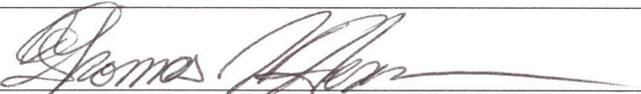


HAZARDOUS MATERIALS GUIDANCE

Issuance Date: December 2017	HM Guidance Number: HMG-124(4)
Revision: 4	49 CFR Sections Affected: 172.508(a) and 172.510(a)
Key Words: Placard, White Square Background	
Approved: Thomas J. Herrmann Director, Office of Technical Oversight	

Summary:

The purpose of this Hazardous Materials Guidance (HMG) is to provide FRA's interpretation of Title 49 Code of Federal Regulations (CFR) §§ 172.508(a) and 172.510(a) as they pertain to the use of the white square background for placards.

Discussion:

The Hazardous Materials Regulations, at 49 CFR § 172.508(a), provide in relevant part:

Each person offering a hazardous material for transportation by rail shall affix to the rail car containing the material, the placards specified by this subpart. Placards displayed on motor vehicles, transport containers, or portable tanks may be used to satisfy this requirement.

The Hazardous Materials Regulations, at 49 CFR § 172.510(a), provide in relevant part:

The following must have the specified placards placed on a white square background, as described in §172.527:

- (1) Division 1.1 or 1.2 (explosive) materials which require EXPLOSIVES 1.1 or EXPLOSIVES 1.2 placards affixed to the rail car;
- (2) Materials classed in Division 2.3, Hazard Zone A or Division 6.1, Packing Group I, Hazard Zone A which require POISON GAS or POISON placards affixed to the rail car, including tank cars containing only a residue of the material; and
- (3) Class DOT 113 tank cars used to transport a Division 2.1 (flammable gas) material, including tank cars containing only a residue of the material.

The description of the white square background in 49 CFR § 172.527 makes it clear that this device is a "background ... for certain placards" and, thus, not a placard itself.

Reading the requirements of both sections 172.508 and 173.510 together makes it clear that, when placarded motor vehicles, transport containers, or portable tanks are offered for rail transportation, § 172.508(a) states the authority for not also placarding the rail cars carrying the intermodal equipment. However, the regulation at § 172.508 is permissive and properly placarding the rail car is not contrary to the regulations. When rail cars transporting containers carrying the materials described in § 172.510 are placarded, the white square background is required on the rail cars, i.e. the flatcar on which an intermodal transport container is placed for rail transportation.

FRA's enforcement policy is that appropriate placards are required:

If only on the containers, they do not require the white square background;

If only on the rail cars, the white square background is required;

If both the containers and the rail cars are placarded, each must fully comply with the placarding requirements applicable to it.