



# TRANSPORTING FUEL

## THE REGULATIONS

**CDL DRIVERS:** 49 CFR 383.93(b) requires a knowledge test be taken by anyone that wishes to receive a hazmat endorsement on their CDL. If you are required to placard the load you are hauling, you must have a hazmat endorsement. The regulations state that a driver must obtain a State-issued endorsement to a CDL to operate a motor vehicle that is used to transport a hazardous material as defined in 49 CFR 383.5. A hazardous material, for the purposes of a hazmat endorsement on a CDL, is defined as “any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of 49 CFR part 172 or any quantity of a material listed as a select agent or toxin in 42 CFR part 73”. Not all cargo bearing hazardous materials labels on the packages requires a placard. Drivers can haul cargo that falls under the definition of a hazardous material even if they don’t have an endorsement. The general placarding requirements are found in 49 CFR 172.504. The section starts with the statement that any vehicle containing any quantity of hazardous materials must be placarded. Quickly following that statement are several exceptions. Loads of less than 454 kg (1,001 lbs) of a hazardous material covered by Table 2 in the placarding section are not required to be placarded. **(CHECK WITH YOUR STATE REGULATIONS)**

### HAZARDOUS MATERIALS CARRIER RESPONSIBILITY:

- SHIPPING PAPER
- PLACARD AND MARK VEHICLE
- LOADING AND UNLOADING
- COMPATIBILITY
- BLOCKING AND BRACING
- INCIDENT REPORTING
- SECURITY PLAN
- EMPLOYEE TRAINING



**NON-CDL DRIVERS:** Transportation of fuel shall be accomplished by portable fuel cans with a maximum capacity of 5 gallons each, or cargo fuel tanks. All containers shall be properly labeled. Gasoline shall only be transported in Federal DOT approved Type I or Type II 5-gallon portable gas cans, with a limit of four (4) cans per vehicle. Portable five (5) gallon cans transported on any Department vehicle or equipment shall be fastened in a vented box, or lashed to the body of the vehicle with web straps, using eyebolts through the side of the body backed up by a 3-inch x 3-inch x 3/16 inch steel backing plate. There shall be two eyebolt anchor points for each can. Cargo tanks shall not exceed 110-gallon capacity. Cargo tanks shall be constructed of a minimum of 14-gauge steel or 16-gauge aluminum. 'No Smoking' shall be prominently displayed on the vehicle, and smoking prohibited within 50 feet during fueling. Pickup trucks shall be used to transport fuel whenever possible. Tanks shall be mounted directly against the front of the truck body box and fastened to the frame whenever possible with anchor bolts. If fastening to the frame is not possible, and it is necessary to mount the tanks solely to the box, a 6-inch x 6-inch x 3/16-inch steel backing plate shall be used for each tank. Any void between tanks shall vent to the atmosphere by a minimum of a 1 inch inside diameter drain. Any connecting structure shall have inspection openings of sufficient size and number to permit proper visual inspection. All joints shall be welded in conformance with ASME Code of Welding Procedures, and where possible accessible for inspection. A 10-gauge steel bulkhead shall be mounted directly behind the fuel tank, securely fastened to the body of the truck on the floor and both sides. There shall be at least 1 inch space between the bulkhead and the fuel tank. The tank shall be equipped with a fill vent assembly with a flame arrester. Pumps shall be UL approved, with wire cored bonding hose and antisiphon valve. Any piping between the pump and the tank shall be Schedule 80. Vehicles transporting fuel shall be equipped with at least one 10-pound fire extinguisher, either BC or ABC dry chemical, and mounted to be easily accessible. The vehicle shall be equipped with a wire mesh cap protector screen. The exhaust system of the truck in the area below where the cab and body meet shall have a heat shield. **(CHECK WITH YOUR STATE REGULATIONS)**

## SEVEN TIPS TO TRANSPORTING HAZARDOUS MATERIALS SAFELY

- 1. CLASSIFY THE MATERIAL:** You need to determine if you are shipping a hazardous material as indicated in the 49 CFR parts 100-185. Specifically, you need to review the Hazardous Materials Table (HMT) found in the 49 CFR in 172.101 and review your material’s Safety Data Sheet.
- 2. DETERMINE YOUR HAZMAT EMPLOYEE TRAINING NEEDS:** You must determine who are your hazmat employees. Do your HAZMAT employees need training? You must keep up to date records of employees training completion. For additional help, check out the brochure, “Guide to developing a hazmat training program.”
- 3. DETERMINE ANY REGISTRATION REQUIREMENTS:** You must check to see if you need to register. If you ship a placarded quantity of hazardous material, you must be registered.

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4. SELECT YOUR APPROVED PACKAGING: The Hazardous Material Table explains how you package a HAZMAT product.
5. MARK AND LABEL YOUR PACKAGE: There are ways to mark and label your package depending upon their hazard class, identification (ID) number, weight and more. Be sure to follow the correct regulations when you mark and label.
6. VERIFY HIGHWAY TRANSPORT AND PLACARDING REQUIREMENTS: Are you going to provide transport? Follow the regulations to make sure you use the correct placard to communicate the hazard. You must verify if the driver's commercial driver's license CDL has a hazmat transportation endorsement, if required. You may need to review 49 CFR 177.816.
7. PREPARE SHIPPING PAPERS: For examples of correct shipping papers, check out the Hazmat Transportation Requirements. The shipping paper's order of information is important. Extra information may be required due to the material's hazard class and quantity shipped.

## THREE TYPES OF FOREST SERVICE HAZMAT DRIVERS

1. The MOT "materials of trade" driver (Normal FS everyday driver)
  - a. Normal driver's license
  - b. Can carry most hazmat except explosives, radioactive, poisonous by inhalation, self-reactive or hazardous waste
  - c. No single package or container can be more than 8 gallons or weigh more than 66 pounds
  - d. No compressed gas cylinder can weigh more than 220 pounds
  - e. Gasoline can only be carried in a container that is no larger than 5 (five) gallons, constructed of metal or plastic and must be approved by DOT or UL or FM or OSHA.
  - f. If carrying more than one hazmat the total gross weight of all hazmat (including the container or package weights) cannot be more than 440 pounds, including load on a pulled trailer
  - g. No placards are required on vehicle
  - h. Only Hazardous Communications (HAZ COM) training required
  - i. No shipping papers required
  - j. Flammables cannot be carried inside the passenger compartment of any vehicle.
  - k. Drip Torches may be carried with product in them under this provision as the product in them is classed by DOT as "Flammable Liquid, N.O.S. (diesel and gasoline mixture) 3, PG II, UN 1993. The torch must be leak proof (period) and securely closed.
2. The NON – CDL HazMat Driver (CDL not required)
  - a. Hazmat load on your vehicle exceeds 440 lbs. including load on a pulled trailer
  - b. You are carrying a compressed gas cylinder which weighs not more than 220 pounds
  - c. Package sizes are larger than 8 gals or 66 pounds up to and not exceeding 118 gallons or 1000 pounds, these larger packages must be DOT approved. UL, FM, or OSHA approved containers are still approved for materials of trade (MOT) carried on this vehicle.
  - d. Normal driver's license
  - e. Can carry most hazmat except explosives, radioactive, poisonous by inhalation, self-reactive or hazardous waste
  - f. If carrying more than one hazmat the total gross weight of all hazmat (including container or package weights) cannot exceed 1000 lbs. including load on a pulled trailer
  - g. No placards are required on vehicle
  - h. DOT HM-126F training is required for the driver (NO Government Exemption) FSM 2161.44
  - i. Emergency Response Guidebook (ERG2000) required on the vehicle
  - j. No Shipping papers required
  - k. Flammables cannot be carried inside the passenger compartment of any vehicle
  - l. Drip Torches may be carried with product in them under the MOT provision as the product in them is classed by DOT as "Flammable Liquid, N.O.S. (diesel and gasoline mixture) 3, PG II, UN 1993. The torch must be leak proof (period) and securely closed. This is a material of trade on this vehicle. See 49CFR 173.6 (e)
3. The CDL (Commercial Driver's License) Driver
  - a. Required for any HazMat exceeding 119 gallons in a single container, or exceeding 1001 lbs. total weight or any time a placard is required by Regulation (such as Class I explosives)
  - b. CDL driver's license with Hazardous Materials Endorsement is required to drive this vehicle (NO Government Exemption)
  - c. Must Have a Medical Certificate (NO Government Exemption)
  - d. Can carry any class of hazmat (no restrictions)
  - e. No hazmat size or weight restrictions
  - f. Placards are required on vehicle per FS directive
  - g. Special DOT drivers and security training is required by Federal Regulations (No Government exemption)
  - h. Emergency Response Guidebook (ERG2000) required on vehicle
  - i. Shipping Papers (Bill of Laden) required per FSH 6709.11
  - j. Flammables cannot be carried inside the passenger compartment of any vehicle.

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k. Drip Torches may be carried with product in them under the MOT provision as the product in them is classed by DOT as “Flammable Liquid, N.O.S. (diesel and gasoline mixture) 3, PG II, UN 1993. The torch must be leak proof (period) and securely closed. This is a material of trade on this vehicle. See 49CFR 173.6 (e)

## PLACARDS

When transporting diesel fuel, many often wonder if placarding is required. As is the case with many hazardous materials, the placarding requirement is determined largely by the hazard of the material, the quantity of the material being transported, and the type of packaging used. But, confusion arises for diesel in first determining if it is regulated or not.

### Placards or no placards

The types of packaging that fall within bulk packaging and non-bulk packaging can be confusing. The capacity of the packaging (whether over 119 gallons or 119 gallons or less) dictates the requirements. See the following examples:

Type of Diesel Packaging	Bulk or non-bulk?	Placard?
3,000-gallon cargo tank	Bulk	Yes
55-gallon drum	Non-bulk	No
200-gallon Intermediate bulk container (IBC)	Bulk	Yes
110-gallon tote	Non-bulk	No
120-gallon portable tank	Bulk	Yes

## HAZMAT ENDORSEMENTS

How to get a HazMat endorsement

1. Meet the HazMat endorsement requirements.

The first step on how to get a HazMat endorsement is making sure you meet the HazMat endorsement requirements, which include:

Being at least 21 years old.

Having a valid Commercial Driver’s License (CDL) or CDL permit.

Obtaining proof of identity (a U.S. passport, birth certificate or Certificate of U.S. Citizenship.)

Having a medical examiner’s certificate (MEC) – also called a DOT medical card.

2. Fill out an application. Complete the online HazMat endorsement application. This application is essentially a background check, so you will need to provide/refer to the above documentation during the application.

3. Visit an application center.

Once you have completed and applied, you will need to go to a Transportation Security Administration application center. Start by looking up application centers near you by entering your ZIP code or city.

Once you have determined which application center you are going to visit, schedule an appointment at the application center. You can also call 855-347-8371 to schedule your appointment. Walk-ins are welcome but appointments take priority.

At the application center you will:

Bring with you the required documentation from step one and a hard copy of your application from step two.

Get fingerprinted.

Pay a non-refundable fee of about \$90, which will be valid for five years.

4. Hear back about your application.

It can take a month or two to hear back about if your application was accepted. You can check the status of your application online. If your application is approved, be sure to print it out.

If your application is rejected, you do have the right to appeal.

5. Visit your local DMV.

If your application is accepted, you will need to go to your local DMV to take the HazMat endorsement test, also known as the CDL HazMat test.

Don’t forget to take your required documentation from step one and your approved application from step four with you to the DMV.

You can use the hazardous materials section in your CDL manual to study from for the exam. A vision test may also be required while you are at the DMV.

## SAFETY DATA SHEETS

What are they and why are they required to be in the vehicle? Diesel fuel delivery to the jobsite - Safety reminder - ensure there is a Safety Data Sheet in the vehicle for the diesel fuel and any other hazardous chemicals you are transporting. Employers are required to have an SDS available for each hazardous chemical they have on site, and the information contained on them is the basis for training their employees on the hazards of the chemicals to which they are exposed, according to 29 CFR 1910.1200 (h)(3)(iv).

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## DOT VIOLATIONS

	Violation Code	Violation Description
1	177.834A	Package not secure in vehicle
2	107.620B	No copy of US DOT Hazardous Materials Registration Number
3	177.817A	No or improper shipping papers (carrier)
4	177.817E	Shipping paper accessibility
5	177.823A	No placards/markings when required
6	172.504A	Vehicle not placarded as required
7	172.502A1	Prohibited placarding
8	172.516C6	Placard damaged, deteriorated, or obscured
9	172.602C1	Maintenance/accessibility of Emergency Response information
10	172.600C	Offer or transport without emergency response information
11	177.801	Accepting or Transporting Hazardous Materials not prepared in accordance with regulations.
12	172.200A	No shipping paper provided by offeror
13	172.328D	Failing To Properly Mark HM Cargo Tank With Emergency Shutoff
14	173.24B1	Release of Hazardous Materials from package
15	172.602A	Emergency Response information not complete
16	107.601	Failing to register with PHMSA prior to transporting hazardous materials requiring HM registration.
17	172.400A	Package or containment device not labeled as required
18	180.415B	Cargo tank test or inspection markings
19	172.202A2	No or improper Shipping Name
20	172.202A5	No or improper Total Quantity listed

## SPILL KITS

**SPILLS:** Spill kit is fully supplied, including absorbent, appropriate gloves, eye protection, non-metal tools such as shovel and containers. Remember these supplies usually are intended for small spills or leaks that can be easily and completely contained before response personnel arrive on the scene.

## REPORTING SPILLS

### 1. INCIDENT REPORTING PER FMCSA:

Immediate notification of a hazardous materials incident by a carrier is required at the earliest practical moment for incidents that occur during transportation (including loading, unloading, and temporary storage) in which as a direct result of the hazardous materials any one or more of the following occurs:

- A person is killed.
- A person receives an injury requiring admittance to a hospital.
- The public is evacuated for one hour or more.
- A major transportation artery or facility is closed or shut down for one hour or more; or
- Fire, breakage, spillage, or suspected radioactive contamination occurs involving a radioactive material.
- Fire, breakage, spillage, or suspected contamination occurs involving an infectious substance other than a diagnostic specimen or regulated medical waste.
- A release of a marine pollutant occurs in a quantity exceeding 450L (119 gallons) for a liquid or 400 kg (882 pounds) for a solid; or
- A situation exists of such a nature (e.g., a continuing danger to life exists at the scene of the incident) that, in the judgment of the person in possession of the hazardous material, it should be reported to the National Response Center even though it does not meet the other criteria. Each notice shall be given telephonically to the Department at (800) 424-8802. Incidents involving etiologic agents may be made to the CDC at (800) 232-0124. For content of report and additional information, please see 171.15. A written report shall be submitted on DOT Form F 5800.1 for all incidents involving the transportation of hazardous materials unless excepted. Detailed reporting requirements are contained in 171.16.

2. **STATE POLICE:** Hazardous materials spills/incidents must be reported to the Department of Public Safety (State Police).

3. **NATIONAL RESPONSE CENTER:** Reporting a hazardous substance release or oil spill takes only a few minutes. To report a release or spill, contact the federal government's centralized reporting center, the National Response Center (NRC), at 1-800-424-8802. The NRC is staffed 24 hours a day by personnel who will ask you to provide as much information about the incident as possible.

Name: \_\_\_\_\_

Date: \_\_\_\_\_

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