



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

JUL 2 1999

Mr. Jeff Roth
Water Operations Supervisor
City of Petersburg
P.O. Box 329
Petersburg, Alaska 99833

Ref. No. 99-0147

Dear Mr. Roth:

This is in response to your memo dated June 9, 1998, requesting clarification on the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to government entities, specifically, public municipally owned utilities.

The transportation of a hazardous material in a government vehicle operated by a government employee solely for a non-commercial purpose is not subject to the HMR. The scope of the HMR does not encompass quasi-commercial operations like public water works and swimming pools.

I hope this information is helpful. If you need further assistance, please do not hesitate to contact us.

Sincerely,

Thomas G. Allan
Acting Director, Office of Hazardous
Materials Standards



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Memo

To: Eric Nelson, Office of Hazardous Materials Standards
From: Jeff Roth, City of Petersburg Water Utility
Date: June 9, 1999
Re: HMR Applicability to Municipalities

Mr. Nelson

As per our conversation on June 9th 1999, I am requesting clarification on the applicability of the Hazardous Materials Regulations (HMR: 49 CFR parts 171 - 180) to government entities, specifically public municipally owned utilities.

My situation is as follows, I receive chlorine gas in 150# cylinders from a supplier in Seattle Washington through a commercial carrier. We store the chlorine at the drinking water treatment facility in our chlorine storage room. About every month and a half we have to transport a full cylinder to the municipal swimming pool to exchange it for one that is depleted. After researching the transport regulations I am still confused on exactly what the requirements are for our utility situation.

The chlorine cylinders are transported in government vehicles by government personnel solely for non commercial purposes. I would appreciate any help you can provide me with to resolve the discrepancies in information I have received from different sources pertaining to this subject.

I am including a copy of the letter that was provided to me by Alison Edmondson in 1997. This was written to Mr. Ted Salveter in 1994. It appears that he had the same question that I have. If at all possible I would like to receive a personalized response from your department to the utility that I am responsible for.

If you have any questions or if I need to provide you with any further information please don't hesitate to contact me.

Thank You

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