



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

JUN 29 2017

Ms. Bridgett Couch
Couch Helicopter
P.O. Box 52
Walcott, AR 72474

Reference No. 17-0012

Dear Ms. Couch:

This letter is in response to your February 2, 2017, email and attached letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to reclassifying flammable liquids and placarding. Specifically, you ask about Jet A fuel (“UN1863, Fuel, aviation, turbine engine, 3, III”), which is a flammable liquid that your company transports in shop-built, non-specification tanks.

We have paraphrased and answered your questions as follows:

- Q1. You ask for confirmation that “UN1863, Fuel, aviation, turbine engine, 3, III” can be reclassified as “NA1993, Combustible liquid, n.o.s., (Jet-A Fuel), 3, III.”
- A1. The answer is yes. The Hazardous Materials Table (HMT) allows exceptions for UN1863 material under § 173.150, which authorizes flammable liquids that meet the definition of no other hazard class and that have a flashpoint at or above 38°C (100 °F) to be reclassified as a combustible liquid. Note that when transporting hazardous materials that have been reclassified in accordance with § 173.150, all hazard communications (including placards) should reflect the same identification number—in this case, NA1993.
- Q2. You ask whether “UN1863, Fuel, aviation, turbine engine, 3, III” can be carried in a non-specification tank. You note that your company uses home-built rather than factory-built non-specification tanks.
- A2. The answer is no. Hazardous materials described as “UN1863, Fuel, aviation, turbine engine, 3, III” and transported in bulk are subject to Department of Transportation (DOT) specification packaging in accordance with § 173.242. However, in instances where UN1863 material is reclassified as a combustible liquid, non-DOT specification tanks

suitable for liquids are permitted under § 173.241. The HMR do not distinguish between "home-built" and "factory-built" tanks as long as the non-DOT specification tanks are suitable for the transport of liquids.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Dirk Der Kinderen". The signature is fluid and cursive, with a large initial "D" and "K".

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division

Casey
\$173,150
Placarding
17-0012

Dodd, Alice (PHMSA)

From: Nickels, Matthew (PHMSA)
Sent: Thursday, February 02, 2017 10:41 AM
To: Hazmat Interps
Subject: FW: request for letter of interpretation
Attachments: request for interpretation 2.docx

Please process this attached (WORD) Interp Letter request.

Thank you,
Matt

From: Casey Couch [mailto:couchhelicopter@yahoo.com]
Sent: Thursday, February 02, 2017 10:33 AM
To: Nickels, Matthew (PHMSA)
Subject: Re: request for letter of interpretation

Mailing address:

Bridgett Couch
Couch Helicopter
PO Box 52
Walcott, AR 72474
870-573-6350

Please review the attached request.

Thank you
Bridgett Couch
Couch Helicopter

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Couch Helicopter Service, Inc.

PO Box 52
Walcott, AR 72474
870-573-6350

Feb 2, 2017

U.S. DOT
PHMSA Office of Hazardous Materials Standards
Attn: PHH-10
East Building
1200 New Jersey Avenue, SE.
Washington, DC 20590-0001

Dear Sir or Madam:

This is a request for clarification regarding placarding of our commercial trucks. We are a private, not for hire company, hauling Jet A fuel interstate for our own use. The tanks on our trucks are home built and not factory spec tanks. In 2011, we were instructed by our DOT safety auditor to placard as NA1993, Combustible Liquid, n.o.s., (Jet-A Fuel), PGIII. Since this time, we have had other DOT officials question the use of NA1993. Some believe we should be using UN1863, Fuel, aviation, turbine engine, 3, PGIII. According to our auditor, it was illegal for us to use UN1863 because our tanks were not spec tanks and could not be leak tested. Other DOT officials have said the home built tanks are not an issue and we should be using UN1863.

Therefore, my first question is, can Jet A fuel be reclassified as combustible liquid nos NA1993? Second, can UN1863 be carried in a non-spec tank?

We strive to be compliant regarding hazmat regulations. It does not matter to our company which number we placard with, as long as we are legal. At this time, we have had many different opinions of the correct method and we are unsure how to proceed. Any guidance you could provide would be greatly appreciated.

Kindest regards,

Bridgett Couch
Couch Helicopter