



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

**OCT 26 2018**

Tina Cousins  
Product Manager  
Columbiana Boiler Company, LLC  
200 West Railroad Street  
Columbiana, OH 44408

Reference No. 18-0116

Dear Ms. Cousins:

This letter is in response to your August 16, 2018, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the authorized use of tank cars for the transportation of certain poisonous by inhalation (PIH) materials. Specifically, you ask whether “UN1067, Dinitrogen tetroxide, inhibited, 2.3,” may be shipped in a Department of Transportation (DOT) 110 multi-unit tank car tank under the provisions in § 173.314(c). You reference a final rule published on January 13, 2009 (74 FR 1787; HM-246) in which the preamble states, “Multi-unit tank car tanks and forged-welded tank car tanks (e.g., DOT 106, DOT 109, and DOT 110) may continue to be used as authorized.”

The answer is yes. “UN1067, Dinitrogen tetroxide, inhibited, 2.3,” may be shipped in a DOT 110 multi-unit tank car tank under the provisions in § 173.314(c). Note 11 was added to the § 173.314(c) table to clarify that for tank cars built prior to March 16, 2009, and used to transport PIH materials, the then-current class of authorized tank cars may continue to be used, provided the tank cars were approved by the AAR Tank Car Committee for transportation of the specified material. DOT 110 multi-unit tank car tanks were authorized for dinitrogen tetroxide at that time. Multi-unit tank car tanks and forged-welded tank car tanks (e.g., DOT 106, DOT 109, and DOT 110) were not affected by the 2009 final rule and may continue to be used as authorized.

Thank you for bringing this typographical error to our attention. We intend to correct it in a future rulemaking action.

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

Sincerely,

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

# INTERPRETATION LETTERS

<b>Requester</b>	Tina Cousins	<b>Date Received:</b>	8/20/2018
<b>Company</b>	Columbiana Boiler Company, LLC	<b>Tracking</b>	18-0116
<b>Phone</b>	330-482-3373 ext 612	<b>Revision Date:</b>	8/20/2018

<b>Date Assigned</b>	8/20/18	<b>Date of Letter</b>	8/20/2018
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<b>Staff</b>	Stevens	<b>First Draft Due:</b>	9/10/2018
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<b>Section</b>		<b>First Draft Date:</b>	
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<b>Subject</b>	
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<b>Concurrence</b>	
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<b>Status</b>		<b>Status Date</b>	8/9/2018
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<b>Sign Date</b>		<b>Signor</b>	
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<b>Comment</b>	HBP <input type="checkbox"/>	Copy to Docket <input type="checkbox"/>	Copy to DHM-60 <input type="checkbox"/>
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Stevens  
18-0116



August 16, 2018

Office of Hazardous Materials Safety Administration  
1200 New Jersey Ave., S.E.  
East Building, 2<sup>nd</sup> Floor  
Washington, DC 20590-0001

**RE: OFFICAL REQUEST FOR INTERPRETATION OF RULE MAKING  
PIH/TIH TANK CARS [74 FR 1770]**

Dear Associate Administrator,

The Columbiana Boiler Company, LLC 200 West Railroad Street Columbiana, OH 44408, requests an interpretation for rulemaking PIH/TIH TANK CARS [74 FR 1770].

We feel this rulemaking that removed the DOT 110 multi-unit tank car tank specification from table 173.314 regarding the commodity of dinitrogen tetroxide is incorrect. Note B66 in 172.102 still authorizes stainless steel 110 multi-unit tank car tanks in the regulations and the change is only reflected in Part 173.314. Furthermore, we believe that the changes made apply to single unit tank car tanks only, not to multi-unit tank car tanks. Multi-unit tank car tanks are no longer included in the AAR Manual of Standards & Recommended Practices, Section C-111 Specification for Tank Cars M-1002.

If you have questions or comments, please contact me at Ph. 330-482-3373 / E-mail: [tinac@cbco.com](mailto:tinac@cbco.com)

Sincerely,

A handwritten signature in cursive script that reads "Tina Cousins".

Tina Cousins  
Product Manager