



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

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

JUN 17 2001

Mr. Bruce F. Porter
General Dynamics
116 East Howard Street
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Ref. No. 01-0062

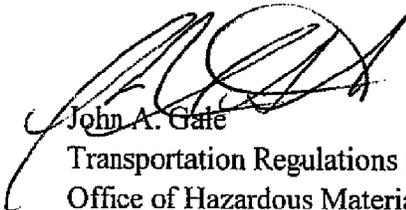
Dear Mr. Porter:

This responds to your February 27, 2001 letter requesting clarification on certain vessel stowage requirements for portable tanks of gasoline under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Essentially your inquiry relates to the required separation distance when stowing a portable tank of gasoline on deck relative to possible sources of ignition such as electrical equipment and fixtures that are not intrinsically safe or explosion-proof.

Although not explicit, the intent of the regulations with respect to stowage away from sources of ignition (see § 176.305(a)) is simply to apply the distance of 3 meters (10 feet) which is included in the definition for the term "away from" in the segregation provisions set forth in § 176.83(c)(2)(ii). Consequently, stowage of a portable tank of gasoline on deck on board a vessel should ensure at least a 3 meter (10 feet) separation from any sources of ignition.

I hope this answers your inquiry.

Sincerely,



John A. Gate

Transportation Regulations Specialist
Office of Hazardous Materials Standards



010062

176.76

Boothe
§ 176.76(i)
Vessel

GENERAL DYNAMICS
American Overseas Marine

Bruce F. Porter
Port Captain

01-0062

February 27, 2001

BFP/01-001

Mr. Edward Mazzullo
Director Office of Hazardous Material Standards
U.S. Department of Transportation
Research and Special Programs Administration
DHM-10, 400 7th St., S.W.
Washington, DC 20590-001

Dear Mr. Mazzullo,

I am writing to request a formal interpretation of the 49 CFR 176.76 (i) regarding the stowage and carriage aboard our vessels of an IMO 101 Portable Tank loaded with Motor Gasoline, Class 3.1. Our vessels are part of the Military Preposition Ships and are engaged in international duty, with occasional visits to the United States. The main thrust of my question is what is the distance required from non-intrinsically safe electrical fixtures when stowing this portable tank on deck?

While corresponding with one of your specialists and with Mr. Brian Robinson of the U.S. Coast Guard, it is clear that the phrase "stowed 'away from' possible sources of ignition" as stated in 49 CFR 176.76 (i) is unclear and open to vague interpretation. I point to the clarity of 46 CFR 98.30-9 (2) (i) and (ii) (this section has been defined as non-applicable to our case as it refers to transfer of product) and IMDG 13.1.25.6.2, Amendment 29-98, relating to carriage of dangerous cargoes with elevated temperatures. Both give distinct measurements from possible sources of ignition as pertaining to portable tanks.

The 49 CFR 176.83 section on Segregation has defined "away from" as meaning a dangerous cargo, in our case a portable tank of gasoline, may be carried on deck "provided a minimum horizontal separation of 3 meters (10 ft.) projected vertically is obtained". This is the interpretation being referred to by your group and Mr. Robinson of the USCG as offering the best answer to my question. For the most part, this tank would be stowed on deck in the vicinity of containers loaded with drums of lube oils or other material and hardware considered non-hazardous. As this section refers to segregation of dangerous, incompatible cargoes, I believe a clarification that relates specifically to the carriage of portable tanks and the required distance from electrical fixtures, vertically as well as horizontally, is necessary. As we are to load this portable tank in the near future, a timely response would be much appreciated.

Best regards,



Bruce F. Porter

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