



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

FEB 2 2006

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

Mr. Mike Conway
General Manager
Trident Agricultural
Products, Inc.
P.O. Box 1909
Woodland, WA 98674

Ref. No. 05-0318

Dear Mr. Conway:

This responds to your letter dated December 21, 2005, regarding the packaging of toxic by inhalation liquids under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether liquids described as "Toxic by inhalation liquid, corrosive, n.o.s., 6.1, UN3390, PG I, 8" may be transported in an insulated DOT 412 cargo tank motor vehicle.

The answer is yes. The cargo tanks authorized for a Zone B inhalation hazard material (UN3390) are found in § 173.244 of the HMR, as limited by the applicable special provisions of § 172.102. As prescribed in § 173.244(b), a DOT 412 cargo tank is authorized for a Zone B inhalation hazard material (UN3390). In accordance with Special Provision B14, the cargo tank must be insulated.

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

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



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173.227
173.244

TRIDENT Agricultural Products, Inc.

Stevens
§ 173.227
§ 173.244
Packagings
05-0318

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To: The Office of Hazardous Material Standards Fax: 202-366-3012
Attn: Susan Gorsky, Director
From: Mike Conway
Date: December 21, 2005

Re: Request for Formal Interpretation or Formal Guidance

I have a question regarding the bulk hauling of Telone C35 (EPA Reg. No 62719-302). Telone C35's new UN number effective January 1, 2006 is UN3390. I have confirmed this with the manufacturer, Dow AgroSciences, LLC. Telone C35 is 63.4% 1,3 dichloropropene, 34.7% chloropicrin, and 1.9% inerts. Reviewing CFR 49 Hazardous Material Rules it appears that C35 can be hauled in bulk using insulated DOT 412 cargo tanks that conform to the special provisions in section 172.102 and packaging rules in 173.227 and 244. Is this correct?

I spoke with a hazardous materials regulatory specialist at the Hazardous Materials Information Center. He said my conclusion was correct. I am looking for a written formal interpretation or formal guidance.

Thank you in advance for your cooperation.



Mike Conway
General Manager