



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety Administration**

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

OCT 13 2006

Mr. Jim Anderson
ETCetera International, Inc.
Export Trading & Consulting
P.O. Box 1700
McKinney, TX 75070

Ref. No.: 06-0208

Dear Mr. Anderson:

This is in response to your September 12, 2006 letter regarding the continued use of DOT 51 and IM portable tanks under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if the sunset provision specified in §§ 171.14(d)(4) and 173.32(c)(2) applies to the continued use of DOT 51, IM 101, and IM 102 portable tanks.

The answer is no. The sunset provision specified in §§ 171.14(d)(4) and 173.32(c)(2) applies to the "T" codes listed in Column 7 of the § 172.101 Table, not to the use of DOT 51, IM 101, and IM 102 portable tanks. DOT 51, IM 101, and IM 102 portable tanks may continue to be used in transportation provided they are properly requalified and maintained in accordance with Part 180 of the HMR. Beginning January 1, 2010, DOT 51, IM 101, and IM 102 portable tanks must conform to the applicable "TP" special provision in Column 7 of the § 172.101 Table.

I hope this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

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



060208

171.14(d)(4)
173.32(c)(2)

Pollack
 8171.14 (d) (4)
 8173.32 (c) (2)
 Portable Tanks
 06-0208

Drakeford, Carolyn <PHMSA>

From: Mitchell, Hattie <PHMSA>
Sent: Tuesday, September 12, 2006 1:29 PM
To: Drakeford, Carolyn <PHMSA>
Subject: FW: DOT 51's, IM & IMO Portable Tanks

Please log in as interp request.

From: Jim Anderson [mailto:jimanderson@salesfile.com]
Sent: Tuesday, September 12, 2006 1:26 PM
To: Mitchell, Hattie <PHMSA>
Cc: Staniszewski, Stanley <PHMSA>
Subject: Fw: DOT 51's, IM & IMO Portable Tanks

Hattie - my name is Jim Anderson ... I brought this issue to the attention of National Refrigerants, who has been a client of mine for several years. Thanks to you and Stan for clarifying the issue. I would like to request a letter of clarification in the name of my company which is noted below. The text can be precisely as your e-mail dated the 7th of September to Stan. I have been in the industry for more than twenty years (you and I have spoken on a couple of occasions) as a manufacturer and (in later years) as a reseller of products produced by others (Van Hool & WEW). My activities primarily are on the gas tank side (DOT 51 / T50), and I can tell you that there has been much confusion within the industry regarding this topic. I request the clarification to be sent to me in that I can simply forward and use as reference for my various clients ... putting their minds at ease regarding this topic.

Thanks in advance for your assistance. Advise questions / comments and your letter to the undersigned.

Best regards,

Jim Anderson
 ETCetera International, Inc.
 Export Trading & Consulting
 P.O. Box 1700
 McKinney, Texas
 75070 U.S.A.

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 f: 972 542 8638
 e: jimanderson@salesfile.com
 w: www.salesfile.com

----- Original Message -----

From: sloose@refrigerants.com
To: jimanderson@salesfile.com
Sent: Thursday, September 07, 2006 11:13 AM
Subject: Fw: DOT 51's, IM & IMO Portable Tanks

Jimmy, the DOT 51 ISO and the others may continue to be used. The sunset ruling was for the T Codes. The ISO's can be used as long as they are maintained to 180 standards, and comply with the new T Cods.

9/13/2006