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## **Federal Hazardous Materials Transportation Regulations Bulletin #2**

**WaterColor Management continues to receive questions on the amount and kind of chemicals which can be carried in a water treater's vehicle without violating Federal or State laws or requiring a higher limit of liability coverage and placing placards on their vehicles. So, here is our follow-up bulletin on this subject.**

### **APPLICABILITY OF THE LAW**

The hazardous materials regulations are applicable to the transportation of hazardous materials in commerce and their offering to:

1. Interstate, intrastate, and foreign carriers by rail car, aircraft, motor vehicle and vessel.
2. The representation that a hazardous material is present in a package, container, rail car, aircraft, motor vehicle or vessel.
3. The manufacture, fabrication, marking, maintenance, reconditioning, repairing or testing of a package or container which is represented, marked, certified or sold for use in the transportation of hazardous materials (49 CFR 171.1(a))

### **GENERAL DOT HAZARDOUS MATERIALS REGULATORY REQUIREMENTS**

"No person may offer or accept a hazardous material for transportation in commerce unless that person is registered in conformance with subpart G of Part 107 of this chapter, if applicable, and the hazardous material is properly classed, described, packaged, marked, labeled, and in condition for shipment as required or authorized..."(49 CFR 171.2(a))

Additionally, you may be subject to the requirements of other Federal and/or State Laws.

- See more at: <https://www.fmcsa.dot.gov/regulations/hazardous-materials/how-comply-federal-hazardous-materials-regulations#sthash.fbBnpose.dpuf>

### **EXCEPTIONS:**

#### **Agricultural Operations**

The transportation of agricultural products (see 49 CFR 171.8) by highway may be excepted from some or all of the provisions of the Hazardous Materials Regulations when transported in accordance with the provisions of 49 CFR 173.5.

## Materials of Trade

The transportation of materials of trade (see 49 CFR 171.8) by highway may be excepted from many of the requirements of the Hazardous Materials Regulations when transported in accordance with the procedures contained in 49 CFR 173.6.

- See more at: <https://www.fmcsa.dot.gov/regulations/hazardous-materials/how-comply-federal-hazardous-materials-regulations#sthash.fbNpose.dpuf>

## MATERIALS OF TRADE (Definition)

Materials of Trade means a hazardous material, other than a hazardous waste, that is carried on a motor vehicle--(1) For the purpose of protecting the health and safety of the motor vehicle operator or passengers; (2) For the purpose of supporting the operation of a motor vehicle (including its auxiliary equipment) or; (3) *By a private motor carrier (including vehicles operated by a rail carrier) in direct support of a principal business other than transportation by a motor vehicle.*

- See more at: <https://www.fmcsa.dot.gov/regulations/hazardous-materials/how-comply-federal-hazardous-materials-regulations#sthash.fbNpose.GjwTDWee.dpuf>

## General Interpretation

Item # 14 on the Material Data Sheets describes the hazard class of a chemical for transportation purposes.

### 14. TRANSPORT INFORMATION US Department of Transportation (DOT)

UN Number	UN3267
Proper shipping name	Corrosive liquid, basic, organic, n.o.s. (contains sodium tolyltriazole)
Primary hazard class/division	8
Secondary hazard	None
Packing group	III
Label	Corrosive

It also states the Packing Group. Generally speaking, chemicals used in water treatment are either Hazard Class 8 or not classified. There are exceptions, and the Consolidated Federal Regulations (CFR) table should be consulted if there is another Hazard Class involved. The general restriction is that a water treater cannot transport more than 440 pounds of hazardous materials of trade across state lines. And, if the state in which the business is located, has adopted the Federal standard, then that would apply to intrastate transportation as well.

The **440** pounds is the aggregate weight of hazardous materials, however, dry chemicals cannot be in containers that exceed **66** pounds each, and liquid chemicals must be in containers that are **eight (8) gallons** or less. In other words, no 55 gallon drums or no 100 pound boxes are allowed.

## **DOT Resource Centers**

Further specific questions can be addressed by contacting the DOT resource centers:

### **Eastern Resource Center**

Connecticut (860) 659-6700

Delaware (302) 734-8173

District of Columbia (202) 219-3553

Maine (207) 622-8358

Maryland (410) 962-4342

Massachusetts (617) 494-2770

New Hampshire (603) 228-3112

New Jersey (609) 637-4222

New York (518) 431-4145

Pennsylvania (717) 221-4443

Puerto Rico (787) 766-5985

Rhode Island (401) 431-6010

Vermont (802) 828-4480

Virginia (804) 771-8585

West Virginia (304) 347-5935Mid-West Resource Center

VACANT

802 Cromwell Park Drive

Suite N

Glen Burnie, MD 21061

Com (443) 703-2240

Fax (443) 703-2253

Internet Address:

### **Midwest Resource Center**

Illinois (217) 492-4608

Indiana (317) 226-7474

Iowa (515) 233-7400

Kansas (785) 267-7288

Michigan (517) 377-1866

Minnesota (651) 291-6150

Missouri (573) 636-3246

Nebraska (402) 437-5986

Ohio (614) 280-5657

Wisconsin (608) 829-7530Southern Resource Center

Kris Phillips

19900 Governors Drive, Suite 210

Olympia Fields, Illinois 60461-1021

Com (708) 283-3577

Fax (708) 283-3579

Internet Address:

[Kris.Phillips@dot.gov](mailto:Kris.Phillips@dot.gov)

Email links icon

**Southern Resource Center**

David Ford

100 Alabama Street, 17th Floor

Atlanta, Georgia 30303-3104

Com (404) 562-3600

Fax (404) 562-3704

Internet Address:

[David.Ford@dot.gov](mailto:David.Ford@dot.gov)

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Alabama (334) 223-7244

Arkansas (501) 324-5050

Florida (850) 942-9338

Georgia (404) 562-3620

Kentucky (502) 223-6779

Louisiana (225) 757-7640

Mississippi (601) 965-4219

New Mexico (505) 346-7858

North Carolina (919) 856-4378

Oklahoma (405) 605-6047

South Carolina (803) 765-5414

Tennessee (615) 781-5781

Texas (512) 536-5980 Western Resource Center

**Western Resource Center**

Alaska (907) 271-4068

Arizona (602) 379-6851

California (916) 930-2760

Colorado (720) 963-3130

Hawaii (808) 541-2790

Idaho (208) 334-1842

Montana (406) 449-5304

Nevada (775) 687-5335

North Dakota (701) 250-4346

Oregon (503) 399-5775

South Dakota (605) 224-8202

Utah (801) 963-0096

Washington (360) 753-9875

Wyoming (307) 772-2305

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- See more at:

<https://www.fmcsa.dot.gov/regulations/hazardous-materials/how-comply-federal-hazardous-materials-regulations#sthash.fbBnpose.GjwTDWee.dpuf>