



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

NOV - 8, 2002

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

Ms. Libby Bishop
FISC ATAC HUB
406 "B" St, Bldg DP-237
Norfolk, VA 23511

Ref. No. 02-0209

Dear Ms. Bishop:

This responds to your August 16, 2002 letter requesting clarification on the correct method of shipping "empty" fuel tanks and fuel pumps by commercial motor vehicle under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if you may ship your fuel pumps and tanks that have been drained, but not purged and may contain a trace of JP-5 jet fuel as a Combustible liquid under § 173.150(f)(2) and (f)(3).

You state that you were advised by a DOT representative that you may ship the fuel pumps under the provisions of § 173.150(f)(2) as non-regulated, and use non-specification boxes for your freight. You were also advised that you may ship the fuel tanks under § 173.150(f)(3) as "Combustible liquid, 3, NA 1993" with no label. You request written confirmation from us on the shipping information provided to you by a DOT representative.

Section 173.29 requires that an empty packaging containing a residue of a hazardous material be offered for transportation and transported in the same manner as when it previously contained a greater quantity of that hazardous material, unless it has been sufficiently cleaned of residue and purged of vapors to remove any potential hazard. You state in your letter that your fuel pumps and tanks may contain a trace of JP-5 jet fuel; therefore, they must be shipped in the same manner as when they previously contained JP-5 jet fuel. However, if the JP-5 jet fuel has a flash point at or above 100 degrees farenheight and does not meet the definition of any other hazard class, it may be reclassified as a Combustible liquid and shipped by highway or rail according to provisions specified in § 173.150(f).

I hope this answers your inquiry.

Sincerely,

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards



020209

173.150
a
173.29

Boothe
§ 173.150
§ 173.29
Empty
02-0209

Mr. Edward Mazzullo
Dir, Office of Hazardous Material Standard
USDOT/RSPA
(DHM) 10
400 7th St SW
Washington, DC 20590-0001

Dear sir:

I spoke with a representative of DOT on some matters concerning the movement of trace amounts of HAZMAT in CONUS over the road by commercial carrier for the US Government. He was very helpful in citing 49 CFR 173.150 (f)(3) for our fuel tanks and 173.150 (f)(2) for being able to ship our pumps as non-regulated and to use non-spec boxes for our freight that moves in CONUS only. Our fuel tanks have been drained, but not purged and have a trace amount of JP-5 jet fuel or at least the strong smell of it. He said we could ship the tanks as Combustible Liquid Class 3 NA1993 with no label. He said if we faxed this to you we would get a response from you, on letterhead, citing the correct way to ship these critical items for the Government. They are fuel pumps and tanks that have been emptied, but may contain a trace. The tanks are crated and nailed very securely and the pumps are wrapped and capped off so as not to leak. The inner packaging is done so as to prevent a leak. These parts are critical to the mission of the US NAVY and your help would be appreciated in moving them to be repaired and returned to airbases for reuse in a timely manner. Please FAX us an official letter from your office concerning this matter.

Thank you ,

LIBBY BISHOP

TRAFFIC MANAGER
FISC ATAC HUB
406 "B" ST BLDG SP-237
NORFOLK VA 23511

757-444-2520 EXT 13 voice
757-444-5972 FAX

Libby_S_Bishop@nor.fisc.navy.mil

