



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue SE
Washington, DC 20590

JUL 20 2015

Mr. Randolph Martin
Chemours Company FC, LLC
1007 Market Street
D-2024
Wilmington, DE 19898

Reference No. 15-0080

Dear Mr. Martin:

This is in response to your April 23, 2015 email regarding requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the use of portable tanks. Specifically you ask what DOT specification and UN portable tanks are authorized for the transport of UN3308, Liquefied Gas, Toxic, Corrosive n.o.s. (Hexafluoroacetone, Perfluoropropionyl Fluoride), 2.3 (8) Inhalation Hazard Zone B.

In accordance with the Hazardous Materials Table (HMT), UN3308, Liquefied Gas, Toxic, Corrosive n.o.s. (Hexafluoroacetone, Perfluoropropionyl Fluoride), 2.3 (8) Inhalation Hazard Zone B may be transported in portable tanks authorized in § 173.315 that also meet the conditions of special provisions B9 and B14. As provided in § 173.315, DOT 51 portable tanks are authorized. UN3308 is not assigned a portable tank "T" Code in column (7) of the HMT and may not be transported in a UN portable tank unless approved by the Associate Administrator.

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

Sincerely,

Duane Pfund
International Standards Coordinator
Standards and Rulemaking Division

Dodd, Alice (PHMSA)

Leary -
§ 172.101 Hazmat Table
172.202 Special Provisi
15-0080

From: Geller, Shelby CTR (PHMSA)
Sent: Thursday, April 23, 2015 4:44 PM
To: Hazmat Interps
Subject: RE: Request for Interpretation

My apologies for not removing an internal note on his original email. The note is now deleted.

Thanks,
Shelby

From: Geller, Shelby CTR (PHMSA)
Sent: Thursday, April 23, 2015 4:42 PM
To: Hazmat Interps
Subject: FW: Request for Interpretation

Dear Shante and Alice,

Attached is a formal letter of interpretation. Mr. Martin spoke with Cristina Adkins and myself. We were also working with Michael Stevens. Mr. Martin's mailing address is:

Randolph Martin
Chemours Company FC, LLC
1007 Market Street
D-2024
Wilmington, DE 19898

Thank you,
Shelby

From: Randolph.Martin@chemours.com [<mailto:Randolph.Martin@chemours.com>]
Sent: Thursday, April 23, 2015 11:28 AM
To: INFOCNTR (PHMSA)
Cc: Kathryn.1.Cuento@chemours.com; Matthew.Leshinskie@chemours.com; Mitchell.L.Press@chemours.com; Linton.Henderson-1@chemours.com
Subject: Request for Interpretation

After speaking with several members of your staff in the Hazmat Information Center, we were advised to submit a formal request for interpretation.

We have a product properly classified as follows:

UN3308
Liquefied Gas, Toxic, Corrosive, N.O.S.
(Hexafluoroacetone, Perfluoropropionyl Fluoride)
2.3 (8)
Toxic Inhalation Hazard – Zone B

We need to determine what specification portable tank(s) are authorized for shipment within the US, and more specifically, are T50 specification portable tanks authorized?

The bulk packaging authorization for this product in the 172.101 Hazardous Materials Table is shown as 173.314 and 173.315. And there are no "T" Code special provisions in Column 7.

173.315(a)(1) states "UN portable tanks must be loaded and offered for transportation in accordance with portable tank provision T50 in 172.102 of this subchapter" – this would seem to allow (actually require) the use of a T50 portable tank.

But portable tank provision T50 in 172.102 states "When portable tank instruction T50 is indicated in Column (7) of the 172.101 Hazardous Materials Table, the applicable liquefied compressed gas and chemical under pressure descriptions are authorized to be transported in portable tanks in accordance with the requirements of 173.313 of this subchapter". But as noted above, there are no "T" Code special provisions in Column 7 for UN3308.

And in 173.313 the UN Portable Tank Table does not list UN3308 – but does list a material with similar hazards – UN1067 Dinitrogen Tetroxide. And note that UN1067 does show special provision T50 in Column of the 172.101 Hazmat table.

All of this would *seem* to indicate that the only portable tanks authorized for UN3308, Hazard Zone B is a DOT-51. But with DOT-51 tanks no longer authorized to be built, this would not seem to make sense. Especially with UN1067, a Hazard Zone A material, clearly allowed in T50 portable tanks. And these are a number of other Toxic Gases which are authorized in T50 tanks – including UN1005, UN1017, UN1581, UN1582 and UN1064.

We would appreciate your prompt response. I can be reached at 302-773-2266 if you have any questions or require more information.

Randy Martin
Chemours Company FC, LLC
302-773-2266

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