

Good afternoon,

26-0072
Cajar

Please see the attached interpretation request.

Let us know if you need anything,

Janaye

----- Forwarded message -----

From: **Clay Greene** <clay@acmehazmat.com>

Date: Fri, Jun 5, 2026 at 12:31 PM

Subject: Letter of Interpretation Request - Anhydrous Ammonia Transportation

To: Andrews, Steven <steven.andrews@dot.gov>

Cc: phmsa.hm-infocenter@dot.gov <phmsa.hm-infocenter@dot.gov>

Good afternoon, Steven,

Please see the attached, I am requesting a Letter of Interpretation in regard to the transportation of anhydrous ammonia.

Please do not hesitate to reach out if there are any questions on my request or if further clarification is required.

Respectfully,

Clay Greene

ACME HAZMAT Transportation Solutions, LLC

clay@acmehazmat.com

(229)560-1799

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ACME HAZMAT Transportation Solutions, LLC
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Clay Greene, President

June 5, 2026

Via Electronic Mail

Steven Andrews
Standards and Rulemaking Division
Office of Hazardous Materials Safety
Pipeline and Hazardous Materials Safety Administration
U.S. Department of Transportation, East Building
1200 New Jersey Avenue, SE
Washington, DC 20590

**Re: Request for Letter of Interpretation – Applicability of HM Regulations on the
Transportation of Anhydrous Ammonia**

Dear Mr. Andrews,

Consistent with the requirements of 49 CFR §105.20(a), the purpose of this letter is to request written clarification regarding the applicability of the Hazardous Materials Regulations (HMR) on the transportation of UN1005, Anhydrous Ammonia, 2.2.

Request for Clarification

I have several questions relating to the transportation of anhydrous ammonia which I am seeking clarification on.

Scenario 1

In the nurse tank exception that is found in the HMR in 49 CFR §173.315(m). I have some specific questions about this exception I have been unable to determine the proper guidance through research.

PHMSA issued a Letter of Interpretation #11-0015 ([110015.pdf](#)) which was dated June 29, 2011, and responded to questions asked in regard to multiple nurse tanks being mounted on and secured to one trailer, which the response from PHMSA allows multiple tanks to be secured to one trailer. However, the Letter of Interpretation does not cover the aggregate capacity of the tanks or a total number of tanks that is permitted. In the HMR, §173.315(m)(1) regarding the use of nurse tanks, paragraph (iv) discusses tanks having a capacity of 3,000 gallons or less.

I also have a question as to the nurse tanks operated under the exception in §173.315(m)(2) with missing or illegible ASME plates that are required to be tested and inspected in accordance with Part 180, this section states in paragraph (iv) that “each nurse tank must be inspected and tested by a person meeting the requirements of §180.409(d) of this subchapter”.

Question # 1

If multiple nurse tanks are mounted to a trailer or farm wagon, is the 3,000-gallon capacity applied to each individual tank mounted on the trailer, or is it an aggregate capacity for the trailer? For example, a field trailer has two 2,000-gallon nurse tanks mounted and secured to a farm wagon or trailer for an aggregate capacity of 4,000 gallons, would that aggregate capacity in both tanks still qualify for the exception in §173.315(m)(1).

Question # 2

If multiple nurse tanks are mounted to a trailer or farm wagon, is there a maximum number of tanks that are permitted to be mounted onto a trailer or farm wagon to still qualify for the exception in §173.315(m)(1)?

Question # 3

For nurse tanks operating under §173.315(m)(2) that have a missing or illegible ASME plate, §180.409(d) indicates that “A motor carrier or cargo tank owner who meets the requirements of paragraph (a) of this section may use an employee who is not a registered inspector to perform a portion of the pressure test as required by §180.407(g)”. Paragraph (a) states that any person performing or witnessing the inspections and tests specified in §180.407(c) must – (1) be registered with the Federal Motor Carrier Safety Administration in accordance with Part 107, subpart F. Does this mean that all motor carriers or cargo tank owners must be registered with FMCSA and possess a CT# to perform pressure, thickness and external visual tests and inspections on a nurse tank in conformance with §173.315(m)(2)?

Scenario 2

The transportation of anhydrous ammonia contains differences for domestic shipments, and for domestic transportation the table entry classifies anhydrous ammonia as a non-flammable gas, Division 2.2. Special Provision #13 required that the words “inhalation hazard” shall be entered

on each shipping paper and also that a bulk package be marked on two opposing sides. Specifically, the Special Provision states the requirements of §§ 172.203(m) and 172.505 of this subchapter do not apply.

Whereas the international shipping description classifies it as a toxic gas, Division 2.3. Special provision #4 identifies this material as a material poisonous by inhalation in hazard zone D.

Special Provision #4 specifically states “This material is poisonous by inhalation in Hazard Zone D”, and Special Provision #13 does not communicate this specifically.

The requirements for a Safety and Security Plan in Subpart I of 49 CFR Part 172 do not specifically address anhydrous ammonia. I am clear that an international shipment of anhydrous ammonia would be subject to the requirements for a security plan by §172.800(b)(5). When transported domestically, anhydrous ammonia does not appear to fall into any of the types of materials listed in §172.800(b) when transported as a non-flammable gas, as Special Provision # 13 does not specifically state “this material is poisonous by inhalation”.

In §171.8 the definition of Material Poisonous by Inhalation lists three items for inclusion in the definition, to which (1) and (2) would not apply domestically. In (3) it states, “any material identified as an inhalation hazard by a special provision in column 7 of the §172.101 table”. Special Provision #13 as stated above does not specifically state the material, when transported domestically as a non-flammable gas, is an inhalation hazard. It just states that the words “inhalation hazard” shall be entered on the shipping papers and the packages must be marked.

In researching this topic, I found in HM-232F ([2010-4778.pdf](#)) which was published on March 10, 2010, PHMSA specifically addresses anhydrous ammonia transported domestically by stating:

“While anhydrous ammonia is classed for domestic transportation as a Division 2.2 material, it does pose a significant inhalation hazard and, thus, should be subjected to safety and security requirements that address that hazard. We note further that by requiring security plans for materials that meet the definition for a material poisonous by inhalation, all materials that exhibit PIH characteristics are covered even if they are not specifically identified in column 3 of the § 172.101 table as Division 2.3 or 6.1 materials. Therefore, whether the material is anhydrous ammonia, boron tribromide, ethyl chlorothioformate, phosphorus oxychloride, or sulfuric acid, for example, it is subject to the security plan requirements under proposed section 172.800(b)(6), at any quantity.

In this final rule, we are maintaining the existing any quantity threshold for PIH materials.”

With the language in Special Provision #13 not being consistent with Special Provision #4, I am requesting clarification on the applicability of shipments of anhydrous ammonia utilizing the domestic shipping description entry in the §172.101 table.

Question # 1

Does a domestic shipment of anhydrous ammonia, transported under the domestic entry in the §172.101 table entry of ID# UN1005 require the company to have a hazardous materials security plan that is required by 49 CFR Part 172 Subpart I to be in place?

Question # 2

Would a private motor carrier, such as a co-op or farm service company utilizing nurse tanks under the exception found in §173.315(m) be required to implement a security plan under 49 CFR Part 172 Subpart I?

Thank you for your assistance with this request. Please contact me at (229) 560-1799 or clay@acmehazmat.com if you have any questions or desire additional information on my request.

Sincerely,

A handwritten signature in dark ink, appearing to read "Clay Greene", with a long horizontal flourish extending to the right.

Clay Greene

Attachment: PHMSA LOI# 11-0015



U.S. Department
of Transportation

1200 New Jersey Avenue SE
Washington, DC 20590

**Pipeline and Hazardous
Materials Safety
Administration**

JUN 29 2011

Mr. Richard Olson
920 North Main Ave
Thief River Falls, MN 56701

Ref. No. 11-0015

Dear Mr. Olson:

This responds to your letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the transportation of nurse tanks. Specifically, you ask whether permitting or approval is required under the HMR for three nurse tanks secured and transported on one trailer that is pulled by a pickup truck or semi-trailer operated by a private motor carrier.

Provided the requirements for nurse tanks specified in § 173.315(m) are met, multiple nurse tanks mounted and secured to a farm wagon that are intended for use in direct support of agricultural operations do not require additional permitting or approval from this Office.

I hope this information is helpful. If you have further questions, please contact this office.

Sincerely,

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

Edward T. Mazzullo
Director Office Hazardous Material Standards
US Dot/PHMSA
1200 New Jersey Ave (PHH-10)
SE East Bldg 2nd Floor
Washington DC, 20590
Subject: Anhydrous ammonia farm use nurse trailers

Jan 9-11
Stevens
3173.315 (m)
Nurse Tanks
11-0013

Dear Sir:

I am a director of a Farm Coop which supplies fuel and fertilizer products to farmers. Presently we deliver these Nurse tank trailers one at a time. Due to larger farm equipment and further distances, we cannot keep up.

I would like to know if we can get a permit to haul 3 Nurse tank trailers on a trailer pulled by a pickup or a semi trailer.

I feel this would be much safer hauling them on a trailer with adequate lights and braking systems to meet all DOT regulations.

Respectfully yours,



Richard Olson
920 North Main Ave
Thief River Falls, Mann 56701
218-681-3333