



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, D.C. 20590

MAY 10 2016

Mr. Roger Kirk
Petroleum Transport, Inc.
4967 Crooks Rd., Suite 201
Troy, MI 48098

Reference No. 15-0246

Dear Mr. Kirk:

This is in response to your December 21, 2015 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask for clarification of the correct test markings for a tank trailer hauling UN 1987, Alcohols, n.o.s., 3, II. You provide a Safety Data Sheet for the mixture, which contains 60-100 percent weight Ethyl Alcohol, 1-5 percent weight Natural Gasoline and 0.1-1 percent weight Benzene. You also state that the trailer is marked with K-EPA-27, but the Ohio Public Utilities Commission cited this as incorrect.

In accordance with 49 CFR 180.407(h)(2), cargo tanks used to transport petroleum distillate fuels that are equipped with vapor collection equipment may be leak tested in accordance with the Environmental Protection Agency's "Method 27 – Determination of Vapor Tightness of Gasoline Delivery Tank Using Pressure-Vacuum Test" as set forth in Appendix A to 40 CFR part 60. In a final rule under Docket No. RSPA-98-3554 (HM-213; April 18, 2003), the Research and Special Programs Administration, predecessor to the Pipeline and Hazardous Materials Safety Administration, clarified that the EPA 27 test method may be used only for petroleum fuel service. It is the opinion of this Office that the material you describe may be used in blending with gasoline but is not, on its own, a petroleum distillate fuel. As such, the tank trailer may not be leak tested using the EPA Method 27 and marked with K-EPA-27.

I hope this satisfies your inquiry. Please contact this office if you need further assistance.

Sincerely,

Duane A. Pfund

International Standards Coordinator
Standards and Rulemaking Division

Antonelli
\$173
Shipping Requirements
15-0246

Dodd, Alice (PHMSA)

From: Foster, Glenn (PHMSA)
Sent: Monday, December 21, 2015 3:10 PM
To: Dodd, Alice (PHMSA); Goodall, Shante CTR (PHMSA)
Subject: FW: Tank Trailer Test Markings

Please include this follow-up with the incoming request from Roger Kirk.

From: Petroleumtrans@aol.com [<mailto:Petroleumtrans@aol.com>]
Sent: Monday, December 21, 2015 2:19 PM
To: Foster, Glenn (PHMSA)
Subject: Re: Tank Trailer Test Markings

One more thing I forgot to mention. My trailer was marked with K-EPA27 and the Ohio PUC told me that marking was incorrect.

Roger Kirk

In a message dated 12/21/2015 2:14:32 P.M. Eastern Standard Time, Glenn.Foster@dot.gov writes:

Mr. Kirk,

Not a problem. I will have your inquiry logged in as a request for a letter of Interpretation.

Thanks,

Glenn

From: Petroleumtrans@aol.com [<mailto:Petroleumtrans@aol.com>]
Sent: Monday, December 21, 2015 1:46 PM
To: Foster, Glenn (PHMSA)
Subject: Tank Trailer Test Markings

Mr Foster,

I apologize. I gave you some wrong information in my previous e-mail. What would the correct test markings be for a tank trailer hauling UN1987 Alcohols, N.O.S. 3, II. This is Ethanol that has Natural Gasoline and Benzene as a denaturant. The flash point is <0°C (32°F).

Thank you again,

Roger Kirk

Petroleum Transport, Inc.

O 248-267-8280

F 248-952-0554

petroleumtrans@aol.com

Denatured Fuel Ethanol (Anhydrous)

Safety Data Sheet

according to Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules and Regulations

clothing. Rinse skin with water/shower.
P305+P351+P338 - If in eyes: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing.
P308+P313 - If exposed or concerned: Get medical advice/attention.
P337+P313 - If eye irritation persists: Get medical advice/attention.
P370+P378 - In case of fire: Use appropriate media for extinction.
P403+P235 - Store in a well-ventilated place. Keep cool.
P405 - Store locked up.
P501 - Dispose of contents/container to local, regional, national, territorial, provincial, and international regulations.

Other Hazards

Other Hazards Not Contributing to the Classification:

Hazardous to the aquatic environment - Chronic Hazard Category 3

H412 - Harmful to aquatic life with long lasting effects

Flammable vapors can accumulate in head space of closed systems. Exposure may aggravate those with pre existing eye, skin, or respiratory conditions. Exposure may aggravate individuals with pre-existing skin, kidney, liver, and pulmonary disorders.

Unknown Acute Toxicity (GHS-US) Not available

SECTION 3: COMPOSITION/INFORMATION ON INGREDIENTS

Mixture

Name : Denatured Fuel Ethanol (Anhydrous)

Name	Product identifier	% (w/w)	Classification (GHS-US)
Ethyl alcohol	(CAS No) 64-17-5	60 - 100	Flam. Liq. 2, H225 Eye Irrit. 2A, H319
Gasoline, natural	(CAS No) 8006-61-9	1 - 5	Flam. Liq. 1, H224 Skin Irrit. 2, H315 Muta. 1B, H340 Carc. 1B, H350 Repr. 2, H361 STOT SE 3, H336 Asp. Tox. 1, H304 Aquatic Chronic 2, H411
Benzene*	(CAS No) 71-43-2	0.1 - 1	Flam. Liq. 2, H225 Acute Tox. 4 (Oral), H302 Skin Irrit. 2, H315 Eye Irrit. 2A, H319 Muta. 1B, H340 Carc. 1A, H350 STOT RE 1, H372 Asp. Tox. 1, H304

Full text of H-phrases: see section 16

*The percent weight of Benzene is less than 0.06% in versions of this product that are shipped to California. The percent weight of Benzene may be less than 0.1% in other versions of this product.

SECTION 4: FIRST AID MEASURES

Description of First Aid Measures

General: Never give anything by mouth to an unconscious person. If you feel unwell, seek medical advice (show the label where possible).

Inhalation: When symptoms occur: go into open air and ventilate suspected area. Obtain medical attention if breathing difficulty persists.

Skin Contact: Remove contaminated clothing. Drench affected area with water for at least 15 minutes. Obtain medical attention if irritation persists.

Denatured Fuel Ethanol (Anhydrous)

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Nunavut	OEL STEL (ppm)	25 ppm
Nunavut	OEL TWA (mg/m ³)	32 mg/m ³
Nunavut	OEL TWA (ppm)	10 ppm
Northwest Territories	OEL STEL (mg/m ³)	80 mg/m ³
Northwest Territories	OEL STEL (ppm)	25 ppm
Northwest Territories	OEL TWA (mg/m ³)	32 mg/m ³
Northwest Territories	OEL TWA (ppm)	10 ppm
Ontario	OEL STEL (ppm)	2.5 ppm (designated substances regulation)
Ontario	OEL TWA (ppm)	0.5 ppm (designated substance regulation)
Prince Edward Island	OEL STEL (ppm)	2.5 ppm
Prince Edward Island	OEL TWA (ppm)	0.5 ppm
Québec	VECD (mg/m ³)	15.5 mg/m ³
Québec	VECD (ppm)	5 ppm
Québec	VEMP (mg/m ³)	3 mg/m ³
Québec	VEMP (ppm)	1 ppm
Yukon	OEL Ceiling (mg/m ³)	32 mg/m ³
Yukon	OEL Ceiling (ppm)	10 ppm
Yukon	OEL TWA (mg/m ³)	32 mg/m ³

Exposure Controls

Appropriate Engineering Controls: Ensure all national/local regulations are observed. Gas detectors should be used when flammable gases/vapours may be released. Proper grounding procedures to avoid static electricity should be followed. Use explosion-proof equipment. Emergency eye wash fountains and safety showers should be available in the immediate vicinity of any potential exposure. Ensure adequate ventilation, especially in confined areas.

Personal Protective Equipment: Gloves. Protective goggles. Insufficient ventilation: wear respiratory protection. Protective clothing.



Materials for Protective Clothing: Chemically resistant materials and fabrics. Wear fire/flammable resistant/retardant clothing.

Hand Protection: Wear chemically resistant protective gloves.

Eye Protection: Chemical goggles or safety glasses.

Skin and Body Protection: Wear suitable protective clothing.

Respiratory Protection: Use NIOSH-approved air-purifying or supplied-air respirator where airborne concentrations of vapor or mist are expected to exceed exposure limits.

Thermal Hazard Protection: Wear suitable protective clothing.

Other Information: When using, do not eat, drink or smoke.

SECTION 9: PHYSICAL AND CHEMICAL PROPERTIES

Information on Basic Physical and Chemical Properties

Physical State	: Liquid
Appearance	: Clear, colorless liquid
Odor	: Alcohol
Odor Threshold	: Not available
pH	: Not available
Relative Evaporation Rate (butylacetate=1)	: Not available
Melting Point	: Not available
Freezing Point	: Not available
Boiling Point	: 78.5°C (173.3°F)
Flash Point	: <0°C (32°F)