U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

October 15, 2020

Mr. Gregory S. Phillips
Senior Regulatory Affairs Manager - Americas
ICL Americas
622 Emerson Rd.
Suite 500
St. Louis, MO 63141

Reference No. 20-0045

Dear Mr. Phillips:

This is in response to your May 26, 2020, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to lading density and the maximum weight of lading when loading cargo tanks. Specifically, you ask whether a previous Letter of Interpretation (LOI) issued under Reference No. 96-0182 on September 25, 1996, remains valid.

The answer is yes. As stated in the LOI, a hazardous material with a density which exceeds the maximum lading density for the cargo tank indicated on the name plate may be loaded in to a cargo tank as long as the maximum weight of the lading marked on the specification plate is not exceeded. See § 173.24b(d)(2).

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

Pollack

20-0045

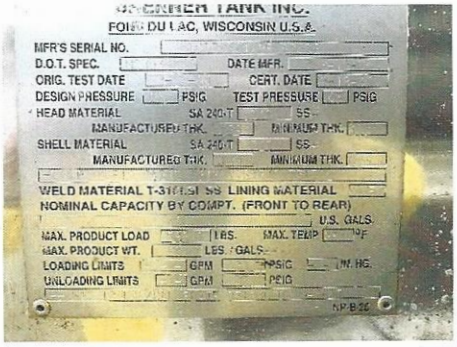
ICL Americas
622 Emerson Rd.
Suite 500
St. Louis, MO 63141

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

May 26, 2020

Dear Mr. Kelley,

This letter is to request guidance and interpretation involving which values appearing on a hazardous materials tank trailer certification plate determine the acceptability for loading a material which exceeds the "MAX. PRODUCT WT." (density) but for which the net weight is below the stated "MAX. PRODUCT LOAD" (weight). Several recent rejections have occurred at a terminal due to the product density (Phosphoric Acid – density = 14.15 Lbs./gal.) exceeding the "MAX. PRODUCT WT. 13 LBS/GALS XX" on the specification plate. The intended load net weights were below the "MAX. PRODUCT LOAD 53,810 LBS." on the plate. (See image below, and attached).



A prior September 25, 1996 interpretation from Delmer Billings to McKenzie Tank Lines (attached) states "A hazardous material with a density which exceeds the maximum lading density for the tank indicated on the specification plate may be loaded into a cargo tank if the maximum weight of lading marked on the specification plate is not exceeded. See provision in 49 CFR 173.24b(d)(2).". Neither 173.24b in general nor this specific provision refer to the material density as a limiting factor for lading.

We seek confirmation that the prior interpretation letter includes tank trailers, that it is still valid, and that the specification plate weight limit is the load limiting factor for liquid materials with densities higher than the stated maximum density.

I hope this sufficiently summarizes our inquiry. Please contact me if you require clarification. Thank you in advance and I look forward to your response.

Sincerely,

Gregory S. Phillips

Gregory S. Phillips
Senior Regulatory Affairs Manager – Americas
ICL
622 Emerson Rd., Suite 500
St. Louis, MO 63141
Telephone: 314-983-7807
E-mail Gregory.phillips@icl-group.com

BRENNER TANK INC.

FOND DU LAC, WISCONSIN U.S.A.

MFR'S SERIAL NO. [illegible]

D.O.T. SPEC. [illegible] DATE MFR. [illegible]

ORIG. TEST DATE [illegible] CERT. DATE [illegible]

DESIGN PRESSURE [illegible] PSIG TEST PRESSURE [illegible] PSIG

HEAD MATERIAL SA 240-T [illegible] SS

MANUFACTURED THK. [illegible] MINIMUM THK. [illegible]

SHELL MATERIAL SA 240-T [illegible] SS

MANUFACTURED THK. [illegible] MINIMUM THK. [illegible]

[illegible]

WELD MATERIAL T-316LSI SS LINING MATERIAL [illegible]

NOMINAL CAPACITY BY COMPT. (FRONT TO REAR)

[illegible] U.S. GALS.

MAX. PRODUCT LOAD [illegible] LBS. MAX. TEMP [illegible] °F

MAX. PRODUCT WT. [illegible] LBS. / GALS.

LOADING LIMITS [illegible] GPM [illegible] PSIG [illegible] IN. HG.

UNLOADING LIMITS [illegible] GPM [illegible] PSIG

[illegible]

NP-B-26

U.S. Department of Transportation
Research and Special Programs Administration

400 Seventh Street, S.W.
Washington, D.C. 20590

SEP 25 1996

SEP 25 1996

Mr. Tom Durden
McKenzie Tank Lines, Inc.
Post Office Box 1200
Tallahassee, FL 32302

Dear Mr. Durden:

This is in response to your letter requesting clarification on the use of maximum lading density and maximum weight of lading when loading cargo tanks under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

A hazardous material with a density which exceeds the maximum lading density for the tank indicated on the specification plate may be loaded into a cargo tank if the maximum weight of lading marked on the specification plate is not exceeded. See provision in 49 CFR 173.24b(d)(2).

I hope this answers your inquiry. If you need additional assistance, do not hesitate to contact us.

Sincerely,

Delmer F. Billings

Delmer F. Billings
Chief, Regulations Development
Office of Hazardous Materials
Standards

TOTAL P.02