



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

SEP 3 1998

Mr. Roy J. Tarr
President
Grace Tarr Corporation
164B Berkley Road
Clarksboro, NJ 08020

Ref. No. 98-0214

Dear Mr. Tarr:

This is in response to your letter dated July 30, 1998, concerning any Department of Transportation (DOT) regulations that would affect the sale of used specification cargo tanks. I have paraphrased your questions and answered them in the order posed in your letter.

Q1. Are there any regulations regarding the sale of used DOT specification cargo tanks?

A1. Section 180.417(d) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) requires each carrier offering a DOT specification cargo tank for sale to make available to the purchaser the most recent copies of the reports identified in that section.

Q2. Can a DOT specification cargo tank be sold "as is" from any location?

A2. There are no restrictions on the sale of a cargo tank. However, if there are any specification shortages, they must be identified to the purchaser. See § 171.2. This agency has no jurisdiction over where a cargo tank is sold.

Q3. Can a cargo tank be bought with the proper identification and all inspection done by a certified cargo tank repair shop and sold as a DOT specification cargo tank?

A3. The answer is yes, provided the cargo tank conforms to the applicable DOT specification. See §§ 171.2 and 180.3.

I hope this satisfies your request.

Sincerely,

A handwritten signature in cursive script that reads "Hattie L. Mitchell". The signature is written in black ink and is positioned above the typed name.

Hattie L. Mitchell, Chief
Regulatory Review and Reinvention
Office of Hazardous Materials Standards

98-0214

GRACE TARR CORP.
164B BERKLEY ROAD
CLARKSBORO, NJ 08020

Mack
1240 NJ

PHONE: 609-224-0322

FAX: 609-224-0299

July 30, 1998

Edward T. Mazzullo - DHM-10
US DOT / RSPA
407 Street Southwest, Room 8100
Washington, DC 20590-0001

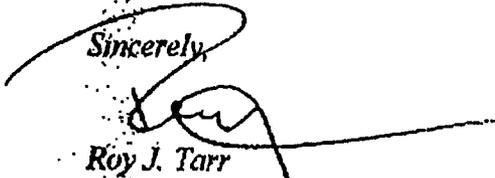
ATTN:
Helen E.

Per our conversation today, about the sale of used spec. tank trailers. I have a few questions, which we would like your response to. Please answer as soon as possible by faxing me at 609-224-0299.

1. Is there any DOT regulations toward the sale of used spec. tank trailers?
2. Can a trailer be sold "As is, where is"?
3. Can a trailer be bought with the proper identification and all inspection done by a Code / CT Shop and sold as a spec. trailer?

Thank you very much for your time and cooperation in this matter.

Sincerely,


Roy J. Tarr
President