



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

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

MAY 17 2011

Mr. John Anderson
Airgas SAFECOR
P.O. Box 20067
Cheyenne, WY 82003

Ref. No.: 11-0067

Dear Mr. Anderson:

This responds to your March 22, 2011 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the general requirements for specification MC 331 cargo tanks.

In your letter, you state that your company, Airgas SAFECOR (Airgas), carries permitted hazardous materials within specification MC 331 cargo tank motor vehicles. You state that some of your MC 331 cargo tanks are painted white with a light teal stripe across the horizontal axis of the tank. Additionally, you state that your other MC 331 cargo tanks are "wrapped" in a 3M ControltacTM Graphic Film with ComplyTM v3 Adhesive. The wrap is an ultraviolet (UV) reflective material that is designed to breathe and resist fading. You provide data of the temperature tests on the striped cargo tanks and product description data for the wrap. Specifically, you ask whether the light teal stripe and the wrap are permitted under § 178.337 of the HMR.

As specified in § 178.337-1(d), every uninsulated cargo tank permanently attached to a cargo tank motor vehicle shall, unless covered with a jacket made of aluminum, stainless steel, or other bright non-tarnishing metal, be painted a white, aluminum or similar reflecting color on the upper two-thirds of area of the cargo tank.

It is the opinion of this Office that both the light teal "striped" and the "wrapped" Airgas cargo tanks as shown in the photographs and data you supplied do not conflict with § 178.337-1(d); therefore, you appear to be in compliance with this section.

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

Nickels
3178.337-1(d)
Cargo Tanks
11-0067

Drakeford, Carolyn (PHMSA)

From: Billings, Delmer (PHMSA)
Sent: Tuesday, March 22, 2011 11:31 AM
To: Drakeford, Carolyn (PHMSA)
Cc: Betts, Charles (PHMSA)
Subject: FW: Reflective Design - MC-331 Cargo Tank
Attachments: Cargo tank ASP wrap.JPG; Ammonia cargo tank side view.pdf; fax002216383.pdf

From: John Anderson (SAFECOR) [<mailto:John.Anderson.SAFECOR@Airgas.com>]
Sent: Wednesday, March 16, 2011 11:30 PM
To: Billings, Delmer (PHMSA); Forbes, Tom
Subject: Reflective Design - MC-331 Cargo Tank

Good evening,

Mr. Billings – per our conversation today we would like your guidance regarding 49 CFR 178.337-1(d).

Recently an Airgas MC-331 cargo tank in ammonia, anhydrous service was cited in Ohio during a road side inspection (please see the third attachment) for having a “wrap” on the upper two thirds of the cargo tank (please see the first attachment). The section of 49 cited is not the correct section but the officer asked us to contact Tom Forbes with the Ohio PUC for further clarification

We contacted Tom Forbes with the Ohio PUC and he has been very helpful allowing us to contact you to determine if the “wrap” as shown in the first attachment complies with 178.337-1(d). The wrap is made by 3M and it is a UV reflective material. The wrap is designed to breath. The reflective material is designed so the “wrap” does not fade. The following is Tom’s contact information if you would like to speak directly with him.

*Tom Forbes
Public Utilities Commission of Ohio
Transportation Department
Compliance Division
180 East Broad Street, 4th Floor
Columbus, Ohio 43215-3793
(614) 644-0296 Phone
(614) 466-2753 Fax*

We would also like your guidance on the cargo tank in the second attachment. Airgas purchased the assets of LaRoche Industries in June of 2005 which included approximately 100 MC-331 cargo tanks in ammonia, anhydrous service.

LaRoche Industries painted the stripe on these cargo tanks a dark blue (beginning in 1992). After the Airgas acquisition we painted the stripe a light teal color (Airgas color). Today we operate approximately 95 MC-331 cargo tanks with the teal stripe and about 5 MC-331 cargo tanks with the “wrap”. We have never had an issue with the stripe (since 1992) or the wrap (which is about 2 years old) but since this issue has been raised by the State of Ohio we would like your guidance.

The cargo tanks are dedicated to ammonia, anhydrous service and we have not experienced any problems with pressure due to the stripe or wrap. A lot of the LaRoche management team joined Airgas and in talking with them they have never received a citation over the stripe or wrap until this issue was raised. The striped and wrapped cargo tanks have received an annual visual inspection by numerous cargo tank testing facilities over the years and they have never failed their annual visual inspection due to the stripe or wrap.

Thank you for your help resolving this issue.

John Anderson
Airgas SAFECOR
P.O. Box 20067
Cheyenne, WY 82003