



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

MAR 29 2016

Mr. Nigel Tijou
Global Technical Manager – Containers
Technical and Quality Management
Inspection Services – Energy
Lloyd's Register EMEA
1 Trinity Park, Bickenhill Lane
Birmingham B377ES
United Kingdom

Reference No. 15-0223

Dear Mr. Tijou:

This letter is in response to your November 13, 2015 email to Mr. Duane Cassidy, Chief, Pressure Vessels, Approvals and Permits Division, Pipeline and Hazardous Materials Safety Administration (PHMSA). Your letter was forwarded to the Standards and Rulemaking Division for a response. Specifically, you ask if a United Nations (UN) portable tank that transports “UN1689, Sodium cyanide, solid, 6.1, Packing Group (PG) I” is required to bear an American Society of Mechanical Engineers (ASME) Code stamp in accordance with the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

The HMR do not require UN1689 Sodium cyanide to be placed in an ASME Code-stamped UN standard portable tank. As you noted in your original email, § 178.273(b)(6) requires UN portable tanks to be marked with an ASME Code only when they are intended for Division 6.1 liquids that meet inhalation toxicity for Hazard Zones A and B as defined in § 173.132, or materials that are designated as toxic (poisonous) by inhalation in the § 172.101 Table.

Under the HMR, UN1689 Sodium cyanide is a solid material, and this material is not designated as poisonous-by-inhalation in its entry on the § 172.101 Table, neither through use of a special provision entry nor through additional classification in §§ 173.211 or 173.242.

I hope this information is helpful. If you have any more questions, please do not hesitate to contact this Office.

Sincerely,

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

Edmonson
§ 178.273
Portable Tanks
15-0223

Dodd, Alice (PHMSA)

From: Betts, Charles (PHMSA)
Sent: Friday, November 13, 2015 8:36 AM
To: Hazmat Interps
Subject: FW: USDOT Interpretation

fyi

From: Cassidy, Duane (PHMSA)
Sent: Friday, November 13, 2015 8:35 AM
To: Betts, Charles (PHMSA)
Subject: FW: USDOT Interpretation

Please see the request for interpretation below with regards to portable tanks under 178.273.

Regards,

Duane M. Cassidy
Chief, Pressure Vessels Branch
Approvals and Permits Division – PHH-30
OHMS, PHMSA, U.S. DOT
(202)-366-5794

East Building, E21-301
1200 New Jersey Ave., SE
Washington, D.C. 20590-0001

From: Cassidy, Duane (PHMSA)
Sent: Friday, November 13, 2015 8:30 AM
To: 'Tijou, Nigel'
Subject: RE: USDOT Interpretation

Thanks for the inquiry Nigel. We look to have both the minutes and the presentations posted and available early next week. As for the interpretation, I have forwarded to our Office of Hazmat Standards for an official interpretation. I believe you may be correct, but we will get an official answer to you.

Regards,

Duane M. Cassidy
Chief, Pressure Vessels Branch
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OHMS, PHMSA, U.S. DOT
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Washington, D.C. 20590-0001

From: Tijou, Nigel [<mailto:Nigel.Tijou@lr.org>]
Sent: Friday, November 13, 2015 8:28 AM
To: Cassidy, Duane (PHMSA); Wang, Angie
Subject: USDOT Interpretation

Hello,

Many thanks for the presentations last week, do you have the powerpoints available and which IIA relates to LR ?

Also, I have a query on US DOT CFR49 for UN Portable Tanks, I hope you can assist with.

Section 178.273b6 states

“(6) For UN portable tanks intended for non-refrigerated and refrigerated liquefied gases and Division 6.1 liquids which meet the inhalation toxicity criteria (Zone A or B) as defined in §173.132 of this subchapter, or that are designated as toxic by inhalation materials in the §172.101 Table of this subchapter, the approval agency must ensure that:”

However our client wishes to manufacture a tank for UN1689, which has requirements as specified

Sodium cyanide, solid	6.1	UN1689	1	6.1	IP13 B69, B77, None I57, N74, N75, T6, TP33	211	242	5 kg	50
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The problem I have is

Due to the wording, as UN1689 is a solid it falls outside of the requirement for the unit to be code stamped etc..
However, I think the spirit of the code is that you would want the unit to be code stamped etc..

Please can you advise.

Best Regards,

Nigel Tijou

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