



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Pipeline and Hazardous
Materials Safety
Administration**

JAN 17 2020

Thomas Stumpf
CEO
Fuelie Systems, Inc.
16192 Coastal Highway
Lewes, DE 19958

Reference No. 19-0111

Dear Mr. Stumpf:

This letter is in response to your August 30, 2019, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the domestic transportation of diesel fuel. You reference a Letter of Interpretation (Reference No. 05-0062), stating: “[i]n accordance with § 172.101(b)(3) and (b)(5), you may use either the international or domestic entry in the [Hazardous Material Table (HMT)] for domestic transportation of methanol.” With respect to the clarification offered in the letter and noting that it is permissible to use either the international or domestic HMT entry for the domestic transportation of methanol, you ask whether it is similarly permissible to use either the international or domestic entry for the domestic transportation of diesel fuel.

The answer is yes. The HMT includes two entries for diesel fuel, “NA1993” and “UN1202.” The “UN1202” entry has an “I” in Column (1) indicating its use for international and domestic transportation (emphasis added). The “NA1993” entry has a “D” in Column (1) indicating its use for domestic transportation only (emphasis added). A person may select either entry for the purposes of domestic transportation.

Please note, the combined or partial use of the domestic and international entry is not permissible. For example, diesel fuel may be described as either “UN1202” or “NA1993” for the purposes of domestic transportation, but a person cannot mark a package containing diesel fuel with “UN1202” while describing it on a shipping paper as “NA1993” or vice versa. Moreover, a person must comply with the applicable requirements assigned to the entry in the HMT.

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

19-0111

Dodd, Alice (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Tuesday, September 03, 2019 8:56 AM
To: Hazmat Interps
Subject: FW: Interpretation Letter

Hello Alice and Ikeya,

Please see below for letter of interpretation request.

The requester (Tom Stumpf) and Dave Gailish spoke with Lynsey in the HMIC. They spoke about 05-0062 "In accordance with § 172.101(b)(3) and (b)(5), you may use either the international or domestic entry in the HMT for domestic transportation of methanol." As well as the regulations in 172.101(b)(3) and Lynsey used an IG from Ben Sepuko from 2/1/2003 to provide more information about "For domestic shipments, proper shipping names representing materials with a "D" in Column 1 do not take precedence over proper shipping names referring to materials with an "I" in Column 1. The shipper may choose to utilize either name provided that the most appropriate proper shipping name for the hazardous material is selected." She informed the requestor that if a material is going domestic and has both a UN and NA ID, the shipment can go under either the international ID or the domestic ID. On 8/28/19 Dave Gailish called again stating they wanted to submit for their own letter of interpretation. Lynsey covered the regulations again with them but they proceeded with the request so they could have something in writing.

If you have any questions please contact our office.

Thanks,
Kathryn, HMIC

From: Tom Stumpf [mailto:tom@fuelie.com]
Sent: Friday, August 30, 2019 3:46 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Cc: Kammeron Clukey <kam@fuelie.com>; David Kalish <dkalish@coatsandbennett.com>
Subject: Interpretation Letter

Mr. Shane Kelley
Director, Standards and Rulemaking Division
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590

Via Electronic Mail at: infocntr@dot.gov

Dear Mr. Kelley:

I am requesting an interpretation letter regarding the domestic transportation of diesel fuel.

Interpretation letter 05-0062 states that, "In accordance with 172.101(b)(3) and (b)(5), you may use either the international or domestic entry in the HMT for domestic transportation of methanol."

Since it is permissible to use either the international or domestic entry for methanol, is it likewise permissible to use either the international or domestic entry for the domestic transportation of diesel fuel?

Thank you for your attention to this matter.

Thomas Stumpf

CEO

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systems