



U.S. Department of Transportation  
Pipeline and Hazardous Materials  
Safety Administration

1200 New Jersey Ave, S.E.  
Washington, D.C. 20590

JUN 23 2009

Mr. Daniel G. Shelton  
Vice President  
HazmMat Resources, Inc.  
10104 Creedmoor Road  
Raleigh, NC 27615

Ref. No.: 09-0123

Dear Mr. Shelton:

This is in response to your May 1, 2009 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the transportation of liquefied petroleum gas (LPG) in storage tanks for permanent installation on consumer premises. You have provided several attachments to illustrate how these storage tanks are typically loaded and secured on the motor vehicle. Your questions are paraphrased and answered as follows:

Q1: Section § 173.315(j) authorizes the transportation of LPG storage tanks for permanent installation on consumer premises under specific conditions. In accordance with § 173.315(j), the tanks must be braced or otherwise secured on the vehicle to prevent relative motion while in transit. This paragraph also references § 177.834(a), which requires any package containing any hazardous material that is not permanently attached to a motor vehicle to be secured against shifting, including relative motion between packages, within the vehicle on which it is being transported, under conditions normally incident to transportation. What is meant by the phrases “on the vehicle” and “within the vehicle” in the context of § 173.315(j)?

A1: The phrase “on the vehicle” means that the tank is placed on the body of the vehicle, but does not address whether the tank extends beyond the envelope (outer edges) of the vehicle. The reference to “within the vehicle” is a general requirement for all hazardous materials loaded for highway transportation and means that each hazardous material package must be loaded inside the outer envelope of the vehicle body. The phrase “within the vehicle” was not intended to apply to storage tanks transported in accordance with § 173.315(j).

Q2: Would it be a violation of § 177.834(a) if an LPG storage container for permanent installation on consumer premises transported by a private motor carrier were loaded and transported as depicted in the photos provided with the tank extending roughly 32 inches beyond the rear of the vehicle, provided all other conditions of § 173.315(j) were satisfied?

A2: No. Section 177.834(a) is a general highway loading requirement for all hazardous materials. Storage tanks loaded for transportation in accordance with § 173.315(j) ,must be loaded on the transport vehicle in accordance with § 173.315(j) and may extend beyond the envelope or frame of the vehicle provided they are otherwise properly secured and protected from damage in accordance with §§ 173.315(j) and 177.848(a).

Q3: Is it necessary to place orange or red flags on the end of the tank if it extends beyond the back of the vehicle by less than 4 feet?

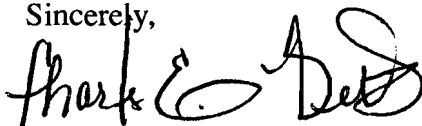
A3: The HMR do not contain requirements for extended or oversized loads (e.g., orange and red flags to indicate the rear most portion of cargo transported by highway).

Q4: Special permit 13341 requires an LPG storage tank to be loaded and secured on a motor vehicle such that the tank is completely within the envelope of the vehicle and does not extend beyond the vehicle frame. Does PHMSA intend to require all storage tanks for permanent installation at consumer premises by private motor vehicle to be transported in accordance with special permit 13341, or may they be transported under the HMR in accordance with § 173.315(j)?

A4: It is not necessary to transport an LPG storage tank in accordance with a special permit (e.g., SP 13341) unless it is not possible to comply with the conditions of § 173.315(j).

I hope this information is helpful. Please contact us if you require additional assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles E. Betts", with a stylized flourish at the end.

Charles E. Betts  
Chief, Standards Development  
Office of Hazardous Materials Standards



**10104 Creedmoor Road  
Raleigh, N.C. 27615**

May 1, 2009

Mr. Edward Mazzullo  
Office Director, Office of Hazardous Materials Standards  
U.S. Department of Transportation  
Pipeline and Hazardous Materials Safety Administration  
East Building, 2nd Floor  
Mail Stop: E21-317  
1200 New Jersey Ave., SE  
Washington, DC 20590

Mr. Mazzullo,

Please accept this letter as our request for an interpretation of 49 CFR 173.315(j) titled requirements for the transportation of storage containers for liquefied petroleum gas for permanent installation on consumer premises by a private motor carrier. It is my understanding that storage tanks containing less than or equal to 5% LPG may be transported by private carrier only if all the provisions identified in 173.315(j) are met. Those requirements are as follows:

(j)(1) Each container must be constructed in compliance with the requirements in Section VIII of the ASME Code (containers built in compliance with earlier editions starting with 1943 are authorized) and must be marked to indicate compliance in the manner specified by the respective Code.

(j)(2) Each container must be equipped with safety devices in compliance with the requirements for safety devices on containers as specified in NFPA 58 (IBR, see §171.7 of this subchapter).

(j)(3) The containers must be braced or otherwise secured on the vehicle to prevent relative motion while in transit. Valves or other fittings must be adequately protected against damage during transportation. (See §177.834(a) of this subchapter.)

(j)(4) Except as provided in paragraph (j)(5) of this section, containers shall not be shipped when charged with liquefied petroleum gas to more than 5 percent of their water capacity.

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(j)(5) Storage containers of less than 1,042 pounds water capacity (125 gallons) may be shipped when charged with liquefied petroleum gas in compliance with DOT filling density.

It appears there is a conflict regarding whether or not storage containers for liquefied petroleum gas must be transported wholly within the boundary of the transport vehicle or may extend beyond the boundary of the transport vehicle. 173.315(j)(3) states in part that the container must be on the vehicle but it goes on to reference 177.834(a) which states the following:

Packages secured in a motor vehicle. Any package containing any hazardous material, not permanently attached to a motor vehicle, must be secured against shifting, including relative motion between packages, ***within the vehicle on which it is being transported***, under conditions normally incident to transportation. Packages having valves or other fittings must be loaded in a manner to minimize the likelihood of damage during transportation.

The phrase within the vehicle on which it is being transported is problematic and is inconsistent with the phrase in 173.315(j)(3) which states it must be on the vehicle. It is my understanding of the words that “being on the vehicle” does not mean the same as “within the vehicle.”

For years the LPG industry has transported literally thousands of storage containers for liquefied petroleum gas for permanent installation on consumer premises to be transported by private motor carriers with equipment and configurations illustrated in Attachment 1 and in accordance with 173.315(j) without any HM Incidents. Numerous manufacturers<sup>1</sup> design and build service trucks and trailers specifically designed to service and transport these storage containers to and from consumer premises. We also believe that it was not the Department's intent to require these storage tanks be within the vehicle if all the requirements of 173.315(j) are complied with. If you look at Special Permit 13341, this SP authorizes the one-way transportation in commerce of liquefied petroleum gas (LPG) in certain non-DOT specification storage tanks by private carrier motor vehicle that are not in compliance with 173.315(j) (4) because they are charged to greater than 5% of their capacity. In this particular instance the Department did intend for these storage containers to be within the envelope of the vehicle. Section 7 (b)(8) of SP 13341 states:

***Each tank transported under this special permit must be loaded and secured on a motor vehicle such that the tank is completely within the envelope of the vehicle and does not extend beyond the vehicle frame.***

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<sup>1</sup> See Attachment 2 – Brochure from H & H Sales and Attachment 3 – Brochure from Stellar Industries

I have provided for your inspection and review the following information:

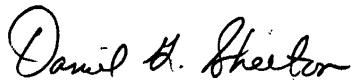
1. Attachment 1 – photos of various configurations of service trucks and trailers transporting storage containers for liquefied petroleum gas for permanent installation on consumer premises by private motor carriers.
2. Attachment 2 – Brochure from H & H Sales @ [www.hhsalescompany.com](http://www.hhsalescompany.com)
3. Attachment 3 – Brochure from Stellar Industries @ [www.stellar-industries.com](http://www.stellar-industries.com)
4. Attachment 4 – Interpretation 06-0223 (photos show similar configuration)

Please respond to the following questions.

1. Is in the intent of the Department to continue to permit storage containers for liquefied petroleum gas for permanent installation on consumer premises to be transported by private motor carriers in compliance with 173.315(j) and not under special permit 13341 in accordance with those configurations illustrated in Photo 1, 2, 3, 4, 5 and 6 of attachment 1?
2. Is it acceptable to transport storage containers for liquefied petroleum gas for permanent installation on consumer premises by a private motor carrier a storage container that overhangs the rear of the service truck less than 4 feet with no red or orange warning flags identifying the rear most extremities of the projecting storage container.
3. What does the Department mean by the phrase “on the vehicle” and the phrase within the vehicle in the context of 173.315(j)(3)?
4. Would it be a violation of 177.834(a) if a storage container for liquefied petroleum gas for permanent installation on consumer premises by a private motor carrier was transported in accordance with Photo 4 or 5 (extending 32 inches beyond the rear of the vehicle) if all the provisions of 173.315(j) were complied with?
5. How can you comply with 173.315(j)(3) which states the storage container must be on the vehicle and then in the same section refer to 177.834(a) which would indicate the storage container must be within the vehicle?

Thank you in advance for your timely reply.

Sincerely



Daniel G. Shelton  
Vice President  
HazMat Resources, Inc.

Attachments: 1 – Photos  
2 – Sales Brochure from H & H Sales, Inc.  
3 – Sales Brochure from Stellar Industries  
4 – Interpretation 06 – 0223

## Storage containers for LPG

Photo 1

This photo was taken at the Midwest Propane Convention in Indianapolis, IN 2006. Note how the tank overhangs the rear of the transport vehicle but does comply with the intent of 173.315(j)(3) because it is securely attached on the vehicle, it is just not within the boundary of the vehicle



Photo 2

This is a different view of the same configuration.



Photo 3

This picture depicts a straight truck with a lifting arm and a trailer that also used to transport storage containers for liquefied petroleum gas for permanent installation on consumer premises. In this configuration you could actually transport two storage tanks, one on the trailer and one on the service truck.





## Storage containers for LPG

Photo 4

This is a typical configuration of a service truck with a crane that is used to transport storage tanks with less than or equal to 5% LBP.



Photo 5

This is a different view of the same configuration.



Photo 6

This picture depicts a trailer that would be used to transport a storage container. Note the distance the tank extends from the rear of the transport vehicle.



**CUSTOM TRUCK BODIES AND MANUFACTURING**

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KM SERIES,  
EM & EMGC SERIES  
CRANE EQUIPPED  
TRUCK BODIES

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## Give your operation a lift with an H&H crane-equipped truck body



**Model 96-132KM with hydraulic outriggers and 6406H crane.**

For LP-Gas handling or field service/heavy equipment installations H&H crane-equipped truck bodies make loading, hauling, and unloading manageable, one-man job. That means you can make service, installation, and delivery calls in a lot less time at a lot better profit.

Our crane-equipped body styles are available in several models to fit any one-ton truck chassis. Each truck body is ruggedly constructed and loaded with convenient, functional features to keep your company ahead of competition. We can also outfit bodies on larger chassis.



**Model 96-132KM with 5005HPE crane from street side.**

### Crane Selection

The heavy-duty, all-hydraulic Auto Crane 5005HPE shown above is one of the units offered on H&H crane-equipped truck bodies. It features an extendable 20 ft. boom,

370° power rotation, and lifting capacities of 5,000 lb. at 5 ft. and 1,250 lb. at 20 ft. Cranes up to 38,000 ft. lb. available. Other brands of cranes are also available.





# Service and Installation



**Model 96-144EM with aluminum tool boxes (above) and galvanized steel tool boxes (left).**

The 96-132KM Series Crane Body is designed with storage space on the curb side, thus allowing the street side open to accommodate loading of tanks or heavy equipment. The rear curb side cabinet is reinforced and can handle up to a 38,000 ft. lb. crane. This rear curb side crane mount provides excellent versatility and efficiency when loading or unloading heavy or bulky equipment. (Crane and storage compartments can be mounted on street side if desired).

H&H rugged construction features 3/16" tread plate on bed and 1/8" on compartment tops and backs. Body is 14 gauge galvanized steel. The 67 cubic ft. of storage space offers optional shelves and drawer assemblies. We offer

three different size cranes to meet your equipment handling requirements.

H&H provides EM Series service/installation bodies in 120", 144", 168" and 180" lengths. These functional bodies have no raised wheel wells, so you can use the entire bed. Steel

"D" rings are standard on all bodies for securing loads.

Front mounted service boxes are available for keeping tools and small parts organized. The boxes are keyed alike, reinforced on the outside edges and base, and measure 42" high x 36" wide x 14" deep.



**Model 96-144EM with 1500 lb. capacity lift gate.**

# Crane Bodies

Additional boxes can be mounted behind front box.

Other features can include DOT mounting kit, mud flaps, trailer electrical connector, rear bumper and receiver tube with slide-out adapter and 2-5/16" ball, moisture-proof ICC approved lighting, underbody rust protection, and acrylic enamel paint finish. LED lights also available.

All-purpose 10' or 12' EMGC Series truck bodies team the crane of your choice with a 24" x 44" In-Bed™ hydraulic lift platform capable of lifting 1250 lb. That means outstanding versatility.

Standard EMGC Series features include DOT mounting kit, rear wheel mud flaps, undercoated frame and flooring for rust protection, DOT required decals.

In-Bed™ lift platform makes loading and unloading cylinders and other equipment easy. Hydraulic control provides a smooth lift. Outside safety lock keeps gate securely in place.



**Model 96-169KM with front mounted, street-side tool boxes and hydraulic outriggers (above).**

**Model 96-132KM with custom 12-inch floor extension (below).**



MODEL	OVERALL WIDTH	FLOOR LENGTH	APPROX. WEIGHT	CHASSIS REQ. CA	CRANE MOUNT	REQUIRED CRANE BASE	REAR HITCH
96-120-EM	96"	120"	1825 lb.	60"	REAR	18"H	Std.
96-144-EM	96"	144"	2190 lb.	84"	REAR	18"H	Std.
96-168-EM	96"	168"	2560 lb.	108"	REAR	18"H	Std.
96-180-EM	96"	180"	2740 lb.	120"	REAR	18"H	Std.
10-EMGC	96"	120"	2000 lb.	60"	FRONT	18"H	Opt.
12-EMGC	96"	144"	2500 lb.	84"	FRONT	18"H	Opt.
96-108KM	96"	108"	2388 lb	60"	REAR	CABINET MOUNT	Std.
96-132KM	96"	132"	2811 lb	84"	REAR	CABINET MOUNT	Std.
96-169KM	96"	169"	3622 lb	108"	REAR	CABINET MOUNT	Std.

All bodies have 3/16" steel treadplate floor standard. (3/16 x 1" type 19W4 open bar grate floor is optional)

All bodies have 3" x 4.1# structural channel floor cross members (KM utilizes some tubing structure.)

All bodies meet FMVSS 108 and ICC standards for vehicle lighting.

All bodies have tie-down loops either bolted or welded to floor (bar grate floor has recessed tie-down loops.)

Max. crane: 6000 lb. Capacity or 38,000 ft. lb./Minimum chassis GVWR for 6000 lb. Crane: 17,500 lb.

See separate specification pages for tool box dimensions.



# Options



Equipto® pull out drawer unit.



Outrigger shown in down position.



Underbed concrete block holder.



Chock block holder.



Double utility cabinet with optional over-the-wheel cabinet.



Full bumper arrangement.



Bumper shown with optional vise. Removable vise mounting bracket is also available.



Drop down/removable side railing, shown up.



Optional drop down/removable side railing.



Tie down loop (standard).



EMGC models feature a standard In-Bed™ lift gate.

**H&H™ SALES COMPANY, INC.**  
d/b/a H&H Equipment Co.

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*H&H Sales Company reserves the right to change specifications and component parts without notice.*





## STELLAR® LP GAS SERVICE TECHNICAL SPECIFICATION GUIDE

# LP GAS

Service Trucks



Our People. Our Products.



# STELLAR® LP GAS SERVICE TECHNICAL SPECIFICATION GUIDE

## ■ Service Cranes

<u>Model</u>	<u>Crane Rating</u>	<u>Boom Length*</u>	<u>Max Reach*</u>	<u>Lifting Capacities</u>	<u>Power Supply</u>
EC3200	11,500 ft-lbs (1.59 ton-m)	7' (2.13 m)	15' (4.57 m)	3,200 lbs @ 3' (1451 Kg @ .9 m) 640 lbs @ 15' (260 Kg @ 4.6 m)	12 volt power 2.0 gpm @ 2600 psi
4420	16,000 ft-lbs (2.23 ton-m)	10' (3.05 m)	20' (6.10 m)	4,000 lbs @ 4' (1814 kg @ 1.22 m) 800 lbs @ 20' (365 kg @ 6.10 m)	PTO 2.0 gpm @ 2600 psi 12 volt power E/H (Optional)
5520	25,000 ft-lbs (3.46 ton-m)	10' (3.05 m)	20' (6.10 m)	5,000 lbs @ 5' (2268 kg @ 1.52 m) 1250 lbs @ 20' (565 kg @ 6.10 m)	PTO 4.5 gpm @ 2850 psi 12 volt power E/H (Optional)
6620	38,000 ft-lbs (5.25 ton-m)	10' 9" (3.28 m)	20' 9" (6.32 m)	6,000 lbs @ 6' (2722 kg @ 1.83 m) 1825 lbs @ 20'9" (830 kg @ 6.32 m)	PTO 8 gpm @ 2850 psi
6628	38,000 ft-lbs (5.25 ton-m)	13' (3.96 m)	28' (8.53 m)	6,000 lbs @ 6' (2722 kg @ 1.83 m) 1350 lbs @ 28' (1130 kg @ 8.54 m)	PTO 8 gpm @ 2850 psi

## ■ Defining Characteristics

### Remote Control

Stellar Industries was the first U.S. manufacturer to include the state-of-the-art fully proportional multi-functional remote control as a standard feature. The radio remote incorporates a variable speed trigger that allows the operators to feather the crane with precise control. Additionally, the radio remote control handle features engine start/stop functions, compressor on/off, engine speed controls, and an emergency shut-off.

### Planetary Drive Winch System

To maximize winch speed, Stellar Industries has incorporated a planetary drive winch system with line speeds up to 60-ft/min (18.29 m), giving the Stellar crane over twice the speed of the competition. In addition to speed, the planetary winch also provides mechanical and hydraulic breaks for added security.

### Hexagonal Boom Design

Hexagonal booms are stronger and greatly reduce boom flex and side to side movement.

### Greaseless Bushings

Maintenance free greaseless bushings.

### Stainless Steel Pivot Pins

Lower maintenance and extend life.

### Up to 28' of Hydraulic Reach (on 6628)

2-stage hydraulic extensions. No manual extensions (on 6620 and 6628).

### Dual Acting Counter Balance Valves

Integrated into cylinders.

### Flip Sheave Standard

### Anti Two-Block Device

NOTE: All Stellar cranes meet ANSI B30.5 and OSHA 1910.180 specifications.  
Specifications subject to change without notification.

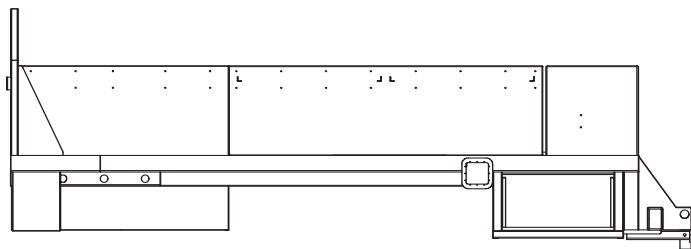
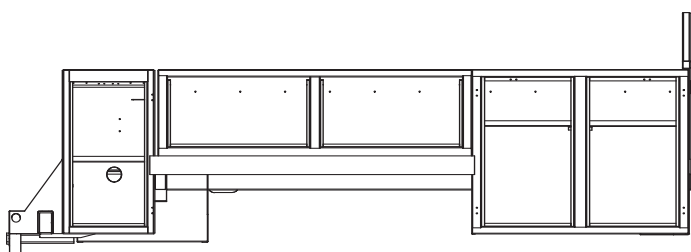


## ■ LP Service Crane Capacity Chart\*

Empty Tank		EC 3200		4420		5520			6620			6628		
Size	Weight	10'	15'	10'	15'	10'	15'	20'	10'	15'	20'	10'	15'	20'
120	390	x	x	x	x	x	x	x	x	x	x	x	x	x
150	450	x	x	x	x	x	x	x	x	x	x	x	x	x
200	505	x	x	x	x	x	x	x	x	x	x	x	x	x
250	670	x		x	x	x	x	x	x	x	x	x	x	x
325	810	x		x		x	x	x	x	x	x	x	x	x
500	1259			x		x	x		x	x	x	x	x	x
1000	2350					x			x	x		x	x	

\*This data is for reference purposes only, and is not intended to replace a properly calculated weight distribution.

## ■ LP Service Body Information



### Class1 LP Service Body

Crane Models: EC3200  
4420  
5520  
6620  
6628

Cab to Axle: 108" (274.32 cm)  
Body Length: 14' (426.72 cm)

#### Truck Body Features

- Torsion box understructure
- Street side or curb side steel tool compartments
- Multiple number of compartment options
- Street-side or curb-side 2-piece removable or fixed fence
- Optional non-skid Scorpion tough coat spray floor covering
- Slide in aluminum tailboard
- Heavy duty rear step bumper w/ 2" receiver tube
- Multiple outrigger options available
- Two-part polyurethane enamel
- Automotive style electrical wiring harnesses

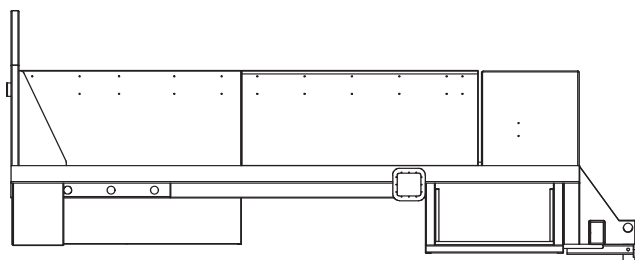
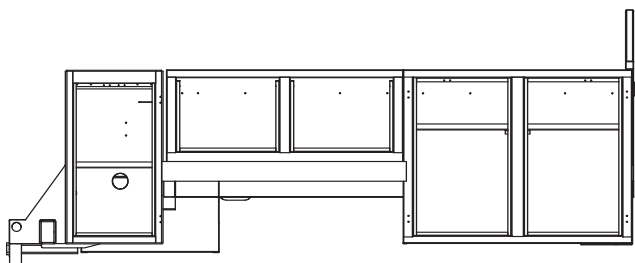
### Class2 LP Service Body

Crane Models: 5520  
6620  
6628

Cab to Axle: 84" (213.36 cm)  
Body Length: 12' (365.76 cm)

#### Truck Body Features

- Torsion box understructure
- Street-side or curb-side steel tool compartments
- Multiple number of shelving options
- Optional street side or curb side removable fence with optional E-Track
- Optional non-skid Scorpion tough coat spray floor covering
- Heavy-duty rear step bumper w/ 2" receiver tube
- Multiple outrigger options available
- Two-part polyurethane enamel
- Automotive style electrical wiring harnesses



### **LP Gas Service Truck Package**

The Class 1 & 2 LP Gas Service Trucks from Stellar Industries, Inc. are extremely versatile service trucks. They make transporting, loading and unloading gas cylinders a simple, single-person operation without the need of a trailer or additional setting equipment.

The LP Gas Service Bodies are designed to haul a single 1000-gallon or two 500-gallon propane tanks, plus everything necessary to install and service the tanks. These service trucks are also designed to safely and securely carry small LP tanks with the use of E-track and a fold down side rack (optional on all models).

Operating a Stellar LP Gas Service Truck is an ideal addition to any propane business because it is easy to use and only requires one operator.

All cranes are operated with a fully proportional radio remote control that is a standard feature.

Stellar Industries, Inc. works hard to give you a service truck that offers versatility, dependability and efficiency. Stellar is committed to giving you the competitive edge.

---

Your local dealer:



*Our People. Our Products.*

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P.O. Box 169  
Garner, IA 50438  
Telephone: (641) 923-3741 • (800) 321-3741  
Fax: (641) 923-2812  
Internet: [www.stellarindustries.com](http://www.stellarindustries.com)  
Email: [sales@stellarindustries.com](mailto:sales@stellarindustries.com)

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10/08



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials Safety  
Administration**

NOV 15 2006

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

Mr. Michael Ritchie  
Minnesota Department of Transportation  
Office of Freight & Commercial  
Vehicle Operations  
395 John Ireland Blvd., MS 460  
St. Paul, MN 55155

Ref. No.: 06-0223

Dear Mr. Ritchie:

This is in response to your September 22, 2006 letter regarding labeling and placarding requirements for bulk packagings under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask a series of questions regarding transportation of a liquefied petroleum gas (LPG) storage container that is constructed to the American Society of Mechanical Engineers (ASME) Code and is for permanent installation on consumer premises. You state that the tanks generally have a capacity of 500 or 1,000 gallons and satisfy the conditions of § 173.315(j) for LPG storage containers. You include pictures of these bulk propane storage containers loaded on tank setting trailers and flat bed trucks. Your questions are summarized and answered as follows:

Q1: Does an LPG bulk storage container meet the definition of "portable tank" as defined in § 171.8 or "other bulk packaging" as referenced in §§ 172.331 and 172.514?

A1: An LPG bulk storage container that meets the conditions of § 173.315(j) and is built in compliance with section VIII of the ASME Code is not considered a portable tank as defined in § 171.8. A bulk storage container meeting the conditions set forth in § 173.315(j) is considered a non-specification bulk packaging, or "other bulk packaging" for hazard communication requirements of Part 172.

Q2: Is an LPG bulk storage container subject to labeling requirements for a bulk packaging, other than a cargo tank, portable tank, or tank car, with volumetric capacity of less than 18m<sup>3</sup> (640 cubic feet) as specified in § 172.400(a)(2); or, is it subject to the labeling requirements for portable tanks specified in § 172.400(a)(3)?

A2: The LPG bulk storage container is subject to the labeling requirements for bulk packagings specified in § 172.400(a)(2). See A1.

Q3: Is an LPG bulk storage container required to be labeled if the tank setting trailer is placarded in accordance with Subpart F of Part 172?



060223

172.400  
172.514

A3: Yes. A bulk packaging, other than a cargo tank, portable tank, or tank car, with a volumetric capacity of less than 18m<sup>3</sup> (640 cubic feet) is required to be labeled in accordance with § 172.400(a)(2) unless the packaging itself is placarded in accordance with Subpart F of Part 172.

Q4: Is an LPG bulk storage container eligible for the placarding exception in § 172.514(c)(1) applicable to portable tanks; or, is it eligible for the exception in § 172.514(c)(3) for a bulk packaging, other than a portable tank, cargo tank, or tank car?

A4: The LPG bulk storage container is eligible for the exception in § 172.514(c)(3) for a bulk packaging, other than a portable tank, cargo tank, or tank car. See A1.

Q5: Are the labeling and placarding requirements different for a 500 gallon LPG bulk storage container than a 1,000 gallon LPG bulk storage container?

A5: No. Provided the volumetric capacity of each LPG bulk storage container is below 18m<sup>3</sup> (640 cubic feet).

Q6: Is the LPG bulk storage container required to be placarded if it is loaded on a tank setting trailer or flat bed truck that is placarded?

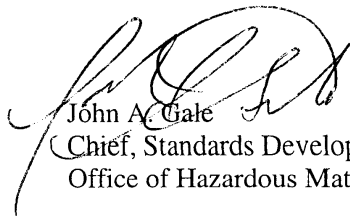
A6: The LPG bulk storage container must be placarded, unless it is labeled on two opposing sides in accordance with § 172.400(a)(2). Placards displayed on a tank setting trailer or flat bed truck do not preclude the requirement to label or placard the bulk packaging.

Q7: Is it permissible to display placards and identification numbers when transporting an empty LPG bulk storage container?

A7: The HMR prohibit the display of labels, placards or identification numbers on a bulk packaging or transport vehicle unless the bulk packaging or transport vehicle contains a material that meets the definition of a hazardous material under the HMR. However, a packaging or transport vehicle that contains a residue of a hazardous material must display the appropriate labels, placards, and identification numbers unless otherwise excepted under § 173.29.

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

Sincerely,



John A. Gale  
Chief, Standards Development  
Office of Hazardous Materials Standards



Minnesota Department of Transportation

Office of Freight and Commercial Vehicle Operations

395 John Ireland Blvd.  
St. Paul, MN 55155-1899

*Eichenlaub*  
*\$ 172.400*  
*\$ 172.514*  
*Labeling & Placarding*  
*06-0223*

September 22, 2006

US Department of Transportation  
Pipeline and Hazardous Materials  
Safety Administration PHH-10  
Mr. John Gale  
400 Seventh Street S.W.  
Washington, D.C. 20590

RE: Labeling and Placarding requirements for Propane Storage Containers during transportation.

Dear Mr. Gale:

We have received questions from industry and enforcement personnel concerning labeling and placarding of propane storage tanks and the tank setting trailers used for transportation and installation of the tanks. A propane industry representative says these regulations have been interpreted differently in different States, and has requested written clarification.

These tanks are those referenced in 49 CFR 173.315 (j). Photographs of the tanks and the tank setting trailers are included with this letter. Most tanks used in this area are either 500 gallons or 1000 gallons capacity.

A clarification letter from RSPA to Kamps Propane, dated August 26, 1994, indicates these tanks should be marked in accordance with 49 CFR 172.331 for bulk packagings other than portable tanks and cargo tanks. In a letter to Level Propane on December 22, 1999, Ref. No. 99-0262, RSPA references an exception provided in 49 CFR 172.514 (c) allowing labeling instead of placarding on certain bulk packagings.

Labeling

- Are these storage tanks for installation on a consumers premises "portable tanks" as defined in 49 CFR 171.8 or "other bulk packaging" as referenced in 49 CFR §§ 172.331 and 172.514 and other sections?
- While in transportation, are they subject to the labeling requirements of 49 CFR 172.400 (a) (2) for bulk packaging other than portable tanks or cargo tanks or subparagraph (3) for portable tanks?
- Is labeling required on these tanks during transportation, if the trailer is placarded?

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## Placarding

- Are these tanks covered by the placarding exception in 49 CFR 172.514 (c) (1) for portable tanks or by subparagraph (3) for “other bulk packaging?”
- Are the requirements different for a 500-gallon tank and a 1000-gallon tank?
- When transporting these tanks on a tank setting trailer or on a flat bed truck, are placards required on the storage tank if the truck or trailer is displaying the correct placards and ID numbers?
- Must placards and ID numbers be removed when transporting an empty tank setting trailer?

Thank you for your assistance. If you have any questions, you can contact me at the telephone or e-mail address listed below.

Yours truly,



Michael Ritchie  
Hazardous Materials Specialist  
Minnesota Department of Transportation  
Office of Freight & Commercial  
Vehicle Operations  
395 John Ireland Blvd., MS 460  
St. Paul, MN 55155  
(651) 215-6326  
[Michael.Ritchie@dot.state.mn.us](mailto:Michael.Ritchie@dot.state.mn.us)