

## U.S. DOT Hazardous Material Requirements for Transporting “Empty” Skid Tanks

PMAA has received a number of questions recently regarding the proper placarding requirements for empty skid tanks. First, any petroleum bulk storage tank containing gasoline, diesel fuel, heating oil or kerosene or other hazardous material with a capacity greater than 119 gallons, is subject to the U.S. DOT Hazardous Material Regulations (HMR). In other words, if the tank contains product, it must be placarded for shipment, accompanied by a shipping paper and transported by a CDL driver with a HAZMAT endorsement. HMR section 49 CFR 173.29 sets forth the requirements for transporting empty skid tanks previously containing a hazardous material. Most importantly, paragraph (a) of this section defines the term “empty” for purposes of applicability of the HMR. Under paragraph (a), a skid tank previously containing a hazardous material is not considered “empty” until it has been cleaned of residue and purged of vapors and is regulated as though it holds the hazardous material it last contained.

This means when empty skid tanks are transported without cleaning and purging, they must be placarded, accompanied by a HAZMAT shipping paper and transported by a CDL driver with a hazardous material endorsement. If a skid tank is cleaned of residue and purged of vapors, a placard is not required, and it may be transported without a shipping paper and by a driver without a hazardous material endorsement. However, the HMR prohibits the display of any hazardous material communication information (i.e. placard) if transported on an unenclosed truck such as a flat bed. Instead, hazard communication signage on skid tanks, including placards, must be “removed, obliterated or securely covered during transportation.”

The following information describes the requirements for transporting “empty” skid tanks that are not cleaned or purged:

**Placards** – Skid tanks must be placarded unless they have been cleaned of all residue and purged of vapors (49 CFR 172.29). Skid tanks must be placarded on all four sides when being transported (49 CFR 172.504). There is an exception to this rule when the gross *aggregate* capacity of the tank(s) is less than 1000 gallons. In this case only *two sides* need be placarded (49 CFR 172.514(c)).

**Shipping Papers** – Skid tanks containing only residue must be accompanied by shipping papers that comply with U.S. DOT HAZMAT regulations. Use the same format on skid tank shipping papers as used with fuel being transported by cargo tank truck or transport. The quantity on the shipping paper – usually designated in gallons or by truckload should be noted as “residue.” Residue is the substance left in a tank that is not suitable for powering any engine or equipment due to its impurities. Any amount remaining in the tank above a residue must be designated in gallons.

**Driver Qualifications** – Only a driver with a current CDL and HAZMAT endorsement may transport skid tanks containing fuel or residue. Many times, marketers will send out a flatbed truck to retrieve skid tanks with only a CDL licensee behind the wheel. A driver transporting skid tanks must have a hazardous material endorsement. The only time a driver with a hazardous material endorsement is not required is when the tanks are cleaned and purged.

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