



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

March 14, 2022

Mr. Ahmed Khan
Engineering Team Coordinator
Western Global Canada Ltd.
251 Saulteaux Crescent #101
Winnipeg, MB R3J 3C7
Canada

Reference No. 21-0109

Dear Mr. Khan:

This letter is in response to your November 17, 2021, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the transportation of diesel fuel in a UN31A metal intermediate bulk container (IBC) in the United States.

We have paraphrased and answered your questions as follows:

Q1. You ask whether a UN31A metal IBC is an authorized packaging for the transportation of diesel fuel.

A1. The answer is yes, provided the diesel fuel is:

- (1) a flammable liquid in packing group (PG) III as defined in § 173.120(a), or a combustible liquid as defined in § 173.120(b); and
- (2) described as “UN1202, Diesel fuel, 3, PG III,” “NA1993, Diesel fuel, 3, PG III,” or “NA1993, Diesel fuel, Combustible liquid, PG III.”

These identification numbers direct shippers to special provision “IB3” in column 7 (Special Provisions) of the Hazardous Materials Table (HMT; § 172.101), which states that authorized IBCs include metal (31A, 31B, and 31N); rigid plastics (31H1 and 31H2); and composite (31HZ1, 31HA2, 31HB2, 31HN2, 31HD2, and 31HH2). Please note that there is an additional requirement when utilizing special provision “IB3” that only liquids with a vapor pressure less than or equal to 110 kPa at 50 °C (1.1 bar at 122 °F) or 130 kPa at 55 °C (1.3 bar at 131 °F) are authorized, except for UN2672 (see special provision “IP8”).

Q2. You ask whether a UN31A metal IBC containing diesel fuel may be transported on a barge, trawler, or ship within the coastal areas of the United States.

A2. The answer is yes, provided all applicable vessel requirements in part 176 of the HMR are met. Please note the additional requirements in subpart F of part 176 specific to barges and the regulations on the transfer to and from the containers while onboard vessels in 46 CFR § 98.30.

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

Sincerely,

A handwritten signature in blue ink that reads "T. Glenn Foster". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

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

From: [INFOCNTR \(PHMSA\)](#)
To: [Hazmat Interps](#)
Subject: FW: Use of 31A/Y UN IBC for use on a Barge / Vessel in an Ash-Pond inside USA
Date: Thursday, November 18, 2021 5:20:47 PM
Attachments: [image001.png](#)
[RDIMS-#14044956-v2-CERTIFICATE_46-1790_Certificate Only 4.pdf](#)
[WM001-05,10,20,30TCG-GLB-Manual v1 EN PRINT READY.pdf](#)
[Delivered Use of 31AY UN IBC for use on a Barge Vessel in an Ash-Pond inside USA .msg](#)
[Automatic reply Use of 31AY UN IBC for use on a Barge Vessel in an Ash-Pond inside USA .msg](#)
[Delivered Use of 31AY UN IBC for use on a Barge Vessel in an Ash-Pond inside USA .msg](#)
[Delivered Use of 31AY UN IBC for use on a Barge Vessel in an Ash-Pond inside USA .msg](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
Importance: High

Hello Hazmat Interps,

Here are the attachments that were included in the letter request.

Thanks,

Jonathon, HMIC

From: Ahmed Khan <Ahmed.Khan@western-global.com>
Sent: Wednesday, November 17, 2021 11:40 AM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Use of 31A/Y UN IBC for use on a Barge / Vessel in an Ash-Pond inside USA
Importance: High

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.

Dear Regulatory Specialist,

Further to our email communication of April 24th and later April 28th, 2020 on the subject matter with Mr. Josh and Ms. Brianna; can you please help in providing us the "Letter of Interpretation" as desired by some of our customers / clients who would like to use a UN Mobile IBC 31A/Y Fuel Tank in Ash-Pond for transportation of Diesel Fuel.

Matter urgent!

Regards,

Ahmed Khan
Engineering Team Coordinator

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Dear Regulatory Specialist:

Further to our telephonic discussion a few moments ago on the subject matter with your Mr. Joshua; can you please help and answer the following questions; and provide us a “Letter of Interpretation”. Mr. Josh had informed me on the phone that yes, the 31A/Y UN IBCs can be used for Diesel Fuel transportation with marine voyage inside the USA since it is not restricted or banned under 49CFR.

1. Please advise if a 31A/Y Steel UN IBC Tank type approved for transportation of dangerous goods falling under CLASS-3, PG-II and PG-III could be used in the USA to transport Diesel Fuel (UN1202 / 1993) onto a Barge / Vessel inside an Ash Pond at a customer facility inside the USA under TDG Regulations as applicable in Canada vide [Section 11.2](#) and [Paragraph 5.14\(1\)\(d\)](#) of the TDG Regulations under TDG Regulations as applicable in Canada
2. Kindly also advise if the said 31A/Y UN IBC Tanks could also be used for Marine Transport on a barge / trawler / ships voyage, within the USA coastal areas, somewhat within 120-nautical miles; similar to the
3. Western Global have 31A/Y UN IBC Tanks type approved to CAN/CGSB-43.146 per approval from Transport Canada.
4. Transport Canada permits use of an IBC a 31A IBC to transport diesel fuel on a vessel in Canada., based on the following condition:
Here is some background information.
 - a. [Section 11.2](#) of the TDG Regulations says to use the TDG Regulations when transporting dangerous goods by vessel inside of Canada. For international voyages, you would refer to the section 11.1, which further refers to the IMDG Code. However, in your case you would simply use the TDG Regulations since the voyage is inside of Canada.
 - b. [Paragraph 5.14\(1\)\(d\)](#) of the TDG Regulations refers to various standards that can be used when transporting dangerous goods by vessel inside of Canada. One of those standard is CGSB-43.146, which is the standard for IBC. This standard does allow UN1202 Diesel Fuel to be transported in a 31A IBC.
5. In closing, whoever is offering the diesel fuel for transport and whoever is transporting the product must be familiar with this standard and also must be TDG trained.

People can obtain a copy of CGSB-43.146 using this [link](#).

Please forward us an appropriate “Letter of Interpretation” to our email request. Kindly also advise the relevant code as applicable in the USA for compliance to the TDG / 49CFR / 46CFR.

Regards,

AHMED KHAN

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INNOVATIVE FUEL & FLUID STORAGE SOLUTIONS

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