



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

March 8, 2023

Mr. Chad Thibodeaux
Manager - Transportation, Import/Export
DOT Compliance - North America
Aggreko
4607 W. Admiral Doyle Drive
New Iberia, LA 70560

Reference No. 22-0085

Dear Mr. Thibodeaux,

This letter is in response to your August 17, 2022, email, requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the transportation of fuel tanks by motor vehicle. Specifically, you state that you transport fuel tanks—containing diesel fuel in quantities between 800 to 5,000 gallons—to be used to power generators, compressors, and other diesel-powered equipment once they are delivered to their destination. You state that the fuel tanks would not be connected directly to other equipment during transportation; however, they would be connected once delivered to their destination. You also state that the fuel tanks would not be bolted or permanently affixed to the transport vehicle, but instead would be strapped and/or chained to the transport vehicle. You further state that the fuel tanks are placarded as “UN1202, Diesel fuel” or “NA1993, Diesel fuel,” as applicable. Lastly, you state that depending on the equipment being delivered, the transport vehicle used for transportation of the fuel tanks is either a trailer pulled by a truck or a truck with an attached deck. You ask whether these fuel tanks are subject to the HMR, and whether you may display placards on these fuel tanks, in accordance with § 172.502(c).

The tanks, as described, are subject to the HMR. As defined in § 171.8 of the HMR, a fuel tank means “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.” Based on your description, the tanks do not meet the definition of a fuel tank because they are not integrated or assembled to be a part of the internal combustion engines of the power generators, compressors, and other diesel-powered equipment. The configuration described in your email is not a fuel

system; therefore, it does not meet the requirements of 49 CFR §§ 393.65 and 393.67 of the Federal Motor Carrier Safety Regulations for liquid fuel systems. Regarding the display of placards, these tanks must meet all applicable placarding requirements of Subpart F (Placarding) of the HMR.

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". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

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

From: [INFOCNTR \(PHMSA\)](#)
To: [Dodd, Alice \(PHMSA\)](#); [Hazmat Interps](#)
Subject: FW: Request for Interpretation Response
Date: Monday, August 22, 2022 1:43:07 PM
Attachments: [Aggreko PHMSA.docx](#)

Hi Alice and team,

Please see the below interp request. Let us know if any additional info is required. Thanks!

-Rachel, HMIC

From: Chad Thibodeaux <Chad.Thibodeaux@aggreko.com>
Sent: Wednesday, August 17, 2022 5:13 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Cc: Mike Green <Michael.Green@aggreko.com>; Chad Thibodeaux <Chad.Thibodeaux@aggreko.com>
Subject: Request for Interpretation Response

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

The primary reason for this request is for clarification of 49 CFR 173.220 for fuel tanks being transported by motor vehicle for the operation of other equipment on the transport vehicle and if the fuel tanks would be subject to HMR. See example listed below. Additionally, I am requesting clarification of 49 CFR 172.502 (c) and if it would be applicable in the same example below.

Example:

Transporting of fuel tanks containing diesel carried by a motor vehicle that is also transporting a generator, compressor, or some other equipment with an engine that will use the fuel from the fuel tanks as its fuel source after it is delivered.

- The fuel tanks would not have fuel lines plumbed to other equipment on the same transport vehicle while transporting. This would be done after delivery to site to avoid possible leaks while transporting.
- The fuel tanks would not be bolted or affixed permanently to the motor vehicle. Standard chains and/or straps commonly used would secure the equipment while in transport as required.
- The fuel tanks would have applicable placards UN1202 or NA1993.
- The motor vehicle may be a trailer that is being pulled by a truck or it might also be a truck with attached deck used for transport, depending on the size of the equipment being delivered.

Aggreko is an equipment rental company that provides temporary power, temperature control (AC/Heat), air compressors, and much more to clients across the globe and currently has around 50 locations here in the US. Our current equipment offering that runs on diesel ranges from 30KW generators all the way up to 1500KW generator on the power generation side and various size air compressors up to 1600CFM. The fuel tanks are all double wall and majority are 800 gal., 1200 gal., and 2300 gal. but we do also have some that are 5000 gal. Please also note that 95% of our fuel

tanks are of the same manufacture that submitted to letter attached to response #13-0120.

I have read Interpretation Response #13-0120 and #11-0181 and believe that it is applicable for our intended use, but I want to make sure that we are compliant with the regulations. We regularly utilize contracted carriers to transport our equipment across the country and I want to make sure that we are providing accurate information to them and that it is applicable in all US states.

I have attached a copy of this request on letterhead in case you needed a clean copy to print. Please let me know if you need any additional information.

Thanks

Chad Thibodeaux

Manager - Transportation, Import/Export,
DOT Compliance - North America

Aggreko 4607 W. Admiral Doyle Dr. New Iberia, LA 70560
337.369.2109 **Cell:** 337.201.8377

Chad.Thibodeaux@aggreko.com www.aggreko.com

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8/17/2022

U.S. D.O.T.
PHMSA - Office of Hazardous Materials Standards

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1-800-AGGREKO