



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

MAR 12 2019

1200 New Jersey Avenue, SE  
Washington, DC 20590

Jeffrey Cline  
Director of Strategic Accounts  
9216 Autumn Court  
Mobile, AL 36695

Reference No. 18-0109

Dear Mr. Cline:

This letter is in response to your July 17, 2018, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to non-DOT specification portable tanks. You state your company wants to construct and transport a roll-off/roll-on portable tank conforming to Special Provision T3 filled with "UN3190, Self-heating solid, inorganic, n.o.s., 4.2, PG II." You further explain that while the hazardous material will contain some moisture, there will be no free-flowing liquid. Specifically, you ask if any additional requirements would apply to a non-DOT specification packaging containing "UN3190" if the portable tank is built with the proper compatibility, closures, venting, and conforms to the requirements of § 173.241.

The answer is yes. Use of the packaging is also subject to the requirements of Subparts A and B of Part 173, which include general packaging requirements in § 173.24, additional general requirements for bulk packagings in § 173.24b, and any applicable requirements for the use of a portable tank in § 173.32.

You are free to voluntarily construct your non-DOT specification portable tank to the standards in Special Provision T3. While such a portable tank would be an authorized packaging for the material in accordance with § 173.241, it cannot be represented as a DOT specification packaging or as complying with any DOT standard or requirement.

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

Sincerely,

Dirk Der Kinderen  
Chief, Standards Development Branch  
Standards and Rulemaking Division

Baker  
§ 173.24(c)  
Packaging Specs  
18-0109

**Dodd, Alice (OST)**

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**From:** INFOCNTR (PHMSA)  
**Sent:** Wednesday, July 18, 2018 4:35 PM  
**To:** Hazmat Interps  
**Subject:** FW: Request for Interpretation

Hi Ikeya,

Below is a request for a letter of interpretation. Mr. Cline spoke with Jonathon regarding his request.

Thank you,  
Jodi

**From:** Jeffrey Cline [mailto:jcline@rainforrent.com]  
**Sent:** Tuesday, July 17, 2018 4:21 PM  
**To:** INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>  
**Subject:** Request for Interpretation

To Whom It May Concern,

I am writing you with regards to the packaging requirements for spent catalyst (UN3190, SELF-HEATING, SOLID INORGANIC, N.O.S., Class 4.2, Packing Group II). Bulk Packaging instructions per 49 CFR 173.24 (c) indicates that “**non-DOT Specification portable tanks suitable for transport of liquids are authorized.**”

My organization seeks to construct a portable roll-off/roll-on (rectangular) tank to transport this Hazard Class 4.2 PG II material conforming to Special Provision T3. This material will contain some moisture but will have no free liquids.

Question:

Assuming such portable tank suitable for liquids (in a roll-off style) is built with the proper compatibility, closures, venting, and conforms with the requirements of 49 CFR 173.24, are there any other regulations that would apply to such non-DOT specification packaging for a UN3190 HazMat?

Best Regards,

Jeff Cline

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9216 Autumn Ct.  
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*Jeff Cline*

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