



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

March 4, 2025

Luis Ponce
Manager of Technical Services
The National Board of Boiler and Pressure Vessel Inspectors
1055 Crupper Avenue
Columbus, OH 43229-1183

Reference No. 24-0044

Dear Mr. Ponce:

This letter is in response to your May 29, 2024 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to Department of Transportation (DOT) specification cargo tank repair requirements. Specifically, you state that the National Board of Boiler and Pressure Vessel Inspectors (NBBI) publishes its flagship publication—*i.e.*, the National Board Inspection Code (NBIC)—every two years. You further state that the next edition—for 2025—will see a complete rewrite of Supplement 6 “Repair, Alteration, and Modification of DOT Transport Tanks,” and that there will be changes to the pressure testing of repairs and alterations to line up with DOT requirements. You ask for clarification on whether “applicable manufacturing specification” means a DOT specification or another code of construction.

We have paraphrased and answered your questions as follows:

- Q1. Does the phrase “applicable manufacturing specification” in § 180.413(b) refer to the original code of construction, such as the American Society of Mechanical Engineers (ASME) Code?
- A1. No. As specified in § 180.413(b), the suitability of each repair affecting the structural integrity or lading retention capability of the cargo tank must be determined by the testing required either in the applicable manufacturing specification or in § 180.407(g)(1)(iv). The phrase “applicable manufacturing specification” means the authorized DOT specification.

Q2. If the answer to Q1 is yes, can the requirements of either the original code of construction or Part 180 be used for repairs by an NBBI “R” stamp certificate holder?

A2. See answer A1.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dirk Der Kinderen', with a stylized, cursive script.

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division

Jones, Jessie Jane CTR (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Friday, June 7, 2024 1:45 PM
To: Dodd, Alice (PHMSA)
Cc: Hazmat Interps
Subject: FW: Interpretation Request

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Alice,

Please see the below interpretation request.

Let me know if you need anything.

Regards,

-Breanna

From: Luis Ponce <LPonce@nationalboard.org>
Sent: Wednesday, May 29, 2024 1:41 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Interpretation Request

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.

Good afternoon,

Please see interpretation request below. If there is an online form to complete, please let me know.

INTERPRETATION REQUEST

Subject: 49 CFR Part 180, §180.413 (b) Repair

Background: The National Board of Boiler and Pressure Vessel Inspectors publishes its flagship publication, the National Board Inspection Code (NBIC) every two years. The next edition, 2025, will see a complete rewrite of Supplement 6 *Repair, Alteration, and Modification of DOT Transport Tanks*. There will be changes to the pressure testing of repairs and alterations to line up with DOT requirements, but it is unclear whether "applicable manufacturing specification" means a DOT specification or another code of construction.

Current wording: Repair. The suitability of each repair affecting the structural integrity or lading retention capability of the cargo tank must be determined by the testing required either in the applicable manufacturing specification or in § 180.407(g)(1)(iv).

Question 1: Is it the intent of §180.413 (b) *Repair* that the phrase "applicable manufacturing specification" refers to the original code of construction, such as the ASME Code, as applicable?

Proposed Reply 1: Yes

Question 2: If the answer to Question 1 is yes, can the requirements of either the original code of construction or the DOT49 CFR Part 180 be used for repairs by an NBBI "R" Certificate Holder?

Proposed Reply 2: Yes

Regards,

Luis Ponce

Manager of Technical Services



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