



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

400 Seventh St., S.W.  
Washington, D.C. 20590

APR 24 2001

Mr. Michael Ritchie  
MN DOT Office of Motor Carriers  
Mail Stop 420  
1110 Centre Pointe Curve  
Mendota Heights, MN 55120-4152

Ref. No. 01-0082

Dear Mr. Ritchie:

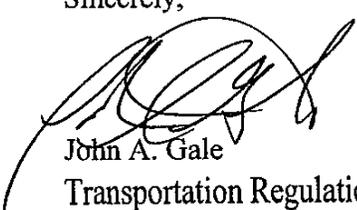
This is in response to your March 19, 2000, letter concerning marking exceptions for petroleum distillate fuels in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if a fuel containing 80% ethyl alcohol and 20% petroleum would be considered a "petroleum distillate fuel," thus eligible for the marking exceptions in § 172.336(c)(4) and (5). These exceptions allow the display, for cargo tanks and tank cars, of the identification number for the fuel having the lowest flash point.

The answer is yes. "Petroleum distillate fuel" is generally defined to mean a liquid mixture of hydrocarbons extracted from petroleum by distillation and is used in many applications, including fuel. Thus, your mixture is eligible for the marking exceptions in § 173.336(c)(4) or (5).

In addition, you mention that this mixture is shipped under the proper shipping name "Denatured Alcohol." It is the opinion of this Office that this proper shipping name is incorrect for the material you described.

I hope this satisfies your request.

Sincerely,



John A. Gale

Transportation Regulations Specialist  
Office of Hazardous Materials Standards



01-0082

172,336



Minnesota Department of Transportation

Office of Motor Carrier Services  
Mail Stop 420  
1110 Centre Pointe Curve  
Mendota Heights, MN 55120-4152

Tel: 651/ 405-6060  
Fax: 651/ 405-6082

March 19, 2000

Johnsen  
§172.336  
Marking  
01-0082

Mr. Tom Allan  
Office of Hazardous Materials Standards  
US Department of Transportation,  
RSPA DHM-10  
400 Seventh St. S.W.  
Washington, DC 20590

Dear Mr. Allan:

A blended motor fuel is being marketed in Minnesota that contains 80% ethyl alcohol and 20% petroleum. The introduction of this fuel has raised a hazard communication question.

In 49 CFR 172.336 (c), subparagraphs (4) and (5), exceptions are authorized for display of specific Identification Numbers on cargo tanks and tank cars. Both subparagraphs allow display, for units transporting petroleum distillate fuels, of the Identification Number for the fuel having the lowest flash point.

It is expected this product will be transported in MC-306 and DOT 406 tanks that are in petroleum service. Would this product be considered a "petroleum distillate fuel" by RSPA, making these units eligible for the marking exceptions in § 173.336 (c) (4) or (5)?

Information provided on the Material Safety Data Sheet (MSDS) recommends the use of a polar solvent foam for firefighting large fires. The MSDS shows a TCC flashpoint range of -20° to -4° F. It is shipped under the shipping description "Denatured Alcohol, 3, NA1987, PG II.

Thank you for your assistance.

Michael Ritchie  
Hazardous Materials Specialist  
Minnesota DOT  
Office of Motor Carrier Services  
(651) 405-6120  
[michael.Ritchie@dot.state.mn.us](mailto:michael.Ritchie@dot.state.mn.us)