

Pipeline and Hazardous Materials Safety Administration

April 19, 2024

Mr. Tim Decker Field Health and Safety Specialist Superior Plus Propane 1870 South Winton Rd. Rochester, NY 14618

Reference No. 23-0035

Dear Mr. Decker:

This letter is in response to your March 13, 2023, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to cargo tank inlet and outlet markings. Specifically, you ask about the applicability of marking requirements in § 178.337-9(c) where the HMR states that, except for gauging devices, thermometer wells, and pressure relief valves, each cargo tank inlet and outlet must be marked "liquid" or "vapor" to designate whether it communicates with liquid or vapor when the cargo tank is filled to the maximum permitted filling density.

We have paraphrased and answered your questions as follows:

- Q1. You ask what is considered a cargo tank "inlet" under § 178.337-9(c).
- A1. Under § 178.320, an "outlet" is defined as "any opening in the shell or head of a cargo tank, (including the means for attaching a closure), except that the following are not *outlets:* a threaded opening securely closed during transportation with a threaded plug or a threaded cap, a flanged opening securely closed during transportation with a bolted or welded blank flange, a manhole, a gauging device, a thermometer well, or a pressure relief device." It is the opinion of this office that for the purposes of § 178.337-9(c), an inlet and an outlet are the same.
- Q2. You ask whether the piping in your attached photographs require marking under § 178.337-9(c).
- A2. It is unclear from your photographs whether the piping is an inlet/outlet, as it is unclear whether the piping does or does not communicate directly with the cargo tank or how the fittings connection is used. Therefore, this Office is unable to determine if the piping is subject to the marking requirements under § 178.337-9(c).
- Q3. You ask whether the marking shown in the attached photographs meet the requirements of § 178.337-9(c).

A3. Provided the marking is readily visible, legible, durable to withstand transport conditions, and clearly associated with the corresponding inlet or outlet, marking in the locations you describe would satisfy the requirements of the HMR. The marking requirement may be satisfied using various locations and methods, including marking on the cargo tank shell.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

Steven Andrews

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Acting Chief, Regulatory Review and Reinvention Branch

Standards and Rulemaking Division

23-0035

From: **INFOCNTR (PHMSA)** To: **Hazmat Interps** Subject: FW: 178.337-9(c)

Tuesday, March 28, 2023 1:49:57 PM Date:

Attachments: image002.png

image004.png

Hello.

Attached and below is a request for letter of interpretation. I am sending another email after this with some more supporting documentation.

Thanks,

Jonathon, HMIC

**From:** Decker, Tim <tdecker@superiorplusenergy.com>

**Sent:** Monday, March 13, 2023 1:50 PM

To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>

**Subject:** RE: 178.337-9(c)

**CAUTION:** This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

My question is in reference to §178.337-9(c), and MC-331 cargo tanks in propane service. Specifically, what is considered an inlet?

§178.320, defines "outlet", but not "inlet".

We received a violation during a roadside inspection for markings of inlets and outlets. The inspector has held that a pipe with fittings is an "inlet" as it is a suction line used for auxiliary loading. The pipe in question is connected to the pump and does not communicate directly with the cargo tank. The outlet to which the pump is connected is labeled/marked as "liquid" (see attached pictures).

In addition to the closure valve seen in the attached picture, the piping also includes a back check valve at the pump. By definition, the pipe does not appear to meet the definition of appurtenance.

Does the piping itself require marking under §178.337-9(c)? Is it considered an inlet?

Does the marking as indicated in the attached pictures meet the requirements of §178.337-9(c)?

## Tim Decker

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The primary responsibility for safety lies with those who create the risks and those who work with them.









