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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