



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

AUG 02 2016

Captain Dean House
Office of Motor Vehicle Enforcement
6310 SE Convenience Boulevard
Ankeny, IA 50021

Reference No. 16-0085

Dear Captain House:

This letter is in response to your May 9, 2016, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to agricultural shipments of hazardous materials. We have paraphrased and answered your questions as follows:

Q1: You ask if § 173.5(a) limits the package size of shipments transported between fields.

A1: The answer is no. There are no limits to the size of the package provided all applicable provisions in § 173.5(a) are met for transportation over local roads between fields of the same farm.

Q2: You ask if § 173.5(a) limits the distance hazardous materials can be transported between fields.

A2: The answer is no. There are no limits to the distance the package can travel provided all applicable provisions in § 173.5(a) are met for transportation over local roads between fields of the same farm.

Q3: You ask if § 173.5(b) is a standalone section and thereby does not affect the applicability of § 173.5(a).

A3: The answer is yes. Section 173.5(a) applies to shipments made between fields that do not use public roads. Section 173.5(b) applies to shipments made to and from a farm using public roads.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

Andrews
§173.5(a)(b)
Shipping Requirement
16-0085

Dodd, Alice (PHMSA)

From: Rivera, Jordan CTR (PHMSA)
Sent: Tuesday, May 10, 2016 2:09 PM
To: Hazmat Interps
Subject: FW: Interpretation on 49 CFR 173.5(a) and (b)

Hi Shante/Alice,

Please submit this as a letter of interpretation. Mr. House spoke with Kevin Leary.

Please let me know if you have any questions.

Thanks,
Jordan

From: House, Dean [DOT] [<mailto:Dean.House@dot.iowa.gov>]
Sent: Monday, May 09, 2016 2:32 PM
To: PHMSA HM InfoCenter
Subject: Interpretation on 49 CFR 173.5(a) and (b)

Under 173.5(a) Does this section limit the size of the package? I can have a cargo tank with 5000 gallons, meet all the requirements of 173.5(a) and still not be subject to the subchapter correct?

It is also silent to the distance I can go between fields. If I have 50 miles to go between fields, I am still OK correct?

173.5(b), is a standalone section and does not have any bearing on 173.5(a) correct?

173.5(b) is strictly TO and FROM a farm, not FIELD to FIELD like 173.5(a)

If you need further clarification please contact me>

Thanks,

Dean

Captain Dean House T402
Office of Motor Vehicle Enforcement
Phone # (515) 237-3214
Cell # (515) 298-2328
Fax # (515) 237-3387
Email: dean.house@dot.iowa.gov

Mailing Address:
Captain Dean House
Office of Motor Vehicle Enforcement
6310 SE Convenience Blvd

Ankeny, IA 50021