



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUN 26 2001

Mr. Michael K. Adle
CONDEA Vista Company
3441 Fairfield Road
Baltimore, MD 21226-1592

Ref. No. 01-0132

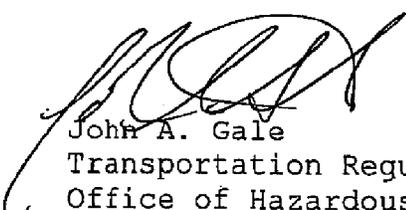
Dear Mr. Adle:

This is in response to your May 23, 2001 letter, regarding the attendance requirements for unloading tube trailers and cargo tanks under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether attendance requirements as specified in § 177.834(i)(2) apply when a cargo tank or tube trailer is unloaded and the motive power has been removed and taken off the consignee's premises.

The answer is no. Under § 177.834(i)(2), a cargo tank unloading operation need not be attended when the cargo tank has been placed on the consignee's premises and the motive power has been removed from the cargo tank and removed from the premises. Cylinders permanently mounted on a motor vehicle are commonly referred to as a "tube trailer." A tube trailer is not considered a cargo tank and therefore is not subject to the provisions of § 177.834(i) and does not require attendance when being unloaded.

I hope this satisfies your request.

Sincerely,



John A. Gale

Transportation Regulations Specialist
Office of Hazardous Materials Standards



010132

177.834(i)(2)

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BAH
§177.834(i)(2)
Load/unloading
CONDEA
01-0132

Office of Hazardous Materials Standards,
Research and Special Programs Administration
U.S. Department of Transportation
400 Seventh Street, S.W.
Washington, D.C. 20590-0001

Dear Sir,

I would like to get a clarification on the attendance requirement for the unloading hazardous materials as required under 49CFR177.834(I)(2).

If a hazardous material in a cargo tank or tube trailer is being unloaded into the process and the motive of power has been removed from the cargo tank or tube trailer and removed from the premises, do the attendance requirements for unloading the hazardous material still apply?

Sincerely,



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