



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

June 3, 2024

Craig Owen, CHMM
Transportation Compliance Services
Owen 1683, LLC
8310 Elko Drive
Ellicott City, MD 21043

Reference No. 24-0016

Dear Mr. Owen:

This letter is in response to your March 7, 2024, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the use of certain special permit (SP) packagings to transport corrosive liquids. Specifically, you ask whether packagings authorized in DOT-SP 10878 and DOT-SP 12516 are eligible for use of the exception in § 173.154(d), which states that a material classed as a Class 8, Packing Group III—solely because of its corrosive effect on steel or aluminum—is excepted from the HMR when transported by motor vehicle or rail car in a packaging constructed of materials that will not react dangerously with or be degraded by the corrosive material.

The answer is yes. There is no restriction on the use of SP packagings (e.g., DOT-SP 10878 and DOT-SP 12516) for transport of hazardous material in accordance with the § 173.154(d) exception, unless such eligibility is specified as a condition of the SP. Therefore, if you have determined that these SP packagings meet the compatibility criteria, use of the exception in § 173.154 is permitted provided the material is not a hazardous substance, a hazardous waste, or a marine pollutant.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dirk Der Kinderen".

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division

Casey

From: [INFOCNTR \(PHMSA\)](#)
To: [Dodd, Alice \(PHMSA\)](#)
Cc: [Hazmat Interps](#)
Subject: FW: Interpretation Request, 49 CFR §173.154(d)
Date: Tuesday, March 12, 2024 9:59:09 AM

24-0016

Hi Alice,

Please see the below interpretation request.

Let me know if you need anything.

Regards,

-Breanna

From: Craig Owen <Owen1683@outlook.com>
Sent: Thursday, March 7, 2024 12:11 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: FW: Interpretation Request, 49 CFR §173.154(d)

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Via E-mail
infocntr@dot.gov

Hazardous Materials Information Center
U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Subject: Interpretation Request, 49 CFR §173.154(d)

To whom it may concern,

I am requesting an interpretation of §173.154(d) regarding the use of Special Permit (SP) authorized cargo tanks for transporting Corrosive Liquids. DOT-SP 10878 and DOT-SP 12516 authorize the use of glass fiber reinforced plastic (GFRP) cargo tanks for the transportation of materials authorized for transport in DOT Specification 412 cargo tanks. Under 49 CFR 173.154(d) materials corrosive to aluminium or steel only are not subject to any other requirements of Subchapter C if the bulk packaging is constructed of materials that will not react dangerously with, or be degraded by the corrosive material.

As the GFRP trailers are designed to transport corrosive liquids, do they meet the definition of a bulk packaging that is constructed of materials that will not react dangerously with, or be degraded by the corrosive material? Can the exception in §173.154(d) be used with the Special Permit packagings referenced above?

Your assistance with clarifying the applicability of the exception to the GFRP trailers is appreciated. If you more information, or clarification of the questions, please do not hesitate to contact me.

Craig Owen, CHMM

Transportation Compliance Services

Owen 1683, LLC

8310 Elko Drive

Ellicott City, MD 21043

Owen1683@outlook.com