Transportation/Hazardous Materials: Pipeline and Hazardous Materials Safety Administration Interpretive Letter Addressing Reclassification Issue

Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

06/30/2025

The United States Pipeline and Hazardous Materials Safety Administration ("PHMSA") addressed in a June 5th interpretive letter the application of the Hazardous Materials Regulations ("HMR") applicable to reclassifying a flammable liquid to a combustible liquid. See Reference No. 25-0024.

PHMSA was responding to a February 27th question from Buckeye Partners, L.P. ("BP").

BP stated that its company transports jet fuel throughout the United States and Canada by cargo tank motor vehicle. The company references an understanding of the requirements in §§ 173.150(f)(1) and 172.332(c)(4), which permit the reclassification of a flammable liquid to a combustible liquid and the use of a combustible placard, respectively.

BP asked whether jet fuel with a flash point at or above 38 °C (100 °F), not meeting the definition of any hazard class, and transported in a cargo tank motor vehicle, be described as "UN1863, Fuel, aviation, turbine engine, Combustible liquid, PG III?"

PHMSA replies in the affirmative, noting that in accordance with § 173.150(f)(3) of the HMR, a combustible liquid in a bulk packaging is not subject to the requirements of the HMR, except for those requirements listed in § 173.150(f)(3)(i) through (f)(3)(xi).

BP also asked whether the United Nations identification number be displayed on a COMBUSTIBLE placard conforming to either § 172.332(c)(1) and (c)(2) or § 172.332(c)(4) of the HMR?

PHMSA replies in the affirmative, noting that both types of placards are permitted for display of the identification number on a cargo tank motor vehicle. However, the agency also notes that a COMBUSTIBLE placard with a white background as described in § 172.332(c)(4) of the HMR for display of the identification number must be used during rail transportation but may be used during highway transportation.

A copy of the interpretive letter can be downloaded here.