



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

December 18, 2024

Mr. Walter Brown
Brown's Transportation Ltd.
3108 North Tetagouche Road
North Tetagouche, NB E2A 4Z1
Canada

Reference No. 24-0066

Dear Mr. Brown:

This letter is in response to your July 17, 2024, email requesting clarification on the hazardous materials registration requirements. Specifically, you ask whether a motor carrier, contracted solely to another company, must separately register under 49 CFR Part 107, Subpart G.

In accordance with 49 CFR § 107.606(a)(6), the owner-operator of a motor vehicle that transports in commerce hazardous materials is not required to hold a separate registration if that vehicle—at the time of those activities—is leased to a registered motor carrier under a 30-day (or longer) lease, as prescribed in 49 CFR Part 376 or an equivalent contractual agreement. If the contract you describe in your email is an agreement equivalent to the requirements prescribed in 49 CFR Part 376,¹ a separate registration from the one held by Ditech Transportation Inc. (i.e., 061224550056G) is not required. Please also note, during an inspection, an enforcement agency may require documentation supporting compliance with 49 CFR § 107.606(a)(6).

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

Sincerely,

Alexander Wolcott
Acting Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

¹ <https://www.ecfr.gov/current/title-49/part-376>

From: [INFOCNTR \(PHMSA\)](#)
To: [Dodd, Alice \(PHMSA\)](#)
Cc: [Hazmat Interps](#)
Subject: FW: Letter of Interpretation request
Date: Thursday, July 18, 2024 12:44:56 PM
Attachments: [Ditech Letter.pdf](#)

Hi Alice,

Please see the below interpretation request and attached supporting document.

Let us know if you need anything,

-Breanna

From: Wally Brown <walanmac@yahoo.ca>
Sent: Wednesday, July 17, 2024 9:40 AM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Cc: Jason Koval <jason.koval@ditechtesting.com>
Subject: Letter of Interpretation request

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.

To whom it may concern,

As a Canadian owner operator (Brown's Transportation Ltd.) with my own DOT # 4113321, I am contracted to Ditech Transportation Inc. (Canadian Company) DOT # 2033572 Hazardous Material Certificate # 061224550056G, HM Company ID 77512. For the last year and foreseeable future, I have solely hauled Hazardous Material out of the United States to Canada under Ditech's load dispatch using their permit based on a conversation I had with your office last year stating that I qualified under Exception F. They have allowed me to use their permit with a letter stating that I am contracted to haul their trailers and loads.

Under "Who Must File" exception "F-Hazmat employees, including the owner-operator of a motor vehicle that transports hazardous materials in commerce if that vehicle, at the time of those activities, is leased to a registered motor carrier under a 30-day or longer lease as prescribed in 49 CFR Part 376 or an equivalent contractual relationship".

This month I am doing a safety audit with the DOT, and they believe i may need my own Permit. All these loads are under contract with Ditech Transportation. I Do Not have

any relations with their customers, all contact and bill is to Ditech. I also do not have any relationship with an Agent of the United States.

Do I qualify for this exception? This permit is solely used for Ditech Transportation Inc. loads.

Attached is a letter from Ditech Transportation Inc.

Walter Brown

Brown's Transportation Ltd.

3108 North Tetagouche Rd

North Tetagouche, NB

E2A 4Z1

(403)660-8437

walanmac@yahoo.ca



4 Addison Ave
Scoudouc NB E4P 3N3

July 15th, 2024

Re Ditech Transportation Inc.

To Whom it may concern:

This letter is to serve as notice that we at Ditech Transportation contracted the holder of this letter (Walter Brown) Brown's Transportation with New Brunswick plates PUX 540 and US Dot # 4113321) to haul equipment on our behalf under the SCAC code of DCHK.

If you need any further clarification, feel free to reach out to me at 506-874-6690 or Jason.Koval@ditechtesting.com.

Regards

A handwritten signature in black ink, appearing to read "Jason Koval", is written over the word "Regards".

Jason Koval

VP – Logistics and Transportation

Ditech