



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

APR 14 2016

Jim Lawson  
Tri Tank Corporation  
115 Farrell Road  
Syracuse, NY 13209

Ref. No. 15-0226

Dear Mr. Lawson:

This responds to your email of November 18, 2015 requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the external visual inspection of cargo tanks. In your request, you ask whether paint used to cover the exterior of a cargo tank could be considered a "coating."

For purposes of § 180.407, paint may preclude an external visual inspection. Specifically, § 180.407(d)(1) states, "[i]f external visual inspection is precluded because any part of the cargo tank wall is externally lined, coated, or designed to prevent an external visual inspection, those areas of the cargo tank must be internally inspected." Therefore, one must consider whether the application of paint on the exterior of a cargo tank wall prevents the performance of an external visual inspection that conforms to the requirements of the HMR (e.g., §§ 180.407(d)(2) through (d)(7)).

It is the opinion of this Office that the Registered Inspector (as defined in § 171.8), or other appropriate person meeting the requirements of § 180.409, would determine whether the paint has covered certain areas of the cargo tank wall in such a way that prevents a proper external visual inspection from being performed. If the Registered Inspector determines that the application of paint does indeed prevent a proper external visual inspection, an internal visual inspection of those areas affected by the paint would be required in conjunction with the external visual inspection for the remaining areas of the cargo tank wall.

I hope this answers your inquiry. If you need additional assistance, please contact this Office again.

Sincerely,



Dirk Der Kinderen

Chief, Standards Development Branch  
Standards and Rulemaking Division

Lesko  
173.173  
Paint Related Materials  
15-0226

**Goodall, Shante CTR (PHMSA)**

---

**From:** Foster, Glenn (PHMSA)  
**Sent:** Wednesday, November 18, 2015 10:25 AM  
**To:** Dodd, Alice (PHMSA); Goodall, Shante CTR (PHMSA)  
**Subject:** FW: wraps  
**Attachments:** How to UNZIP.html; SecureZIP Attachments.zip

Alice / Shante,

Please have this inquiry checked in as a request for Interpretation and assign it to a Specialist.

Thanks,  
Glenn

---

**From:** Jim Lawson [<mailto:jimlawson@tritank.com>]  
**Sent:** Wednesday, November 18, 2015 9:38 AM  
**To:** Foster, Glenn (PHMSA)  
**Cc:** Dan Comins  
**Subject:** wraps

Glenn,

Have been speaking with Paul Bomgardner at the Houston NTTC show about trailers with wraps, decals, and paint. Looking for a little more clarification on decals (company logo) and paint that may partially or fully cover a weld seam during external visual inspections. We are seeing more and more of this every month. The wraps seem pretty cut and dry. Paint is I guess the real question. As it usually covers all the weld seams. Is paint considered a "coating".

Thank you,

Jim Lawson  
Service Manager  
Tri Tank Corp.  
315-451-8663