



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

October 25, 2022

Mr. Wayne W. Carver
Inliner Solutions
4520 North State Road 37
Orleans, IN 47452

Reference No. 22-0051

Dear Mr. Carver:

This letter is in response to your May 17, 2022, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to fuel systems powering equipment mounted on a motor vehicle. Specifically, you ask whether the tanks fueling your equipment require placarding and therefore require a driver with a hazmat endorsement on his or her Commercial Driver's License.

As defined in § 171.8, a fuel tank is a tank—other than a cargo tank—used to transport flammable or combustible liquid, or compressed gas, for the purpose of supplying fuel for propulsion of the transport vehicle to which it is attached, or for the operation of other equipment on the transport vehicle. Therefore, provided the permanently-mounted tanks: 1) meet the requirements of 49 CFR §§ 393.65 and 393.67 of the Federal Motor Carrier Safety Regulations for liquid fuel systems; 2) are used only for supplying fuel for the operation of the motor vehicle or its auxiliary equipment; and 3) are not marked as Department of Transportation specification cargo tanks nor meet the definition of a cargo tank, as defined in § 171.8, the mounted fuel tanks are not subject to the HMR with respect to their use on the vehicle.

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

Sincerely,

A handwritten signature in blue ink that reads "T. Glenn Foster".

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

Wolcott
22-0051

From: [Kelley, Shane \(PHMSA\)](#)
To: [Hazmat Interps](#)
Cc: [Foster, Glenn \(PHMSA\)](#)
Subject: FW: Inliner Solutions Correspondence
Date: Monday, May 23, 2022 3:40:24 PM
Attachments: [EO - Kelley\(Inliner\) 23May22.pdf](#)

Please log as appropriate.

From: Lisak, Frank (PHMSA) <frank.lisak@dot.gov>
Sent: Monday, May 23, 2022 2:46 PM
To: Kelley, Shane (PHMSA) <shane.kelley@dot.gov>
Subject: Inliner Solutions Correspondence

Hi, Shane:

The attachment is for your review.

Frank

Inliner Solutions

4520 North State Road 37, Orleans IN 47452

05/17/2022

U.S. DOT

PHMSA Office of Hazardous Material Safety Administration

U.S. Department of Transportation

1200 New Jersey Avenue SE

Washington DC 20590

REF: Clarification on the application of 49 CFR 173.220 to mounted fuel tanks for the purpose of operation of boiler & steam units mounted on our trucks & trailers. The fuel tanks are used as fuel for the mounted heater units. The trucks have separate fuel tanks to power their engine. The size of the fuel tanks range between 300 – 660 gallons. We have always placarded the tanks (1203 Diesel) for safety purposes in case of emergency, as a notification for emergency responders.

We also have staffed these vehicles with CDL drivers with Hazardous Materials Endorsements as drivers. It is my understanding from reading the regulations and interpretations that these mounted fuel tanks would fall under 49 CFR 173.220 as supply tanks, and as such we would not be required to have 1203 placards or hazardous materials endorsements on CDL's to operate them. It is our plan to remove the 1203 placards and add a "Diesel Fuel" label for safety reasons.

I have included pictures of the units in question, to better explain the situation in question. (The fuel tanks have the red arrow pointing to the diesel sign).



My purpose in writing the letter is to clarify our understanding is correct and provide our drivers with a document that validates the accuracy of this interpretation of not needing a hazardous materials endorsement, or placards on these vehicles.

Sincerely,

Wayne Carver

DOT Compliance Manager

Direct: 812-865-3232

Cell: 812-791-2826

FAX: 812.205.2974

www.inliner.com

