



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

1200 New Jersey Ave, SE  
Washington, D.C. 20590

MAY -7 2010

Dr. Jianke Wang  
Senior Project Manager  
National Oilwell Varco  
2800 N. Frazier St.  
Conroe, TX 77303

Ref. No. 10-0054

Dear Dr. Wang:

This responds to your March 5, 2010 email and subsequent telephone discussion with a member of my staff regarding requirements for the continued use of DOT Specification IM 101 and 102 portable tanks for transportation of diesel fuel, with a flashpoint of about 140°F, under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask about the impact of the transitional period provided in § 171.14(d)(4) after January 1, 2010. You state these IM portable tanks will be in full conformance with the requirements in § 173.32(c)(2) and will occasionally be transported by vessel to offshore drilling sites.

The obsolete provision in § 171.14(d)(4) allowed for a hazardous material to be transported until January 1, 2010 in an IM portable tank in accordance with the T codes (special provisions) assigned to the hazardous material in the § 172.101 Hazardous Materials Table (HMT) in effect on September 30, 2001. IM portable tanks now are required to meet the applicable special provisions appearing in the current HMT.

Diesel fuel, UN1202, is listed in the HMT and assigned Special provisions B1, T2 and TP1 in Column (7). The B1 code provides that, for a hazardous material with a flashpoint between 100°F and 200°F, the bulk packagings listed in § 173.241 may be used. Paragraph (c) of that section authorizes use of IM portable tanks. The T2 code specifies the tank's minimum test pressure, minimum shell thickness, bottom opening and pressure relief requirements. The TP1 code prescribes filling density requirements. These specific code requirements are contained in § 172.102(c)(7) and (c)(8), respectively.

I hope this information is helpful. If you have further questions, please contact this office.

Sincerely,

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

Der Kinderen  
§171.14  
§173.32  
Portable Tanks  
10-0054

**Drakeford, Carolyn (PHMSA)**

**From:** INFOCNTR (PHMSA)  
**Sent:** Friday, March 05, 2010 11:42 AM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: Request for Formal interpretations to diesel transportation in IM portable tanks after January 1, 2010.

**From:** Wang, Jianke [mailto:Jianke.Wang@nov.com]  
**Sent:** Friday, March 05, 2010 11:10 AM  
**To:** INFOCNTR (PHMSA)  
**Subject:** Request for Formal interpretations to diesel transportation in IM portable tanks after January 1, 2010.

Dear Sir/Madam,

We have some DOT IM101 and IM102 portable tanks. The transporting liquid is *diesel fuel*.

As I am reading the Dot CFR 49 code, I have some questions about the continued use of these existing IM portable tanks.

**§ 173.32 Requirements for the use of portable tanks.**

(c) *Grandfather provisions for portable tanks* —(2) A DOT Specification 51, IM 101, or IM 102 portable tank may not be manufactured after January 1, 2003; however, such tanks may continue to be used for the transportation of a hazardous material provided they meet the requirements of this subchapter, including the specification requirements and the requirements of this subchapter for the transportation of the particular hazardous material according to the T codes in effect on September 30, 2001 or the new T codes in §172.102(c)(7)(i) (see §171.14(d)(4) for transitional provisions applicable to T codes), and provided the portable tanks conform to the periodic inspection and tests specified for the particular portable tank in subpart G of part 180 of this subchapter. After January 1, 2003, all newly manufactured portable tanks must conform to the requirements for the design, construction and approval of UN portable tanks as specified in §§178.273, 178.274, 178.275, 178.276, 178.277 and part 180, subpart G, of this subchapter.

**§ 171.14 Transitional provisions for implementing certain requirements.**

(d) (4) Until January 1, 2010, a hazardous material may be transported in an IM, IMO, or DOT Specification 51 portable tank in accordance with the T Codes (Special Provisions) assigned to a hazardous material in Column (7) of the §172.101 Table in effect on September 30, 2001.

What will the § 171.14 (d)(4) affect our continued use of these existing IM portable tanks provided all the conditions specified in § 173.32 (c)(2) are satisfied?

Thanks in advance for your helps.

Best regards,

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