(3) does not apply to Class 1, Class 7, or to non-bulk packagings for which identification numbers are not required.

(b) *Technical names.* In addition to the marking required by paragraph (a) of this section, each non-bulk packaging containing a hazardous material subject to the provisions of §172.203(k) of this part, except for a Division 6.2 material, must be marked with the technical name in parentheses in association with the proper shipping name in accordance with the requirements and exceptions specified for display of technical descriptions on shipping papers in §172.203(k) of this part. A technical name should not be marked on the outer package of a Division 6.2 material.

(c) *Special permit packagings.* Except as provided in §173.23 of this subchapter, the outside of each package authorized by a special permit must be plainly and durably marked ''DOT–SP'' followed by the special permit number assigned. Packages authorized by an exemption issued prior to October 1, 2007, may be plainly and durably marked ''DOT–E'' in lieu of ''DOT–SP'' followed by the number assigned as specified in the most recent version of that exemption.

(d) *Consignee's or consignor's name and address.* Each person who offers for transportation a hazardous material in a non-bulk package shall mark that package with the name and address of the consignor or consignee except when the package is—

(1) Transported by highway only and will not be transferred from one motor carrier to another; or

(2) Part of a carload lot, truckload lot or freight container load, and the entire contents of the rail car, truck or freight container are shipped from one consignor to one consignee.

(e) *Previously marked packagings.* A package which has been previously marked as required for the material it contains and on which the marking remains legible, need not be remarked. (For empty packagings, see §173.29 of this subchapter.)

(f) *NON-ODORIZED marking on cylinders containing LPG.* No person may offer for transportation or transport a specification cylinder, except a Specification 2P or 2Q container or a Specification 39 cylinder, that contains an unodorized Liquefied petroleum gas (LPG) unless it is legibly marked NON-ODORIZED or NOT ODORIZED in letters not less than 6.3 mm (0.25 inches) in height near the marked proper shipping name required by paragraph (a) of this section.

[Amdt. 172–123, 55 FR 52590, Dec. 21, 1990, as amended by Amdt. 172–151, 62 FR 1227, Jan. 8, 1997; 62 FR 39404, July 22, 1997; 63 FR 16075, Apr. 1, 1998; 66 FR 45182, Aug. 28, 2001; 68 FR 45030, July 31, 2003; 69 FR 64471, Nov. 4, 2004; 70 FR 73164, Dec. 9, 2005; 71 FR 32258, June 2, 2006; 76 FR 3365, Jan. 19, 2011; 76 FR 56314, Sept. 13, 2011]

§172.302 General marking requirements for bulk packagings.

(a) *Identification numbers.* Except as otherwise provided in this subpart, no person may offer for transportation or transport a hazardous material in a bulk packaging unless the packaging is marked as required by §172.332 with the identification number specified for the material in the §172.101 table—

(1) On each side and each end, if the packaging has a capacity of 3,785 L (1,000 gallons) or more;

(2) On two opposing sides, if the packaging has a capacity of less than 3,785 L (1,000 gallons); or

(3) For cylinders permanently installed on a tube trailer motor vehicle, on each side and each end of the motor vehicle.

(b) *Size of markings.* Except as otherwise provided, markings required by this subpart on bulk packagings must—

(1) Have a width of at least 6.0 mm (0.24 inch) and a height of at least 100 mm (3.9 inches) for rail cars;

(2) Have a width of at least 4.0 mm (0.16 inch) and a height of at least 25 mm (one inch) for portable tanks with capacities of less than 3,785 L (1,000 gallons) and IBCs; and

(3) Have a width of at least 6.0 mm (0.24 inch) and a height of at least 50 mm (2.0 inches) for cargo tanks and other bulk packagings.

(c) *Special permit packagings.* Except as provided in §173.23 of this subchapter, the outside of each package used under the terms of a special permit must be plainly and durably marked ''DOT–SP'' followed by the special permit number assigned. Packages authorized by an exemption issued prior to October 1, 2007 may be plainly and durably marked ''DOT–E'' in lieu of ''DOT–SP'' followed by the number assigned as specified in the most recent version of that exemption.

(d) Each bulk packaging marked with a proper shipping name, common name or identification number as required by this subpart must remain marked when it is emptied unless it is—

(1) Sufficiently cleaned of residue and purged of vapors to remove any potential hazard; or

(2) Refilled, with a material requiring different markings or no markings, to such an extent that any residue remaining in the packaging is no longer hazardous.

(e) Additional requirements for marking portable tanks, cargo tanks, tank cars, multi-unit tank car tanks, and other bulk packagings are prescribed in §§172.326, 172.328, 172.330, and 172.331, respectively, of this subpart.

(f) A bulk packaging marked prior to October 1, 1991, in conformance to the regulations of this subchapter in effect on September 30, 1991, need not be remarked if the key words of the proper shipping name are identical to those currently specified in the §172.101 table. For example, a tank car marked ''NITRIC OXIDE'' need not be remarked ''NITRIC OXIDE, COMPRESSED''.

(g) A rail car, freight container, truck body or trailer in which the lading has been fumigated with any hazardous material, or is undergoing fumigation, must be marked as specified in §173.9 of this subchapter.

[Amdt. 172–123, 55 FR 52591, Dec. 21, 1990, as amended at 56 FR 66254, Dec. 20, 1991; Amdt. 172–150, 61 FR 50624, Sept. 26, 1996; Amdt. 172–151, 62 FR 1228, Jan. 8, 1997; 62 FR 39398, July 22, 1997; 66 FR 45379, Aug. 28, 2001; 70 FR 73164, Dec. 9, 2005; 72 FR 55692, Oct. 1, 2007]

§172.303 Prohibited marking.

(a) No person may offer for transportation or transport a package which is marked with the proper shipping name, the identification number of a hazardous material or any other markings indicating that the material is hazardous (e.g., RQ, INHALATION HAZARD) unless the package contains the identified hazardous material or its residue.

(b) This section does not apply to—

(1) Transportation of a package in a transport vehicle or freight container if the package is not visible during transportation and is loaded by the shipper and unloaded by the shipper or consignee.

(2) Markings on a package which are securely covered in transportation.

(3) The marking of a shipping name on a package when the name describes a material not regulated under this subchapter.

[Amdt. 172–123, 55 FR 52591, Dec. 21, 1990, as amended at 56 FR 66254, Dec. 20, 1991; 72 FR 55692, Oct. 1, 2007]

§172.304 Marking requirements.

(a) The marking required in this subpart—

(1) Must be durable, in English and printed on or affixed to the surface of a package or on a label, tag, or sign.

(2) Must be displayed on a background of sharply contrasting color;

(3) Must be unobscured by labels or attachments; and

(4) Must be located away from any other marking (such as advertising) that could substantially reduce its effectiveness.

(b) [Reserved]

[Amdt. 172–29, 41 FR 15996, Apr. 15, 1976, as amended by Amdt. 172–29B, 41 FR 57067, Dec. 30, 1976]

§ 172.306 [Reserved]

§ 172.308 Authorized abbreviations.

(a) Abbreviations may not be used in a proper shipping name marking except as authorized in this section.

(b) The abbreviation ''ORM'' may be used in place of the words ''Other Regulated Material.''

(c) Abbreviations which appear as authorized descriptions in column 2 of the § 172.101 table (e.g., ''TNT'' and ''PCB'') are authorized.

[Amdt. 172–123, 55 FR 52591, Dec. 21, 1990, as amended by Amdt. 172–145, 60 FR 49110, Sept. 21, 1995]

§ 172.310 Class 7 (radioactive) materials.

In addition to any other markings required by this subpart, each package containing Class 7 (radioactive) materials must be marked as follows:

(a) Each package with a gross mass greater than 50 kg (110 lb) must have its gross mass including the unit of measurement (which may be abbreviated) marked on the outside of the package.

(b) Each industrial, Type A, Type B(U), or Type B(M) package must be legibly and durably marked on the outside of the packaging, in letters at least 13 mm (0.5 in) high, with the words ''TYPE IP–1,'' ''TYPE IP–2,'' ''TYPE IP–3,'' ''TYPE A,'' ''TYPE B(U)'' or ''TYPE B(M),'' as appropriate. A package which does not conform to Type IP–1, Type IP–2, Type IP–3, Type A, Type B(U) or Type B(M) requirements may not be so marked.

(c) Each package which conforms to an IP–1, IP–2, IP–3 or a Type A package design must be legibly and durably marked on the outside of the packaging with the international vehicle registration code of the country of origin of the design. The international vehicle registration code for packages designed by a United States company or agency is the symbol ''USA.''

(d) Each package which conforms to a Type B(U) or Type B(M) package design must have the outside of the outermost receptacle, which is resistant to the effects of fire and water, plainly marked by embossing, stamping or other means resistant to the effects of fire and water with a radiation symbol that conforms to the requirements of Appendix B of this part.

(e) Each Type B(U), Type B(M) or fissile material package destined for export shipment must also be marked ''USA'' in conjunction with the specification marking, or other package certificate identification. (See §§ 173.471, 173.472, and 173.473 of this subchapter.)

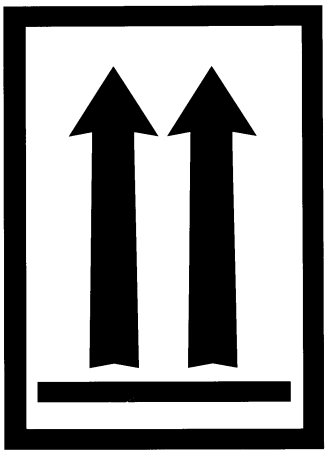
[Docket No. RSPA–99–6283 (HM–230), 69 FR 3668, Jan. 26, 2004]

§ 172.312 Liquid hazardous materials in non-bulk packagings.

(a) Except as provided in this section, each non-bulk combination package having inner packagings containing liquid hazardous materials, single packaging fitted with vents, or open cryogenic receptacle intended for the transport of refrigerated liquefied gases must be:

(1) Packed with closures upward, and

(2) Legibly marked with package orientation markings that are similar to the illustration shown in this paragraph, on two opposite vertical sides of the package with the arrows pointing in the correct upright direction. The arrows must be either black or red on white or other suitable contrasting background and commensurate with the size of the package. Depicting a rectangular border around the arrows is optional.



Package orientation

(b) Arrows for purposes other than indicating proper package orientation may not be displayed on a package containing a liquid hazardous material.

(c) The requirements of paragraph (a) of this section do not apply to—

(1) A non-bulk package with inner packagings which are cylinders.

(2) Except when offered or intended for transportation by aircraft, packages containing flammable liquids in inner packagings of 1 L or less prepared in accordance with §173.150 (b) or (c) of this subchapter.

(3) When offered or intended for transportation by aircraft, packages containing flammable liquids in inner packagings of 120 mL (4 fluid oz.) or less prepared in accordance with §173.150 (b) or (c) of this subchapter when packed with sufficient absorption material between the inner and outer packagings to completely absorb the liquid contents.

(4) Liquids contained in manufactured articles (e.g., alcohol or mercury in thermometers) which are leak-tight in all orientations.

(5) A non-bulk package with hermetically sealed inner packagings not exceeding 500 mL each.

(6) Packages containing liquid infectious substances in primary receptacles not exceeding 50 mL (1.7 oz.).

(7) Class 7 radioactive material in Type A, IP–2, IP–3, Type B(U), or Type B(M) packages.

[Amdt. 172–123, 55 FR 52591, Dec. 21, 1990, as amended at 56 FR 66254, Dec. 20, 1991; 57 FR 45458, Oct. 1, 1992; 64 FR 51918, Sept. 27, 1999; 66 FR 45379, Aug. 28, 2001; 68 FR 45030, July 31, 2003; 71 FR 54395, Sept. 14, 2006; 71FR 78627, Dec. 29, 2006; 76 FR 3365, Jan. 19, 2011]

§172.313 Poisonous hazardous materials.

In addition to any other markings required by this subpart:

(a) A material poisonous by inhalation (see §171.8 of this subchapter) shall be marked ''Inhalation Hazard'' in association with the required labels or placards, as appropriate, and shipping name when required. The marking must be on two opposing sides of a bulk packaging. (See §172.302(b) of this subpart for size of markings on bulk packages.) When the words ''Inhalation Hazard'' appear on the label, as prescribed in §§172.416 and 172.429, or placard, as prescribed in §§172.540 and 172.555, the ''Inhalation Hazard'' marking is not required on the package.

(b) Each non-bulk plastic outer packaging used as a single or composite packaging for materials meeting the definition of Division 6.1 (in §173.132 of this subchapter) shall be permanently marked, by embossment or other durable means, with the word ''POISON'' in letters at least 6.3 mm (0.25 inch) in height. Additional text or symbols related to hazard warning may be included in the marking. The marking shall be located within 150 mm (6 inches) of the closure of the packaging.

(c) A transport vehicle or freight container containing a material poisonous by inhalation in non-bulk packages shall be marked, on each side and each end as specified in §172.332 or §172.336, with the identification number specified for the hazardous material in the §172.101 table, subject to the following provisions and limitations:

(1) The material is in Hazard Zone A or B;

(2) The transport vehicle or freight container is loaded at one facility with 1,000 kg (2,205 pounds) or more aggregate gross weight of the material in non-bulk packages marked with the

same proper shipping name and identification number; and

(3) If the transport vehicle or freight container contains more than one material meeting the provisions of this paragraph (c), it shall be marked with the identification number for one material, determined as follows:

(i) For different materials in the same hazard zone, with the identification number of the material having the greatest aggregate gross weight; and

(ii) For different materials in both Hazard Zones A and B, with the identification number for the Hazard Zone A material.

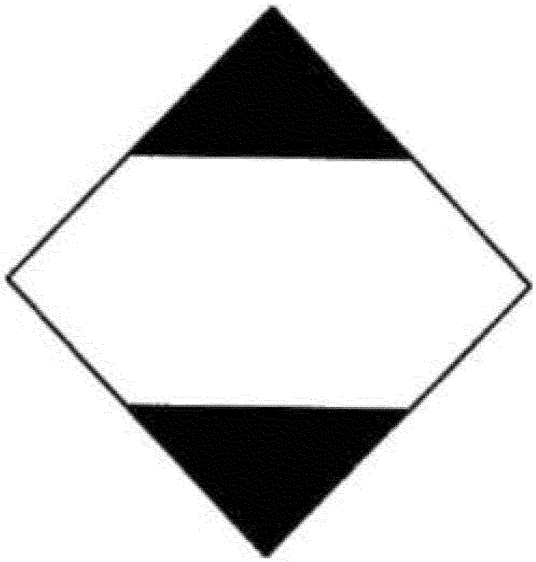
(d) For a packaging containing a Division 6.1 PG III material, ''PG III'' may be marked adjacent to the POISON label. (See § 172.405(c).)

[Amdt. 172–123, 55 FR 52592, Dec. 21, 1990, as amended at 57 FR 46624, Oct. 9, 1992; Amdt. 172–151, 62 FR 1228, Jan. 8, 1997; 62 FR 39398, 39405, July 22, 1997; 63 FR 16075, Apr. 1, 1998; 64 FR 10776, Mar. 5, 1999]

§ 172.315 Limited quantities.

(a) *Modes other than air transport.* Except for an article or substance of Class 7 prepared in accordance with subpart I of part 173, a package prepared in accordance with applicable limited quantity requirements in part 173 of this subchapter and offered for transportation by a mode other than air must display the limited quantity marking shown in paragraph (a)(1) of this section. A package displaying this mark is not subject to the marking requirements of § 172.301 of this subpart unless the limited quantity package also contains a hazardous substance or a hazardous waste. Required markings need not be duplicated if already marked as prescribed elsewhere in this subpart. As an alternative, a packaging may display the limited quantity ''Y'' mark shown in paragraph (b) of this section if the package conforms to authorized substance and article provisions and the inner and outer package quantity limits in § 173.27(f) of this subchapter.

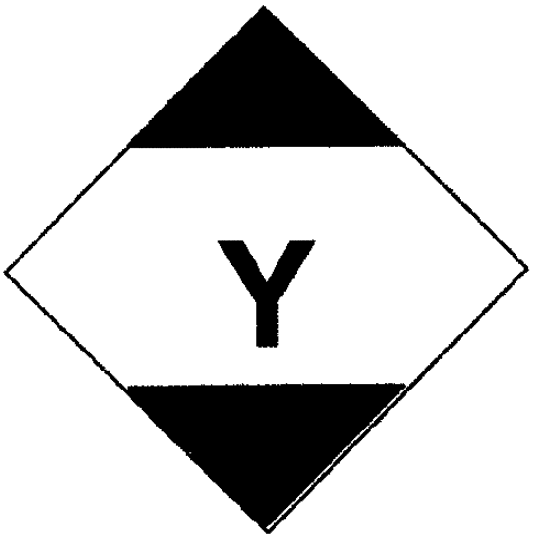
(1) *Marking description.* The top and bottom portions of the square-on-point and the border forming the square-on-point must be black and the center white or of a suitable contrasting background as follows:



(2) The square-on-point must be durable, legible and of a size relative to the packaging, readily visible, and must be applied on at least one side or one end of the outer packaging. The width of the border forming the square-on-point must be at least 2 mm and the minimum dimension of each side must be 100 mm unless the packaging size requires a reduced size marking that must be no less than 50 mm on each side. When intended for transportation by vessel, a cargo transport unit (see §176.2 of this subchapter) containing packages of hazardous materials in only limited quantities must be marked once on each side and once on each end of the exterior of the unit with an identical mark which must have minimum dimensions of 250 mm on each side.

(b) *Air transport.* Except for an article or substance of Class 7 prepared in accordance with subpart I of part 173, a package prepared in accordance with air-specific limited quantity requirements prescribed in §173.27 of this subchapter and intended for transportation by air must display the limited quantity mark prescribed in paragraph (b)(1) of this section in addition to other markings required by this subpart (*e.g.*, ''RQ'', proper shipping name, identification number, as appropriate). Required markings need not be duplicated if already marked as prescribed elsewhere in this subpart.

(1) *Marking Description.* The top and bottom portions of the square-on-point and the border forming the square-on-point must be black and the center white or of a suitable contrasting background and the symbol ''Y'' must be black and located in the center of the square-on-point and be clearly visible as follows:



(2) The square-on-point must be durable, legible and of a size relative to the package as to be readily visible. The square-on-point must be applied on at least one side or one end of the outer packaging. The width of the border forming the square-on-point must be at least 2 mm and the minimum dimension of each side must be 100 mm unless the package size requires a reduced size marking that must be no less than 50 mm on each side.

(c) Limited quantity markings prescribed in paragraphs (a) and (b) of this section may use the packaging itself as the contrasting background for the center portion of the marking if the color sufficiently contrasts so that the

black border, top and bottom portions of the square-on-point, and the ''Y'' symbol, if applicable, are clearly recognizable.

(d) *Transitional exceptions*—(1) *Square-on-point with Identification Number*. Except for transportation by aircraft and until December 31, 2013, a package containing a limited quantity may continue to be marked in accordance with the requirements of this section in effect on October 1, 2010 (*i.e.*, square-on-point with Identification Number) as an alternative to the marking required by paragraph (a) of this section. For transportation by aircraft and until December 31, 2012, a package containing a limited quantity may continue to be marked in accordance with the requirements of this section in effect on October 1, 2010 (*i.e.*, square-on-point with Identification Number) as an alternative to the marking required by paragraph (b) of this section.

(2) *ORM–D marked packaging*. Except for transportation by aircraft and until December 31, 2013, a packaging marked in accordance with §172.316 of this subpart is not required to be marked with the limited quantity marking required by paragraph (a) of this section. For transportation by aircraft and until December 31, 2012, a packaging marked in accordance with §172.316 may not be marked with the limited quantity ''Y'' marking required by paragraph (b) of this section unless it also conforms to §173.27(f).

[76 FR 82174, Dec. 30, 2011]

§172.316 Packagings containing materials classed as ORM-D.

(a) Each non-bulk packaging containing a material classed as ORM-D must be marked on at least one side or end with the ORM-D designation immediately following or below the proper shipping name of the material. The ORM designation must be placed within a rectangle that is approximately 6.3 mm (0.25 inches) larger on each side than the designation. The designation for ORM-D must be:

(1) Until December 31, 2012, ORM–D–AIR for an ORM–D that is prepared for air shipment and packaged in accordance with §§173.63, 173.150 through 173.155, 173.306 and the applicable requirements in §173.27.

(2) Until December 31, 2013, ORM–D for an ORM–D that is packaged in accordance with §§173.63, 173.150 through 173.155 and 173.306.

(b) When the ORM-D marking including the proper shipping name can not be affixed on the package surface, it may be on an attached tag.

(c) The marking ORM-D is the certification by the person offering the packaging for transportation that the material is properly described, classed, packaged, marked and labeled (when appropriate) and in proper condition for transportation according to the applicable regulations of this subchapter. This form of certification does not preclude the requirement for a certificate on a shipping paper when required by subpart C of this part.

[Amdt. 172–29, 41 FR 15996, Apr. 15, 1976, as amended by Amdt. 172–123, 55 FR 52592, Dec. 21, 1990; 56 FR 66254, Dec. 20, 1991; 76 FR 3366, Jan. 19, 2011]

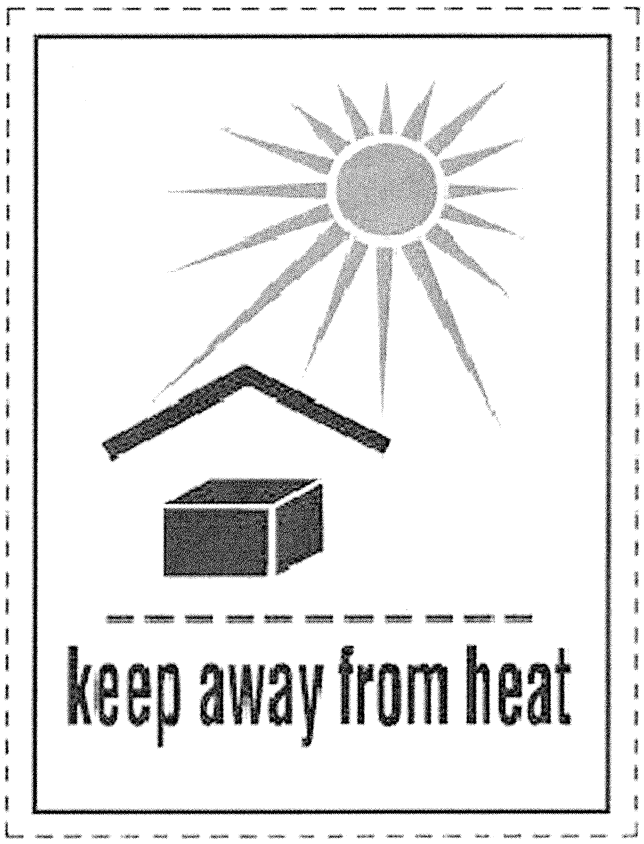
§172.317 KEEP AWAY FROM HEAT handling mark.

(a) *General*. For transportation by aircraft, each package containing self-reactive substances of Division 4.1 or organic peroxides of Division 5.2 must be marked with the KEEP AWAY FROM HEAT handling mark specified in this section.

(b) *Location and design*. The marking must be a rectangle measuring at least 105 mm (4.1 inches) in height by 74 mm (2.9 inches) in width. Markings with not less than half this dimension are permissible where the dimensions of the package can only bear a smaller mark.

(c) *KEEP AWAY FROM HEAT handling mark*. The KEEP AWAY FROM HEAT handling mark must conform to the following:

(1) Except for size, the KEEP AWAY FROM HEAT handling mark must appear as follows:



(2) The symbol, letters and border must be black and the background white, except for the starburst which must be red.

(3) The KEEP AWAY FROM HEAT handling marking required by paragraph (a) of this section must be durable, legible and displayed on a background of contrasting color.

[69 FR 76153, Dec. 20, 2004]

§ 172.320 Explosive hazardous materials.

(a) Except as otherwise provided in paragraphs (b), (c), (d) and (e) of this section, each package containing a Class 1 material must be marked with the EX-number for each substance, article or device contained therein.

(b) Except for fireworks approved in accordance with §173.56(j) of this subchapter, a package of Class 1 materials may be marked, in lieu of the EX-number required by paragraph (a) of this section, with a national stock number issued by the Department of Defense or identifying information, such as a product code required by regulations for commercial explosives specified in 27 CFR part 555, if the national stock number or identifying information can be specifically associated with the EX-number assigned.

(c) When more than five different Class 1 materials are packed in the same package, the package may be marked with only five of the EX-numbers, national stock numbers, product codes, or combination thereof.

(d) The requirements of this section do not apply if the EX-number, product code or national stock number of each explosive item described under a proper shipping description is shown in association with the shipping description required by §172.202(a) of this part. Product codes and national stock numbers must be traceable to the specific EX-number assigned by the Associate Administrator.

(e) The requirements of this section do not apply to the following Class 1 materials:

(1) Those being shipped to a testing agency in accordance with §173.56(d) of this subchapter;

(2) Those being shipped in accordance with §173.56(e) of this subchapter, for the purposes of developmental testing;

(3) Those which meet the requirements of §173.56(h) of this subchapter and therefore are not subject to the approval process of §173.56 of this subchapter;

(4) [Reserved];

(5) Those that are transported in accordance with §173.56(c)(2) of this subchapter and, therefore, are covered by a national security classification currently in effect.

[Amdt. 172–123, 56 FR 66254, Dec. 20, 1991, as amended by Amdt. 172–139, 59 FR 67487, Dec. 29, 1994; 66 FR 45379, Aug. 28, 2001; 74 FR 53188, Oct. 16, 2009]

§172.322 Marine pollutants.

(a) For vessel transportation of each non-bulk packaging that contains a marine pollutant—

(1) If the proper shipping name for a material which is a marine pollutant does not identify by name the component which makes the material a marine pollutant, the name of that component must be marked on the package in parentheses in association with the marked proper shipping name. Where two or more components which make a material a marine pollutant are present, the names of at least two of the components most predominantly contributing to the marine pollutant designation must appear in parentheses in association with the marked proper shipping name; and

(2) The MARINE POLLUTANT mark shall be placed in association with the hazard warning labels required by subpart E of this part or, in the absence of any labels, in association with the marked proper shipping name.

(b) A bulk packaging that contains a marine pollutant must—

(1) Be marked with the MARINE POLLUTANT mark on at least two opposing sides or two ends other than the bottom if the packaging has a capacity of less than 3,785 L (1,000 gallons). The mark must be visible from the direction it faces. The mark may be displayed in black lettering on a square-on-point configuration having the same outside dimensions as a placard; or

(2) Be marked on each end and each side with the MARINE POLLUTANT mark if the packaging has a capacity of 3,785 L (1,000 gallons) or more. The mark must be visible from the direction it faces. The mark may be displayed in black lettering on a square-on-point configuration having the same outside dimensions as a placard.

(c) A transport vehicle or freight container that contains a package subject to the marking requirements of paragraph (a) or (b) of this section must be marked with the MARINE POLLUTANT mark. The mark must appear on each side and each end of the transport vehicle or freight container, and must be visible from the direction it faces. This requirement may be met by the marking displayed on a freight container or portable tank loaded on a motor vehicle or rail car. This mark may be displayed in black lettering on a white square-on-point configuration having the same outside dimensions as a placard.

(d) The MARINE POLLUTANT mark is not required—

(1) On single packagings or combination packagings where each single package or each inner packaging of combination packagings has:

(i) A net quantity of 5 L (1.3 gallons) or less for liquids; or

(ii) A net mass of 5 kg (11 pounds) or less for solids

(2) On a combination packaging containing a marine pollutant, other than a severe marine pollutant, in inner packagings each of which contains:

(i) 5 L (1.3 gallons) or less net capacity for liquids; or

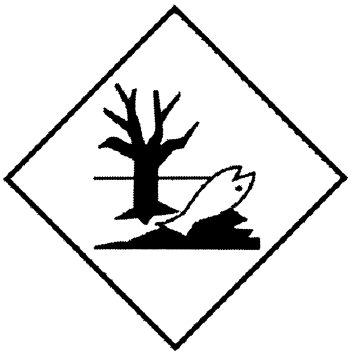
(ii) 5 kg (11 pounds) or less net capacity for solids.

(3) Except for transportation by vessel, on a bulk packaging, freight container or transport vehicle that bears a label or placard specified in subparts E or F of this part.

(4) On a package of limited quantity material marked in accordance with §172.315 of this part.

(e) *MARINE POLLUTANT mark.* Effective January 14, 2010 the MARINE POLLUTANT mark must conform to the following:

(1) Except for size, the MARINE POLLUTANT mark must appear as follows:



Symbol (fish and tree): Black on white or suitable contrasting background.

(2) The symbol and border must be black and the background white, or the symbol, border and background must be of contrasting color to the surface to which the mark is to be affixed. Each side of the mark must be—

(i) At least 100 mm (4 inches) for marks applied to:

(A) Non-bulk packages, except in the case of packages which, because of their size, can only bear smaller marks;

(B) Bulk packages with a capacity of less than 3,785 L (1,000 gallons); or

(ii) At least 250 mm (10 inches) for marks applied to all other bulk packages.

(f) *Exceptions.* See §171.4(c).

[Amdt. 172–127, 57 FR 52938, Nov. 5, 1992, as amended by Amdt. 172–136, 59 FR 38064, July 26, 1994; Amdt. 172–145, 60 FR 49110, Sept. 21, 1995; 66 FR 45379, Aug. 28, 2001; 70 FR 56098, Sept. 23, 2005; 74 FR 2252, Jan. 14, 2009; 76 FR 3367, Jan. 19, 2011]

§172.323 Infectious substances.

(a) In addition to other requirements of this subpart, a bulk packaging containing a regulated medical waste, as defined in §173.134(a)(5) of this subchapter, must be marked with a BIOHAZARD marking conforming to 29 CFR 1910.1030(g)(1)(i)—

(1) On two opposing sides or two ends other than the bottom if the packaging has a capacity of less than 3,785 L (1,000 gallons). The BIOHAZARD marking must measure at least 152.4 mm (6 inches) on each side and must be visible from the direction it faces.

(2) On each end and each side if the packaging has a capacity of 3,785 L (1,000 gallons) or more. The BIOHAZARD marking must measure at least 152.4 mm (6 inches) on each side and must be visible from the direction it faces.

(b) For a bulk packaging contained in or on a transport vehicle or freight container, if the BIOHAZARD marking on the bulk packaging is not visible, the transport vehicle or freight container must be marked as required by paragraph (a) of this section on each side and each end.

(c) The background color for the BIOHAZARD marking required by paragraph (a) of this section must be orange and the symbol and letters must be black. Except for size the BIOHAZARD marking must appear as follows:



(d) The BIOHAZARD marking required by paragraph (a) of this section must be displayed on a background of contrasting color. It may be displayed on a plain white square-on-point configuration having the same outside dimensions as a placard, as specified in § 172.519(c) of this part.

[67 FR 53135, Aug. 14, 2002, as amended at 76 FR 56314, Sept. 13, 2011]

§ 172.324 Hazardous substances in non-bulk packagings.

For each non-bulk package that contains a hazardous substance—

(a) Except for packages of radioactive material labeled in accordance with § 172.403, if the proper shipping name of a material that is a hazardous substance does not identify the hazardous substance by name, the name of the hazardous substance must be marked on the package, in parentheses,

in association with the proper shipping name. If the material contains two or more hazardous substances, at least two hazardous substances, including the two with the lowest reportable quantities (RQs), must be identified. For a hazardous waste, the waste code (e.g., D001), if appropriate, may be used to identify the hazardous substance.

(b) The letters ''RQ'' must be marked on the package in association with the proper shipping name.

(c) A package of limited quantity material marked in accordance with §172.315 must also be marked in accordance with the applicable requirements of this section.

[73 FR 4716, Jan. 28, 2008, as amended at 76 FR 3367, Jan. 19, 2011]

§172.325 Elevated temperature materials.

(a) Except as provided in paragraph (b) of this section, a bulk packaging containing an elevated temperature material must be marked on two opposing sides with the word ''HOT'' in black or white Gothic lettering on a contrasting background. The marking must be displayed on the packaging itself or in black lettering on a plain white square-on-point configuration having the same outside dimensions as a placard. (See §172.302(b) for size of markings on bulk packagings.)

(b) Bulk packagings containing molten aluminum or molten sulfur must be marked ''MOLTEN ALUMINUM'' or ''MOLTEN SULFUR'', respectively, in the same manner as prescribed in paragraph (a) of this section.

(c) If the identification number is displayed on a white-square-on-point display configuration, as prescribed in §172.336(b), the word ''HOT'' may be displayed in the upper corner of the same white-square-on-point display configuration. The word ''HOT'' must be in black letters having a height of at least 50 mm (2.0 inches). Except for size, these markings shall be as illustrated for an Elevated temperature material, liquid, n.o.s.:



[Amdt. 172–125, 58 FR 3348, Jan. 8, 1993, as amended by Amdt. 172–139, 59 FR 67487, Dec. 29, 1994]

§ 172.326 Portable tanks.

(a) *Shipping name.* No person may offer for transportation or transport a portable tank containing a hazardous material unless it is legibly marked on two opposing sides with the proper shipping name specified for the material in the § 172.101 table. For transportation by vessel, the minimum height for a proper shipping name marked on a portable tank is 65 mm (2.5 inches).

(b) *Owner's name.* The name of the owner or of the lessee, if applicable, must be displayed on a portable tank that contains a hazardous material.

(c) *Identification numbers.* (1) If the identification number markings required by § 172.302(a) are not visible, a transport vehicle or freight container used to transport a portable tank containing a hazardous material must be marked on each side and each end as required by § 172.332 with the identification number specified for the material in the § 172.101 table.

(2) Each person who offers a portable tank containing a hazardous material to a motor carrier, for transportation in a transport vehicle or freight container, shall provide the motor carrier with the required identification numbers on placards, orange panels, or the white square-on-point configuration, as appropriate, for each side and each end

of the transport vehicle or freight container from which identification numbers on the portable tank are not visible.

(d) *NON–ODORIZED marking on portable tanks containing LPG.* After September 30, 2006, no person may offer for transportation or transport a portable tank containing liquefied petroleum gas (LPG) that is unodorized as authorized in §173.315(b)(1) unless it is legibly marked NON–ODORIZED or NOT ODORIZED on two opposing sides near the marked proper shipping name required by paragraph (a) of this section, or near the placards.

[Amdt. 172–123, 55 FR 52592, Dec. 21, 1990, as amended at 56 FR 66255, Dec. 20, 1991; 69 FR 64471, Nov. 4, 2004; 76 FR 3367, Jan. 19, 2011]

§172.327 Petroleum sour crude oil in bulk packaging.

A Bulk packaging used to transport petroleum crude oil containing hydrogen sulfide (*i.e.,* sour crude oil) in sufficient concentration that vapors evolved from the crude oil may present an inhalation hazard must include a marking, label, tag, or sign to warn of the toxic hazard as follows:

(a) The marking must be durable, legible and of a size relative to the package as to be readily visible and similar to the illustration shown in this paragraph with the minimum dimension of each side of the marking at least 100 mm (3.9 inches). The width of the border forming the square-on-point marking must be at least 5 mm. The marking must be displayed at each location (*e.g.,* manhole, loading head) where exposure to hydrogen sulfide vapors may occur.

(b) The border of the square-on-point must be black or red on a white or other suitable contrasting background. The symbol must be black and located in the center of the square-on-point and be clearly visible as follows:



(c) As an alternative to the marking required in (a) and (b) of this section, a label, tag, or sign may be displayed at each location (*e.g.*, manhole, loading head) where exposure to hydrogen sulfide vapors may occur. The label, tag, or sign must be durable, in English, and printed legibly and of a size relative to the package with a warning statement such as ''Danger, Possible Hydrogen Sulfide Inhalation Hazard'' to communicate the possible risk of exposure to harmful concentrations of hydrogen sulfide gas.

[76 FR 3367, Jan. 19, 2011]

§ 172.328 Cargo tanks.

(a) *Providing and affixing identification numbers.* Unless a cargo tank is already marked with the identification numbers required by this subpart, the identification numbers must be provided or affixed as follows:

(1) A person who offers a hazardous material to a motor carrier for transportation in a cargo tank shall provide the motor carrier the identification numbers on placards or shall affix orange panels containing the required identification numbers, prior to or at the time the material is offered for transportation.

(2) A person who offers a cargo tank containing a hazardous material for transportation shall affix the required identification numbers on panels or placards prior to or at the time the cargo tank is offered for transportation.

(3) For a cargo tank transported on or in a transport vehicle or freight container, if the identification number marking on the cargo tank required by §172.302(a) would not normally be visible during transportation—

(i) The transport vehicle or freight container must be marked as required by §172.332 on each side and each end with the identification number specified for the material in the §172.101 table; and

(ii) When the cargo tank is permanently installed within an enclosed cargo body of the transport vehicle or freight container, the identification number marking required by §172.302(a) need only be displayed on each side and end of a cargo tank that is visible when the cargo tank is accessed.

(b) *Required markings: Gases.* Except for certain nurse tanks which must be marked as specified in §173.315(m) of this subchapter, each cargo tank transporting a Class 2 material subject to this subchapter must be marked, in lettering no less than 50 mm (2.0 inches), on each side and each end with—

(1) The proper shipping name specified for the gas in the §172.101 table; or

(2) An appropriate common name for the material (e.g., ''Refrigerant Gas'').

(c) *QT/NQT markings.* Each MC 330 and MC 331 cargo tank must be marked near the specification plate, in letters no less than 50 mm (2.0 inches) in height, with—

(1) ''QT'', if the cargo tank is constructed of quenched and tempered steel; or

(2) ''NQT'', if the cargo tank is constructed of other than quenched and tempered steel.

(d) After October 3, 2005, each on-vehicle manually-activated remote shutoff device for closure of the internal self-closing stop valve must be identified by marking ''Emergency Shutoff'' in letters at least 0.75 inches in height, in a color that contrasts with its background, and located in an area immediately adjacent to the means of closure.

(e) *NON–ODORIZED marking on cargo tanks containing LPG.* After September 30, 2006, no person may offer for transportation or transport a cargo tank containing liquefied petroleum gas (LPG) that is unodorized as authorized in §173.315(b)(1) unless it is legibly marked NON–ODORIZED or NOT ODORIZED on two opposing sides near the marked proper shipping name as specified in paragraph (b)(1) of this section, or near the placards.

[Amdt. 172–123, 55 FR 52592, Dec. 21, 1990, as amended at 56 FR 66255, Dec. 20, 1991; Amdt. 172–151, 62 FR 1228, Jan. 8, 1997; 62 FR 39045, July 22, 1997; 68 FR 19277, Apr. 18, 2003; 69 FR 64471, Nov. 4, 2004]

§172.330 Tank cars and multi-unit tank car tanks.

(a) *Shipping name and identification number.* No person may offer for transportation or transport a hazardous material—

(1) In a tank car unless the following conditions are met:

(i) The tank car must be marked on each side and each end as required by §172.302 with the identification number specified for the material in the §172.101 table; and

(ii) A tank car containing any of the following materials must be marked on each side with the key words of the proper shipping name specified for the material in the §172.101 table, or with a common name authorized for the material in this subchapter (e.g., ''Refrigerant Gas''):

Acrolein, stabilized
Ammonia, anhydrous, liquefied
Ammonia solutions (more than 50% ammonia)
Bromine *or* Bromine solutions
Bromine chloride
Chloroprene, stabilized
Dispersant gas *or* Refrigerant gas (as defined in §173.115 of this subchapter)
Division 2.1 materials
Division 2.2 materials (in Class DOT 107 tank cars only)
Division 2.3 materials
Formic acid
Hydrocyanic acid, aqueous solutions
Hydrofluoric acid, solution
Hydrogen cyanide, stabilized (less than 3% water)
Hydrogen fluoride, anhydrous

Hydrogen peroxide, aqueous solutions (greater than 20% hydrogen peroxide)
Hydrogen peroxide, stabilized
Hydrogen peroxide and peroxyacetic acid mixtures
Nitric acid (other than red fuming)
Phosphorus, amorphous
Phosphorus, white dry *or* Phosphorus, white, under water *or* Phosphorus white, in solution, *or* Phosphorus, yellow dry or Phosphorus, yellow, under water *or* Phosphorus, yellow, in solution
Phosphorus white, molten
Potassium nitrate and sodium nitrate mixtures
Potassium permanganate
Sulfur trioxide, stabilized
Sulfur trioxide, uninhibited

(2) In a multi-unit tank car tank, unless the tank is marked on two opposing sides, in letters and numerals no less than 50 mm (2.0 inches) high—

(i) With the proper shipping name specified for the material in the §172.101 table or with a common name authorized for the material in this subchapter (e.g., ''Refrigerant Gas''); and

(ii) With the identification number specified for the material in the §172.101 table, unless marked in accordance with §§172.302(a) and 172.332 of this subpart.

(b) A motor vehicle or rail car used to transport a multi-unit tank car tank containing a hazardous material must be marked on each side and each end, as required by §172.332, with the identification number specified for the material in the §172.101 table.

(c) After September 30, 2006, no person may offer for transportation or transport a tank car or multi-unit tank car tank containing liquefied petroleum gas (LPG) that is unodorized unless it is legibly marked NON–ODORIZED or NOT ODORIZED on two opposing sides near the marked proper shipping name required by paragraphs (a)(1) and (a)(2) of this section, or near the placards. The NON–ODORIZED or NOT ODORIZED marking may appear on a tank car or multi-unit tank car tank used for both unodorized and odorized LPG.

[Amdt. 172–123, 55 FR 52593, Dec. 21, 1990, as amended at 56 FR 66255, Dec. 20, 1991; 57 FR 45458, Oct. 1, 1992; Amdt. 172–148, 61 FR 28676, June 5, 1996; Amdt. 172–148, 61 FR 50254, Sept. 25, 1996; 66 FR 33425, June 21, 2001; 69 FR 64471, Nov. 4, 2004]

§172.331 Bulk packagings other than portable tanks, cargo tanks, tank cars and multi-unit tank car tanks.

(a) Each person who offers a hazardous material to a motor carrier for transportation in a bulk packaging shall provide the motor carrier with the required identification numbers on placards or plain white square-on-point display configurations, as authorized, or shall affix orange panels containing the required identification numbers to the packaging prior to or at the time the material is offered for transportation, unless the packaging is already marked with the identification number as required by this subchapter.

(b) Each person who offers a bulk packaging containing a hazardous material for transportation shall affix to the packaging the required identification numbers on orange panels, square-on-point configurations or placards, as appropriate, prior to, or at the time the packaging is offered for transportation unless it is already marked with identification numbers as required by this subchapter.

(c) For a bulk packaging contained in or on a transport vehicle or freight container, if the identification number marking on the bulk packaging (e.g., an IBC) required by §172.302(a) 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 specified for the material in the §172.101 table.

[Amdt. 172–123, 55 FR 52593, Dec. 21, 1994, as amended by Amdt. 172–151, 62 FR 1228, Jan. 8, 1997; 62 FR 39398, July 22, 1997]

§172.332 Identification number markings.

(a) *General.* When required by §172.301, §172.302, §172.313, §172.326, §172.328, §172.330, or §172.331, identification number markings must be displayed on orange panels or placards as specified in this section, or on white square-on-point configurations as prescribed in §172.336(b).

(b) *Orange panels.* Display of an identification number on an orange panel shall be in conformance with the following:

(1) The orange panel must be 160 mm (6.3 inches) high by 400 mm (15.7 inches)

wide with a 15 mm (0.6 inches) black outer border. The identification number shall be displayed in 100 mm (3.9 inches) black Helvetica Medium numerals on the orange panel. Measurements may vary from those specified plus or minus 5 mm (0.2 inches).

(2) The orange panel may be made of any durable material prescribed for placards in §172.519, and shall be of the orange color specified for labels or placards in appendix A to this part.

(3) The name and hazard class of a material may be shown in the upper left border of the orange panel in letters not more than 18 points (0.25 in.) high.

(4) Except for size and color, the orange panel and identification numbers shall be as illustrated for Liquefied petroleum gas:



(c) *Placards.* Display of an identification number on a hazard warning placard shall be in conformance with the following:

(1) The identification number shall be displayed across the center area of the placard in 88 mm (3.5 inches) black Alpine Gothic or Alternate Gothic No. 3 numerals on a white background 100 mm (3.9 inches) high and approximately 215 mm (8.5 inches) wide and may be outlined with a solid or dotted line border.

(2) The top of the 100 mm (3.9 inches) high white background shall be approximately 40 mm (1.6 inches) above the placard horizontal center line.

(3) An identification number may be displayed only on a placard corresponding to the primary hazard class of the hazardous material.

(4) For a COMBUSTIBLE placard used to display an identification number, the entire background below the white background for the identification number must be white during transportation by rail and may be white during transportation by highway.

(5) The name of the hazardous material and the hazard class may be shown in letters not more than 18 points high immediately within the upper border of the space on the placard bearing the identification number of the material.

(6) If an identification number is placed over the word(s) on a placard, the word(s) should be substantially covered to maximize the effectiveness of the identification number.

(d) Except for size and color, the display of an identification number on a placard shall be as illustrated for Acetone:



[Amdt. 172–101, 45 FR 74667, Nov. 10, 1980, as amended by Amdt. 172–81, 48 FR 28099, June 20, 1983; Amdt. 172–110, 52 FR 29527, Aug. 10, 1987; Amdt. 172–123, 55 FR 52593, Dec. 21, 1990; 56 FR 66255, Dec. 20, 1991; Amdt. 172–151, 62 FR 1228, Jan. 8, 1997; 65 FR 50459, Aug. 18, 2000; 68 FR 57632, Oct. 6, 2003]

§172.334 Identification numbers; prohibited display.

(a) No person may display an identification number on a RADIOACTIVE, EXPLOSIVES 1.1, 1.2, 1.3, 1.4, 1.5 or 1.6, DANGEROUS, or subsidiary hazard placard.

(b) No person may display an identification number on a placard, orange panel or white square-on-point display configuration unless—

(1) The identification number is specified for the material in §172.101;

(2) The identification number is displayed on the placard, orange panel or white square-on-point configuration authorized by §172.332 or §172.336(b), as appropriate, and any placard used for display of the identification number

corresponds to the hazard class of the material specified in §172.504;

(3) Except as provided under §172.336 (c)(4) or (c)(5), the package, freight container, or transport vehicle on which the number is displayed contains the hazardous material associated with that identification number in §172.101.

(c) Except as required by §172.332(c)(4) for a combustible liquid, the identification number of a material may be displayed only on the placards required by the tables in §172.504.

(d) Except as provided in §172.336, a placard bearing an identification number may not be used to meet the requirements of subpart F of this part unless it is the correct identification number for all hazardous materials of the same class in the transport vehicle or freight container on which it is displayed.

(e) Except as specified in §172.338, an identification number may not be displayed on an orange panel on a cargo tank unless affixed to the cargo tank by the person offering the hazardous material for transportation in the cargo tank.

(f) If a placard is required by §172.504, an identification number may not be displayed on an orange panel unless it is displayed in proximity to the placard.

(g) No person shall add any color, number, letter, symbol, or word other than as specified in this subchapter, to any identification number marking display which is required or authorized by this subchapter.

[Amdt. 172–101, 45 FR 74667, Nov. 10, 1980, as amended by Amdt. 172–104, 51 FR 23078, June 25, 1986; Amdt. 172–110, 52 FR 29528, Aug. 10, 1987; Amdt. 172–123, 55 FR 52593, Dec. 21, 1990; 56 FR 66255, Dec. 20, 1991; Amdt. 172–127, 59 FR 49133, Sept. 26, 1994]

§172.336 Identification numbers; special provisions.

(a) When not required or prohibited by this subpart, identification numbers may be displayed on a transport vehicle or a freight container in the manner prescribed by this subpart.

(b) Identification numbers, when required, must be displayed on either orange panels (see §172.332(b)) or on a plain white square-on-point display configuration having the same outside dimensions as a placard. In addition, for materials in hazard classes for which placards are specified and identification number displays are required, but for which identification numbers may not be displayed on the placards authorized for the material (see §172.334(a)), identification numbers must be displayed on orange panels or on the plain white square-on-point display configuration in association with the required placards. An identification number displayed on a white square-on-point display configuration is not considered to be a placard.

(1) The 100 mm (3.9 inch) by 215 mm (8.5 inches) area containing the identification number shall be located as prescribed by §172.332 (c)(1) and (c)(2) and may be outlined with a solid or dotted line border.

(2) [Reserved]

(c) Identification numbers are not required:

(1) On the ends of a portable tank, cargo tank or tank car having more than one compartment if hazardous materials having different identification numbers are being transported therein. In such a circumstance, the identification numbers on the sides of the tank shall be displayed in the same sequence as the compartments containing the materials they identify.

(2) On a cargo tank containing only gasoline, if the cargo tank is marked ''Gasoline'' on each side and rear in letters no less than 50 mm (2 inches) high, or is placarded in accordance with §172.542(c).

(3) On a cargo tank containing only fuel oil, if the cargo tank is marked ''Fuel Oil'' on each side and rear in letters no less than 50 mm (2 inches) high, or is placarded in accordance with §172.544(c).

(4) For each of the different liquid petroleum distillate fuels, including gasoline and gasohol, in a compartmented cargo tank or tank car, if the identification number is displayed for the distillate fuel having the lowest flash point. After October 1, 2010, if a compartmented cargo tank or tank car contains such fuels together with a gasoline and alcohol fuel blend containing more than ten percent ethanol, the identification number ''3475'' or

''1987'' must also be displayed as appropriate in addition to the identification number for the liquid petroleum distillate fuel having the lowest flash point.

(5) For each of the different liquid petroleum distillate fuels, including gasoline and gasohol transported in a cargo tank, if the identification number is displayed for the liquid petroleum distillate fuel having the lowest flash point.

(6) For each of the different liquid petroleum distillate fuels, including gasoline and gasohol, transported in a cargo tank, if the identification number is displayed for the liquid petroleum distillate fuel having the lowest flash point. After October 1, 2010, if a cargo tank is used to transport a gasoline and alcohol fuel blend containing more than ten percent ethanol, the identification number ''3475'' must also be displayed in addition to the identification number for the liquid petroleum distillate fuel having the lowest flash point.

(7) On nurse tanks meeting the provisions of §173.315(m) of this subchapter.

(d) When a bulk packaging is labeled instead of placarded in accordance with §172.514(c) of this subchapter, identification number markings may be displayed on the package in accordance with the marking requirements of §172.301(a)(1) of this subchapter.

[Amdt. 172–101, 45 FR 74667, Nov. 10, 1980, as amended by Amdt. 172–74, 47 FR 40365, Sept. 30, 1982; Amdt. 172–109, 52 FR 13038, Apr. 20, 1987; Amdt. 172–110, 52 FR 29528, Aug. 10, 1987; Amdt. 172–123, 55 FR 52593, Dec. 21, 1990; 56 FR 66255, Dec. 20, 1991; 65 FR 50459, Aug. 18, 2000; 73 FR 4716, Jan. 28, 2008; 76 FR 43527, July 20, 2011]

§172.338 Replacement of identification numbers.

If more than one of the identification number markings on placards, orange panels, or white square-on-point display configurations that are required to be displayed are lost, damaged or destroyed during transportation, the carrier shall replace all the missing or damaged identification numbers as soon as practicable. However, in such a case, the numbers may be entered by hand on the appropriate placard, orange panel or white square-on-point display configuration providing the correct identification numbers are entered legibly using an indelible marking material. When entered by hand, the identification numbers must be located in the white display area specified in §172.332. This section does not preclude required compliance with the placarding requirements of subpart F of this subchapter.

[Amdt. 172–110, 52 FR 29528, Aug. 10, 1987]

Subpart E—Labeling

§172.400 General labeling requirements.

(a) Except as specified in §172.400a, each person who offers for transportation or transports a hazardous material in any of the following packages or containment devices, shall label the package or containment device with labels specified for the material in the §172.101 table and in this subpart:

(1) A non-bulk package;

(2) A bulk packaging, other than a cargo tank, portable tank, or tank car, with a volumetric capacity of less than 18 m^3 (640 cubic feet), unless placarded in accordance with subpart F of this part;

(3) A portable tank of less than 3785 L (1000 gallons) capacity, unless placarded in accordance with subpart F of this part;

(4) A DOT Specification 106 or 110 multi-unit tank car tank, unless placarded in accordance with subpart F of this part; and

(5) An overpack, freight container or unit load device, of less than 18 m^3 (640 cubic feet), which contains a package for which labels are required, unless placarded or marked in accordance with §172.512 of this part.

(b) Labeling is required for a hazardous material which meets one or more hazard class definitions, in accordance with column 6 of the §172.101 table and the following table: