



U.S. Department of Transportation
**Pipeline and Hazardous Materials
Safety Administration**

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

DEC 21 2010

Mr. David Thompson
Thompson Tank Inc.
8029 Phlox Street
Downey, CA 90241

Ref. No.: 10-0219

Dear Mr. Thompson:

This is in response to your October 7, 2010, email and subsequent conversation with Mr. Charles Hochman, Engineering and Research Division, requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) regarding inspection and use of non-DOT specification cargo tank motor vehicles constructed from glass fiber reinforced plastics (GFRP) authorized by Department of Transportation Special Permit, (DOT-SP) 11903. Your questions are paraphrased and answered as follows:

Q1. Does DOT-SP 11903 authorize vacuum loading?

A1. DOT-SP 11903 authorizes the manufacture, marking, sale and use of non-DOT specification GFRP cargo tank motor vehicles conforming to regulations applicable to a DOT 407 or DOT 412 cargo tank motor vehicle. While § 178.347-1 imposes certain construction and certification requirements for Specification DOT 407 and DOT 412 cargo tank motor vehicles designed to be loaded by vacuum, non-DOT specification cargo tank motor vehicles manufactured to the requirements in DOT-SP 11903 are excepted from these requirements. Additionally, nothing in the HMR or DOT-SP 11903 prohibits vacuum loading.

Q2. Are GFRP cargo tanks motor vehicles manufactured in accordance with DOT-SP 11903 required to meet § 180.407(f)(3) which requires thickness testing of the tank wall if effected by a lining failure?

A2. Non-DOT specification GFRP cargo tank motor vehicles authorized by DOT-SP 11903 must meet the requirements in Subpart E of Part 180 for the periodic testing and inspection of DOT 407 and DOT 412 specification cargo tank motor vehicles. However, the lining inspection requirements of § 180.407(f) do not apply since these cargo tanks do not have a liner. Instead, the cargo tank motor vehicles authorized by DOT-SP 11903 are fabricated with a resin rich corrosion barrier that is part of the GFRP construction. If visual inspection of the cargo tank reveals that a material has penetrated the corrosion barrier, the cargo tank motor vehicle manufacturer must provide the cargo tank retester or owner with guidance to ensure that the structural integrity of the GFRP cargo tank

motor vehicle has not been adversely affected. The structural integrity of the GFRP cargo tank must be determined prior to the repair or replacement of the corrosion barrier.

I hope this answers your inquiry. If you need additional assistance, please contact the Standards and Rulemaking Division at (202) 366-8553.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Supko". The signature is written in a cursive style with a long, sweeping tail on the "k".

Ben Supko
Acting Chief, Standards Development
Standards and Rulemaking Division

Drakeford, Carolyn (PHMSA)

Leary
§ 180.407(f)(3)

From: INFOCNTR (PHMSA)
Sent: Friday, October 08, 2010 10:25 AM
To: Drakeford, Carolyn (PHMSA)
Cc: DerKinderen, Dirk (PHMSA)
Subject: Request for Letter of Interpretation

Cargo Tanks
10-0219

Hi Carolyn,

We received the following request for a formal letter of interpretation at the Info Center.

Thanks,

Victoria Lehman
202-366-1035

-----Original Message-----

From: PHMSA-Feedback [mailto:PHMSA-Feedback]
Sent: Thursday, October 07, 2010 3:58 PM
To: PHMSA HM InfoCenter; PHMSA Webmaster
Subject: Hazmat Information Center Feedback: Special Permits (Active) Issued by PHMSA

This is a request for a Formal Letter of Interpitation.
Does DOT SP-11903 Authorize Vacuum Loading?
Does DOT SP-11903 Exempt 180.407(f)(3) that requires thickness testing of the Cargo Tank Wall if effected by a Lining Failure?
We appreciate the phone call confirming that DOT SP-11903 does not authorize vacuum loading or exempt 180.407(f)(3) however our customer requires a written conformation to proceed with this repair.

Name: David L Thompson
Organization: Thompson Tank Inc
Email: tomtank@verizon.net
Address: 8029 Phlox St.
City: Downey
Zip Code: 90241
Phone: 800-421-7545
Country: USA
FAX: 562-250-7502