



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

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

OCT 12 2006

Mr. Thomas G. Overbaugh  
President, Ehrhart Propane Gas  
P.O. Box 388  
Trumansburg, NY 14886

Reference No. 06-0185

Dear Mr. Overbaugh:

This is in response to your July 31, 2006 letter and August 16, 2006 telephone conversation with a member of my staff asking if a RegO Products "Flomatic" fully automatic internal valve installed on your company's bobtail cargo tanks is considered closed in transportation under § 177.834(j) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

You state the cargo tanks are in propane delivery service and when the pump is operating it applies pressure to a piston that opens the internal valve, that this valve closes when the pump is turned off, and the visual indicator that shows when the valve is open or closed is located on its top flange. You also state this internal valve eliminates the need to close a separate actuator switch at another location on the cargo tank truck and to operate the internal valve this separate switch must be open.

Based on the information you provided, the answer is yes the valve is considered closed in accordance with § 177.834(j) of the HMR when the cargo tank pump is not in operation and the slot in the visual indicator is in a horizontal position.

I hope this information is helpful.

Sincerely,

Hattie L. Mitchell  
Chief, Regulatory Review and Reinvention  
Office of Hazardous Materials Standards



060185

177.834(j)



Edmonson  
\$ 177.834(j)  
Loading & Unloading Training  
06-0185

PO Box 388 • Trumansburg NY 14886

July 31, 1984

US Dept. of Transportation  
Pipeline Hazardous Materials Safety Administration  
400 Seventh Street S.W.  
Washington, D.C.

Attention: Standards Development Office  
Of Hazardous Materials Standards

RE: CFR177.834(J.2)  
Propane cargo tank

Dear Sirs;

I would like to have a formal interpretation on the use a REGO FloMatic internal valve. We recently received a citation for violation of CFR 177.834(j). There has been a lack of understanding in general by the haz-mat officers inspecting propane cargo tanks for many years. It seems that every 5 or 10 years we have to go through the training of new officers to avoid issuing erroneous traffic violation citations. I am in hopes that a formal interpretation from you will put this issue to bed permanently.

I am inclosing a letter I received from the manufacturer of this valve explaining that it is impossible to have this valve open while driving down the road.

Yours truly,

  
Thomas G. Overbaugh  
President