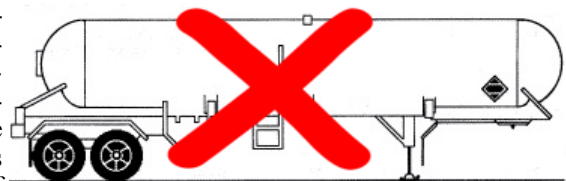




HAZMAT SAFETY BULLETIN

DOT Targets Companies Engaged In Illegal Transportation Of Natural Gas

Is your company utilizing MC 331 cargo tanks, commonly known as propane transports, for temporary natural gas supplies for pipeline maintenance projects? If your company owns and operates or contracts for movement of natural gas from your pipeline for temporary natural gas supply for maintenance projects, you might want to look into your company or contractors equipment and qualifications. Federal Hazardous Material Regulations and Procedures, specifically 49 CFR Parts 100-185, set forth the guidelines for proper packaging and transportation of pipeline natural gas that must be followed. Although it has been common place for many natural gas pipelines to use propane transports or MC 331 cargo tanks for a temporary natural gas supply, the use of propane transports is not legal for the transportation of any natural gas (methane). Additionally, many natural gas utilities unknowingly utilize small trailers equipped with fiber wrapped steel, or aluminum or composite fuel tanks manufactured only for use as fuel tanks in Natural Gas Vehicles or NGV's. Those type of containers are for fuel tanks and are not authorized under the Hazardous Material Regulations for transportation of natural gas on public roads in commerce.



MC 331 Cargo Tanks Are Illegal For
Transportation of Pipeline Natural Gas

DOT clarifies required packaging for CNG.

In a clarification letter issued by Delmer Billings, Chief of the Office of Hazardous Material Standards for the DOT, the DOT emphatically stated that MC-331 cargo tanks were not authorized for the transportation of CNG under the DOT's current regulations. Specifically, Mr. Billings stated as follows:

- Q. Can CNG be transported in an MC-331 cargo tank?
- A. Unless specifically authorized in the Hazardous Materials Table (§ 172.101) or applicable exemption, a bulk shipment containing CNG must be packaged in accordance with § 173.302(a) (3). As provided by § 173.302(a) (3), only DOT specification 3AX, 3AAX and 3T cylinders are authorized for bulk shipments of CNG. Thus, MC 331 cargo tank motor vehicles are not authorized for the transportation of CNG under the HMR. Further, as referenced in your letter, § 173.302 (a) (3) specifies conditions that the CNG must meet in order to be transported in DOT specification 3AX, 3AAX and 3T cylinders. Specifically, the gas must be nonliquified with a minimum purity of 98 percent methane and commercially free of corroding components. If it is not, specification 3AX, 3AAX, 3T cylinders are not authorized for CNG and must be shipped in the specification containers specified in § 173.302 (a) (1).

DOT Can Impose Substantial Fines on Both Shippers and Carriers of CNG.

Under the Hazardous Material Regulations, the DOT can take severe enforcement action against both shippers and motor carriers that allow CNG to be illegally transported in an unauthorized container. Under § 172.204, a shipper is required to certify that any hazardous material, including CNG, is properly classified and packaged for highway transportation. If a shipper allows CNG to be packaged in an unauthorized container, it is in violation of this federal regulation. Similarly, a motor carrier is likewise required to ensure that all hazardous material accepted for transportation is properly packaged under § 173.33. Violations of the Hazardous Material Regulations by either a shipper or carrier can result in fines of up to \$27,500 for each separate violation under the DOT's penalty schedule. Each day of continuing violation constitutes a separate offense subject to the maximum penalty.

What Are The Regulations?

The Code of Federal Regulation (CFR's) sets forth the requirements for the packaging and transportation of methane on public roads.

173.302 - Charging of cylinders with non-liquefied compressed gases.

(a) Detailed requirements. Nonliquefied compressed gases (except gas in solution) for which charging requirements are not definitely prescribed in §173.304(a)(2) must be shipped, subject to §173.301, and §173.305 in specification containers as follows:

(1) Specification 3,¹ 3A, 3AA, 3B, 3C,¹ 3D,¹ 3E, 4,¹ 4A,¹ 4B, 4BA, 4BW, 4C,¹ 25,¹ 26,¹ 33,¹ or 38,¹ (§§178.36, 178.37, 178.38, 178.42, 178.50, 178.51, 178.61 of this subchapter). See §§173.34 and 173.301(e).

¹Use of existing cylinders authorized, but new construction not authorized.

(3) Specification 3AX, 3AAX, or 3T (§§178.36, 178.37, 178.45 of this subchapter) cylinders are authorized only for the following nonliquefied gases: Air, argon, boron trifluoride, carbon monoxide, ethane, ethylene, helium, hydrogen, methane, neon, nitrogen, or oxygen, except that specification 3T is not authorized for hydrogen. As used in this paragraph methane is a nonliquefied gas which has a minimum purity of 98.0 percent methane and which is commercially free of corroding components.

Hazardous Materials Regulations and Procedures

October 1, 2001 49 CFR Parts 100-185 and all amendments through June 30, 2002.

Is Your Pipeline Gas Methane Content 98%?

Even though CFR 173.302(a)(3) allows methane introduction into 3AX, 3AAX and 3T containers, the MINIMUM purity level of methane must not be less than 98%. **Clearly, this provision eliminates introduction of pipeline gas into 3AX, 3AAX or 3T containers in that virtually all natural gas pipelines methane content are below 98%.**

As permitted under CFR 173.302(a)(1), some utilities or their contractors have and are using basket cascades containing approximately 30 high pressure bottles for compressed natural gas. Those bottles containing DOT markings shown as 3A and 3AA are legal for natural gas or methane introduction with a methane content of less than 98%. However, although legal for compressed natural gas service, since the 1980's those containers are no longer authorized for new construction. Further, due to their small size, the containers are very limited as to volume and flow capabilities. Other containers authorized under 173.302(a)(1) are not usually practical or economically suitable for compressed natural gas service.

Additional Requirements.

Most states' Department of Transportation Motor Carrier regulations have implemented programs that require motor carriers to obtain a USDOT number and display it on all commercial motor vehicles if your company or contractor operates a commercial motor vehicle that transports hazardous materials requiring placards. Methane is listed on the Federal Hazardous Material Table as a hazardous material governed by Part 173.302 of the CFR's whether it is transported in bulk or non-bulk quantities. Further, this requirement is not limited to "trucking companies". A motor carrier is any commercial enterprise that uses such vehicles in the furtherance of business. If your company or contractor operates a commercial vehicle that transports a hazardous material (methane), you are subject to Federal Motor Carrier Safety Regulations, which include, but are not limited to, displaying a USDOT number. Most States have adopted these regulations as a part of the state's laws. Additionally, your company or contractor must abide by USDOT drug testing, driver qualifications and record keeping. Drivers must hold Commercial Drivers Licenses (CDL's) with both Hazmat and tanker endorsements.

SCOPELITIS, GARVIN, LIGHT & HANSON

ATTORNEYS AT LAW

INDIANAPOLIS

CHICAGO WASHINGTON, D.C. SAN FRANCISCO KANSAS CITY

www.scopelitis.com

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