



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

APR 3 1998

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

Ms. Nancy McKnight
Ross Trucking Co., Inc.
Post Office Box 265
2506 Green Hill Rd.
Elgin, SC 29045

Dear Ms. McKnight:

This is in response to your letter of February 25, 1998, concerning the definition of a "non-DOT specification cargo tank motor vehicle suitable for transport of liquids" as referred to in § 173.241 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

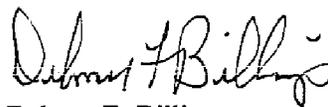
When the HMR authorize a "non-DOT specification cargo tank motor vehicle suitable for transport of liquids," any cargo tank may be used as long as it meets the general packaging requirements in § 173.24 and 173.24b. The definition of a cargo tank is found in § 171.8 which states:

"Cargo tank means a bulk packaging which:

- (1) Is a tank intended primarily for the carriage of liquids or gases and includes appurtenances, reinforcements, fittings, and closures (for *tank*, see 49 CFR 178.345-1(c), 178.337-1, or 178.338-1, as applicable);
- (2) Is permanently attached to or forms a part of a motor vehicle but which, by reason of its size, construction or attachment to a motor vehicle is loaded or unloaded without being removed from the motor vehicle; and
- (3) Is not fabricated under a specification for cylinders, portable tanks, tank cars, or multi-unit tank car tanks."

I hope this answers your inquiry. If we can be of further assistance, please do not hesitate to contact us.

Sincerely,



Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards

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Ross Trucking Co., Inc.

*Contract
7.173.241*

PO Box 265
2506 Green Hill Road
Elgin, SC 29045

Phone 803-438-5038
Fax 803-438-3069

February 25, 1998

Mr. Edward Mazzullo
Office of Hazardous Materials Safety
DHM-10
US Department of Transportation
400 Seventh Street, SW
Washington, DC 20590

Re: Request for Interpretation

Dear Mr. Mazzullo,

Please find enclosed a copy of our Hazardous Materials Certificate of Registration. Ross Trucking transports a commodity listed as:

Hazardous Waste, Liquid, N.O.S., 9
NA 3082, III (DO18)

This is a waste water product we transport from a chemical company to a treatment facility. Per a phone conversation with Mr. Mark Berger, US DOT, I was informed that the product we transport is covered by Regulation 173.241 under section (b). Please clarify for me what constitutes a "non-DOT specification cargo tank motor vehicle suitable for transport of liquids". Our wish is to transport this commodity in a non-coded tanker. We transport this commodity eleven miles to the treatment facility. The company we haul for wants me to provide them with something in writing stating that we can legally haul this product in a non coded tank. We were audited in July of 1996 and the officers that audited us, Ruth L. King, Special Agent, US DOT, Columbia, SC and Eugene Parnell, Jr., Safety Investigator, SC Transport Police, Columbia, SC informed us that we could use non-coded tankers to haul this product.

Please call if you have any further questions and thank you for your assistance.

Sincerely,

Nancy McKnight
Nancy McKnight

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8396*

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION



HAZARDOUS MATERIALS
CERTIFICATE OF REGISTRATION

Registrant: ROSS TRUCKING CO. INC.
Attn: Roger L Ross
PO Box 265
Elgin, SC 29045

This certifies that the registrant is registered with the U.S. Department of Transportation as required by 49 CFR Part 107, Subpart G.

This certificate is issued under the authority of Section 106(c)(1) of the Hazardous Materials Transportation Act, 49 App. U.S.C. 1801, et. seq. It is unlawful to alter or falsify this document.

Reg. No: 052797 013 003F Issued: 05/29/97 Expires: 06/30/98

Recordkeeping Requirements for the Registration Program

The following must be maintained at the principal place of business for a period of three years from the date of issuance of this Certificate of Registration:

- (1) A copy of the registration statement filed with RSPA; and
- (2) This Certificate of Registration.

Each person subject to the registration requirement must furnish that person's Certificate of Registration (or a copy) and all other records and information pertaining to the information contained in the registration statement to an authorized representative or special agent of the U.S. Department of Transportation upon request.

Each motor carrier (private or for-hire) and each vessel operator subject to the registration requirement must keep a copy of the current Certificate of Registration or another document bearing the registration number identified as the "U.S. DOT Hazmat Reg. No." in each truck and truck tractor or vessel (trailers and semi-trailers not included) used to transport hazardous materials subject to the registration requirement. The Certificate of Registration or document bearing the registration number must be made available, upon request, to enforcement personnel.

For information, contact the Hazardous Materials Registration Manager, DHM-60 Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590, telephone (202)366-4109.

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