

**From:** INFOCNR (PHMSA)  
**To:** Baker, Yul (PHMSA)  
**Cc:** Hazmat Interns  
**Subject:** FW: Interpretation Request  
**Date:** Monday, June 2, 2025 3:20:21 PM  
**Attachments:** image001.png

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Hi Yul,

Please see the below interpretation request. Let us know if you need anything.

Sincerely,  
Janaye

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**From:** tom.forbes@puco.ohio.gov <tom.forbes@puco.ohio.gov>  
**Sent:** Monday, June 2, 2025 10:17 AM  
**To:** INFOCNR (PHMSA) <INFOCNR.INFOCNR@dot.gov>  
**Subject:** Interpretation Request

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HM Info Center:

I am requesting a written interpretation of the HMRs on the scenario described below.

I recently stopped a CMV transporting Hazardous Materials (HM) for delivery of agricultural chemicals. The vehicle was being operated by a Co-Op not a farmer. The vehicle had 5 IBC on board 3 of which were transporting HM. In discussions with the driver, I ask how the IBCs were off-loaded. Were they removed from the CMV or transferred while they remained on the CMV. He stated they remain on the CMV. I ask him to explain the process. The IBCs are connected by hoses to an "induction tank" and then mixed with water from a large water tank on board. The induction tank is 55 gallon in size. Once the water and AG chemicals are mixed, they are transferred by hose to the end user (farmer). I ask if they had a special permit that allows the IBCs to be off loaded or transferred while remaining on the vehicle and the driver stated no. I am providing photos below to detail the CMV and off-loading process.

My question: Is it a violation of 177.834(h) to transfer or off-load these IBCs before removing them from the CMV in this scenario if you are not party to the Special Permit that allows it?



Rear of truck showing some of the IBCs and the discharge hose with the valve and yellow shut off handle



Front of truck showing the Green water tank and the 55-gallon "inductor tank"



Close up of "inductor tank" and discharge pipe



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