



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

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

OCT 29 2003

Mr. Steve Thinnes
3600 Pammel Creek Rd
La Crosse, WI 54601-7599

Ref. No. 03-0202

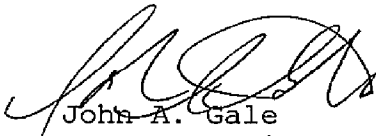
Dear Mr. Thinnes:

This is in response to your letter of August 05, 2003, concerning the definition of "transportation in commerce" under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

Intra-plant movement of a hazardous material that takes place within a contiguous plant boundary is not subject to the HMR. However, movement that utilizes or crosses a public road is subject to the HMR during that portion of the movement.

I hope this satisfies your request.

Sincerely,



John A. Gale
Transportation Regulations Specialist
Office of Hazardous Materials Standards



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TRANE™

North American Commercial Group
The Trane Company

3600 Pammel Creek Road
La Crosse WI 54601 7599
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August 5, 2003

Mr. Delmer F. Billings
Chief, Regulations Development
Office of Hazardous Materials Standards
U.S. Dept. of Transportation (RSPA)
400 Seventh St., S.W.
Washington, D.C. 20590

Good Morning Mr. Billings:



Please provide written response regarding the applicability of "hazardous materials transported in commerce" as found under HMR; 49 CFR Part 171.1. Specifically, what is the ruling relative to intra-plant movement of hazardous materials – i.e. between different buildings utilizing public road(s) ?

Under our scenario, we receive hazardous materials at one building and this material is put into storage until it is needed at another building location. Often, to get to these (other) buildings we must travel on a public road that crosses-through our facility complex. We use our own company forklifts to transport these chemicals. The subject hazardous material(s) are used in our manufacturing processes and do not become part of our finished product.

Would requirements for shipping papers and/or placarding apply ? Secondly, does the U.S. DOT have a definition for "contiguous boundary/property", and if so, what is that definition ? Would this apply is our situation ?

Thank you in advance for your response. Please call me (or email) if you need any additional information.

Best regards,
Trane, a division of American Standard

Steve Thinnnes, CHMM
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BAH

§ 171.1

Applicability
03-0202