



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

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

JAN 8 2002

Mr. John Montou
Terminal Manager
Citgo Petroleum Corporation
301 Terminal Road
Fort Worth, Texas 76106

Ref. No. 01-0287

Dear Mr. Montou:

This responds to your October 30, 2001 letter requesting clarification on recordkeeping requirements for cargo tank test reports under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether your terminal is required to verify that the tests were performed and if it is required to retain a copy of the test results.

According to your letter your terminal does not own, lease or operate any vehicles that transport gasoline and/or diesel, that are supplied by the motor carrier. The drivers of the transport vehicles perform the loading of the product into the truck and a bill of lading is issued after the transfer is complete. Recordkeeping provisions under § 180.417(b) require that the owner of a specification cargo tank and the motor carrier, if not the owner, must each retain a copy of the test and inspection reports until the next test or inspection of the same type is successfully completed. This requirement does not apply to a motor carrier leasing a cargo tank for less than 30 days or to your terminal if you do not own or lease the cargo tank.

I hope this answers your inquiry.

Sincerely,

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards

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§180.407
Cargo Tanks



CITGO Petroleum Corporation

01-0287

301 Terminal Road
Fort Worth, TX 76106

October 30, 2001

Edward Mazzullo
Director for the Office of Hazmat Standards
US DOT/RSPA (DHM10)
400 7th Street Southwest
Washington DC 20590-0001
Fax Number: 202-366-3012

Mr. Mazzullo:

CITGO Petroleum Corporation Fort Worth, TX Terminal (SIC 5171) is seeking clarification on record keeping of a motor carriers (V, I, P, K) test requirements. From our understanding of the regulation 49CFR 180.407, all owners of vehicles hauling hazardous materials must have the (V, K) tests performed annually and the (I, P) test performed every 5 years. CITGO Petroleum Corporation does not own, lease or operate any vehicles that transport gasoline and/or diesel, that are supplied by the terminal. The drivers of the transports perform the actual loading of the product into the truck and a Bill of Lading is issued after the transfer is complete.

As per DOT regulations, is the terminal required to verify these tests have been performed? And is the terminal required to have a copy of the test results on file at the terminal?

Any information you can provide would be greatly appreciated.

Thank You,

John Montou
Terminal Manger
Phone: 817-624-3122
Fax: 817-624-3609