



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

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

OCT 27 2000

Mr. Phillip Roberts
Extengine Transport Systems
828 Production Place
Newport Beach, CA 92663

Ref. No. 00-0261

Dear Mr. Roberts:

This is in response to your letter dated September 21, 2000 regarding the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to a cylinder of anhydrous ammonia that is installed in a motor vehicle. The anhydrous ammonia is used as a reducing agent in the motor vehicle's exhaust system.

Compressed gas cylinders used as part of an exhaust system for a motor vehicle and not to transport cargo are not subject to the Federal hazardous materials transportation law (49 U.S.C. 5101 et seq.) or the HMR. Therefore, a cylinder of anhydrous ammonia that is installed in a motor vehicle for the purpose of reducing harmful emissions is not subject to the HMR.

I hope this satisfies your request. You should also contact the U.S. Department of Transportation's National Highway Traffic Safety Administration and Federal Motor Carrier Safety Administration to see if your system complies with their regulations.

Sincerely,

Edward T. Mazzullo
Director, Officer of Hazardous Materials Standards



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173.304

Extengine™
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Gale
~ 173.304
NON-BULK
00-0261

September 21, 2000

Edward T. Mazzullo, Director
Office of Hazardous Materials Standards
Research and Special Programs Administration
US Department of Transportation
400 Seventh St. SW
Washington, D.C. 20590

Dear Mr. Mazzullo:

Pursuant to our discussion on April 26th regarding the Code of Federal Regulations (CFR) provisions pertaining to carrying on-board anhydrous ammonia, in small commercially available DOT cylinders/tanks, mounted on HD trucks and other diesel powered on and off-road vehicles, Extengine, LLC would like to clarify and confirm the following question:

If a Heavy Duty vehicle was retrofitted with or was equipped with a NOx emissions reduction device that utilizes anhydrous ammonia from a DOT approved tank, (similar to a DOT approved propane type tank) of which the cylinder/tank meets all DOT hazardous materials standards and all federal regulations relating to carrying a gas, such as anhydrous ammonia, are there any known Federal regulations or statutes that would prohibit the use of an on-board commercially available cylinder/tank as in the described above application?

As we discussed briefly, our company is in the process of conducting emission reduction tests with the CARB on our NOx reduction after-treatment device here in California. A DOT letter stating the current DOT position clarifying what you briefly discussed with us, that there is no federal regulation/restriction regarding the carrying of a DOT approved tank for the above application, is kindly appreciated

Sincerely,



Phillip Roberts

DOTSA's office of chief counsel
office of chief counsel
Ava Daniel
Charles Hobbs
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