



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

AUG 21 2013

Mr. Ray Anielski
Operations Manager
Linden's Propane
14219 Lagrange Road
Lagrange, OH 44050

Ref. No.: 13-0140

Dear Mr. Anielski:

This is in response to your June 17, 2013 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 ask if a 1,000 gallon consumer storage container, charged to five percent of its capacity or less, may extend beyond the vehicle. In addition, you state that Department of Transportation (DOT) Special Permit DOT-SP 13341 does not address overhang restrictions for containers with a water capacity exceeding 500 gallons.

The answer is yes. Storage containers for LPG or propane charged to five percent of their capacity or less and intended for permanent installation on consumer premises 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)(1)(iii) and 177.834(a).

In final rule HM-245 (76 FR 5483; February 1, 2011), PHMSA incorporated the provisions of SP 13341 into the HMR to authorize the transportation of LPG in consumer storage containers in quantities greater than five percent of the container's capacity when in a container not exceeding 500 gallons water capacity. The provisions of SP 13341 and the incorporated provisions of § 173.315(j)(2)(i) through (j)(2)(ix) would not be applicable in the scenario provided in your letter as your storage container is not charged to more than five percent of its capacity. The provision of § 173.315(j)(2)(vi) requiring that the storage container not extend beyond the vehicle frame only applies to storage containers with a water capacity not exceeding 500 gallons when charged with LPG to more than five percent of their capacity as prescribed in § 173.315(j)(2.)

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

Sincerely,

Delmer Billings
Senior Regulatory Advisor
Standards and Rulemaking Division



14219 LaGrange Road • LaGrange, Ohio 44050 • (440) 458-5155 • 800-537-9164

June 17, 2013

Wiener
§173.315
Portable Tank
13-0140

US Department
Pipeline and Hazardous Materials Safety Adm.
Mr. Charles E. Betts
Director, Standards and Rulemaking Division
USDOT/ PHMSA
1200 New Jersey Ave SE East Building 2nd Floor
Washington , DC 20590

Dear Mr. Betts,

Requesting clarification of Hazardous Materials Regulations HMR; 49-173-315 and additional regulations, pertaining to requirements for ASME propane tank Transportation OVER 500 gallon water capacity for permanent installation on consumer premises The containers in question (1000 Gallon water capacity) charged to five percent of their capacity or less. The question is , can a 1000 gallon container be transported extended beyond the vehicle? Would this be a violation and will it result in a citation and fines?

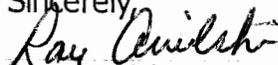
DOT SP- 13341 Does not address containers over 500 gallon water capacity. The container must be secured on a motor vehicle.

I have spoken to Hazmat Inspectors and DOT inspectors. Both stated they were unable to locate regulations to this issue. They did say in the event of a roadside inspection, They would find a regulation and issue a citation and fines.

The regulations seem confusing in regards of propane tanks larger than 500 gallon water capacity. securing for transportation. A 1000 gallon tank can extend over 3 feet beyond the frame of the vehicle.

I would appreciate your assistance with this issue.

Sincerely,


Ray Anielski

Linden's Propane
Operations Manager
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Lagrange, Ohio 44050
440-458-5155