



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

March 27, 2026

Mike Reed
MP Environmental Services, Inc.
3400 Manor Street
Bakersfield, CA 93308

Reference No. 25-0045

Dear Mr. Reed:

This letter is in response to your April 11, 2025 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to cargo tank certification plates in reserved § 178.340-10.

We have paraphrased and answered your questions as follows:

- Q1. Is it permissible under § 178.340-10 to leave the loading limits section empty or listed as “none” on the cargo tank certification plate?
- A1. No. Section 178.340-10(b)(1) requires loading limits be listed on the cargo tank certification plate. Determining the loading limits is part of certification required in 178.340-10(b).
- Q2. Is it permissible under § 178.340-10(b)(1) to provide the loading limit requirements in inches of mercury (inHg) instead of gallons per minute (gpm) or pounds per square inch gauge (psig)?
- A2. No. The requirements in § 178.340-10(b)(1) specify that the loading limit be expressed in gpm, psig, or both. It is the opinion of this Office that listing the pressure in inches of mercury (Hg) does not meet the intent of § 178.340-10(b)(1).

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

Sincerely,

Alexander Wolcott
Acting Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

Jones, Jessie Jane (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Friday, April 11, 2025 12:42 PM
To: Dodd, Alice (PHMSA)
Cc: Hazmat Interps; Baker, Yul (PHMSA)
Subject: FW: Cargo Tank Interpretation
Attachments: Arizona inspection 11_26_24-dataQ.pdf; Arizona inspection 11_26_24.pdf; ARIZONA INSPECTION-11.26.24-1.pdf; Arizona Inspection -11-24-24.jpg; 20151107_124601.jpg

Hi Alice,

Please see the below interpretation request. Let us know if you need anything.

Sincerely,
Janaye

From: Mike Reed <mwreed@mpenviro.com>
Sent: Friday, April 11, 2025 12:02 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Cargo Tank Interpretation

You don't often get email from mwreed@mpenviro.com. [Learn why this is important](#)

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 Morning,

I have a request for an interpretation on a cargo tank issue, our driver was given this violation concerning 178.340-10 loading limits. The spec plate on the tank does not have a G.P.M or P.S.I.G markings filled in but does have inches in Mercury box filled in because it is a vacuum loaded tank (picture included).

I contacted the manufacturer and spoke to an engineer and he stated they did not have any interpretation or letter from RSPA concerning this issue. I would like to get a ruling on this, since this is a Vacuum loaded tank. I have another Vacuum loaded tank which also has the G.P.M or P.S.I.G with none listed in those areas (picture included) and no HG markings. Is this illegal also? Thank-you for your time.

Mike Reed
MP Environmental Services, Inc.
3400 Manor Street
Bakersfield, CA 93308
Phone 661-393-1088
Cell 661-319-4799
Fax 661-393-0508

Detailed view of ID# 4901951

Date Entered: 12/04/2024	Report State: AZ	Type: Inspection - Incorrect Violation
Report Date: 11/26/2024	Report Number: 1034700589	Status: Closed - No Data Correction Made
USDOT#: 441566 (SMS)	Assigned Agency#: 602-223-2413	Assigned to: AZ DPS

Request Summary

Requestor Profile

Name: MIKE REED	Address: 3400 MANOR ST
Username: cd00441566000607406	City/State/Zip: BAKERSFIELD, CA 93308
User Role: Validated Motor Carrier	Phone: 661-3194799
Company/Agency Name: M P ENVIRONMENTAL SERVICES INC	Fax:
USDOT#: 441566 (SMS)	Email Address: mwreed@mpenviro.com

Explanation of Request for Data Review

Where did you view the data you want reviewed?: Inspection Report

Supporting Document: 20161004_072629.jpg

Supporting Document: ARIZONA INSPECTION-11.26.24.pdf

Supporting Document: ARIZONA-11.26.24-1.pdf

Status: Closed - No Data Correction Made | **Federal Violation Code:** 178.340(10)

Federal Violation Description:
SPECIFICATION PLATE

Why should the violation be reviewed?:

I would like this violation removed, the data plate contains the required information. I have included a copy of the data plate and the title 49 section, if you look at the picture and besides the "loading limits" section, there are three boxes: GPM, PSIG, IN-HG, Since this a vacuum tank and it is loaded by vacuum, the amount is listed as 29 Inches of Mercury, If you look at the " Unloading limits" section and beside it, the number 35 PSIG is stamped into-it.

Detailed Information from Inspection Record

Report State: AZ	Reporting Officer ID: 10347
Report Number: 1034700589	City/Location: CHANDLER AZ
Date: 11/26/2024	Event County: MARICOPA
Event Time: 8:38 AM	State: AZ

Carrier Information from Inspection Report

Carrier Name: M P ENVIRONMENTAL SERVICES INC	City: BAKERSFIELD
USDOT#: 441566 (SMS)	Country: US
MC/MX#:	State: CA
Address (1): 3400 MANOR STREET	Zip: 93308
Address (2):	

Driver Information from Inspection Record

Driver Name: JOHN BARWICK

Response List

Response Date: 02/05/2025 10:03 AM

Entered By: Chesney Becker

Phone: 0-0

Response To: 178.340(10)

Supporting Document: [NTTC Regs.PDF](#)

Response Description: Please see the attached regulations that apply. Since this trailer is a MC307/312 tank, per page 243 for loading limits, it has to have an amount in GPM or PSIG - nothing about IN HG.

Status Changed to: Closed - No Data Correction Made

Status Prior to Response: Open - In Review

Agency Name: AZ DPS

Response Date: 01/31/2025 07:39 PM

Entered By: MIKE REED

Phone: 661-3194799

Response To: 178.340(10)

Response Description: I submitted this almost 2 months ago, Has there been a final determination on this?

Status Changed to:

Status Prior to Response: Open - In Review

Agency Name: Validated Motor Carrier

Documents List

Supporting Documents

Title Name	Document Name	Date Uploaded	Size
Regulations	NTTC Regs.PDF	02/05/2025 10:03 AM	3.16 MB
Law Enforcement report	ARIZONA-11.26.24-1.pdf Original Upload	12/04/2024 10:56 AM	0.90 MB
Law Enforcement report	ARIZONA INSPECTION-11.26.24.pdf Original Upload	12/04/2024 10:56 AM	0.95 MB
Other evidence to support RDR	20161004_072629.jpg Original Upload	12/04/2024 10:57 AM	3.51 MB

SYSTEM MESSAGE: You have submitted your request. To help expedite the review process, submit all of the documentation you may have to support your request. You may upload or fax in documentation, or add a response with further details using the buttons above. The more information you provide now, the faster your request can be processed! When the assigned to agency has further questions or requests any documentation, it will respond above and an email copy will be sent to you. Once the request is closed and a correction is made to the record, you will see it on the next update of the respective system. For example, the Safety Measurement System (SMS) Website is updated monthly based on a snapshot of the data. To review crash and inspection records prior to the snapshot, visit the FMCSA Portal. The Pre-Employment Screening Program (PSP) report is updated monthly based on the same snapshot used on the SMS Website. For more details about the update schedule, visit the SMS Information Center at <http://ai.fmcsa.dot.gov/SMS/HelpCenter/Index.aspx#faq30897>.

DRIVER/VEHICLE EXAMINATION REPORT

Arizona Department of Public Safety
 1550's
 PO Box 18410
 Phoenix, AZ 85005
 Phone: 602-223-2000
 Email/Web: returndver@azdps.gov

Report Number: AZ1034700589
 Inspection Date: 11/26/2024
 Start: 08:38 AM MST End: 10:15 AM MST
 Inspection Level: II
 HM Inspection Type: Bulk



M P ENVIRONMENTAL SERVICES INC
 3400 MANOR STREET
 BAKERSFIELD, CA, 93308
 USDOT#: 441566
 MC/MX#:
 State#:
 Phone#: 6613931151
 Fax#:

Driver: Barwick, Kelly, John
 License# D06636224
 State# AZ
 Date of Birth# 04/04/1962
 CoDriver:
 License#
 State#
 Date of Birth#

Location: RIGGS 168
 MilePost: 168
 Highway: I-10
 County: MARICOPA
 Shipper: KINDER MORGAN
 Bill of Lading:
 Origin: TUCSON, AZ, US
 Destination: PHOENIX, AZ, US
 Cargo: Hazardous Materials

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	Mileage	CVSA #	CVSA Issued #	OOS Sticker
1	TT	PTRB	2023	MT	PA28346		1XPXDP9X4PD891746	52,000				
2	ST	BREN	1991	MT	366338B	3297	10BGX5214MFOA2720	68,000				

VIOLATIONS ATTRIBUTABLE TO THE MOTOR CARRIER

Vio Code	Section	Unit	OOS	Citation #	Verify	Violations Discovered
172.202A2-HMSPS	172.202(a)(2)	C	N		N	HM (Shipping Papers) - Shipper HM shipping paper does not list proper shipping name as required. : <i>BILL OF LADING LISTS SHIPPING NAME AS JAI. PROPER SHIPPING NAME IS Fuel, aviation, turbine engine</i>
178.340-10-HMP	178.340-10	C	N		U	HM (Packaging) - MC 306/307/312 certification plate. : <i>SPECIFICATION PLATE MISSING LOADING PSIG AND/OR GAL/MINUTE THE BOXES ARE EMPTY. PICTURE TAKEN</i>
396.5B-L	396.5(b)	2	N		U	Lubrication - Oil or grease leak: <i>OIL LEAK FROM RIGHT SIDE OF TRAILER SEE PICTURES</i>

Hazardous Materials

HM Type: Bulk

HM Class	Rep Quantity	HM Waste	UN/NA#	Placards Required: Yes	Proper Shipping Name
3 3 Flammable	N	N	UN1863	Yes	Fuel, aviation, turbine engine

HMSP Required? No HMSP in Possession of Driver? N/A

Special Checks:

No Data for Special Checks.

The undersigned certifies that all violations noted on this report have been corrected and action has been taken to assure compliance with the Federal Motor Carrier Safety and Hazardous Materials Regulations insofar as they are applicable to motor carriers and drivers. False certifications of the required repairs are required to be prosecuted with penalties up to \$10,000.

Signature Of Repairer X: _____ Facility: _____ Date: _____

Report Prepared By:
 Tpr Darius Windels

Badge #: 10347 Radio #: 10347

Copy Received By:
 KELLY JOHN BARWICK

Page 1 of 2



441566 AZ AZ1034700589

X *[Signature]*

X *SCREENED*

ments of a different MC Specification, there shall be a metal plate required in paragraph (b) of this subsection, located on the right side, near the front of each compartment, in a place readily accessible for inspection. Details pertaining to the multipurpose configuration shall also be clearly indicated on the manufacturer's certificate required in paragraph (c) of this section.

(i) If a cargo tank is constructed in accordance with the requirements of one specification and may be physically altered to meet another cargo tank specification in this part; or physically altered to accommodate a commodity not requiring a specification tank, such alterations shall be clearly indicated on the manufacturer's certificate required in paragraph (c) of this subsection and the tank mounted multi-purpose plate required in paragraph (b)(2) of this section.

(2) Specification shortages. If a cargo tank is manufactured which does not meet all of the applicable specification requirements, thereby requiring subsequent manufacturing involving the installation of additional components, parts, appurtenances or accessories, it is permissible for the original manufacturer to affix the metal certification plate required in paragraph (b) of this subsection. The specification requirements not complied with shall be indicated on the manufacturer's certificate required in paragraph (c) of this subsection. When the cargo tank is finally brought into complete compliance, the date such compliance is accomplished shall be stamped on the metal certification plate. The certificate shall indicate the pertinent details, date and concern (manufacturer or carrier) accomplishing complete compliance.

(b) Metal certification plate. After July 1, 1985, each cargo tank, or tank compartment if constructed to a different specification, must have a metal certification plate attached to its shell or to an integral supporting structure. The metal certification plate, not subject to corrosion, must be located on the left side (on the right side prior to July 1, 1985) near the front in a place readily accessible for inspection. Each plate shall be permanently affixed by means of brazing, welding, soldering, riveting, or other equally suitable means. The plate must be marked in characters at least 3/16-inch high by stamping, embossing, or other means of forming letters into or on the metal of the plate itself at least the information prescribed in paragraphs (b)(1) and (b)(2) of this section. The plate may not be painted as to obscure the marking thereon. A combination ASME/DOT certification plate is authorized.

(1) If a cargo tank is to be physically altered to meet another specification (or to accommodate a commodity not requiring a specification tank) such combinations shall be indicated beside Specification Identification. Additionally the metal multi-purpose plates required in subparagraph (2) of this paragraph are required.

Vehicle manufacturer
Specification identification¹ DOT MC 306, or MC 307; or MC 312

Date of manufacture
Original test date
Certificate date
Design pressure p.s.i.g.
Test pressure p.s.i.g.
Head material
Shell material
Weld material
Lining material
Nominal tank capacity by compartment (front to rear) US Gal.
Maximum product load ____ lbs.
Loading limits ____ g.p.m. and/or p.s.i.g.
Unloading limits ____ g.p.m. and/or p.s.i.g.

¹ The following material designations (or combinations thereof) must be added. Aluminum Alloy (AL), Mild Steel (MS), High Strength Low Alloy (HSLA), Austenitic Stainless Steel (SS). For example "DOT MC 306-AL" for cargo tanks made of aluminum. A multi-purpose cargo tank example would be "Combination MC 306 SS-107 SS."

(2) Metal multi-purpose plate. If a cargo tank is to be physically altered, metal multi-purpose plates shall be mounted adjacent to the metal certification plate readily accessible for inspection. The mounting of the plates shall be such that only the plate identify-

ing the applicable specification is legible at all times the cargo tank is in complete compliance with such specifications. The mounting of the plates (or plate assembly) shall be secured in such a manner as to be capable of retaining the plate when subjected to normal operating conditions. The same marking size and method used on the certification plate shall be used. The plate shall contain at least the information contained below:

**SPECIFICATION IDENTIFICATION MC _____
EQUIPMENT NECESSARY**

Vents	Quantity ¹
Pressure actuated	
Fusible	
Frangible	
Product discharge	
Top	
Bottom	
Pressure unloading fitting	
Covers	
Manhole	
Fill opening	

¹The number required to meet applicable specification. If no physical change is required the letters NC shall follow the number required. If cargo tank is not so equipped the word "NONE" shall be inserted.

(l) Color coding: Those parts which must be changed or added to meet the applicable specification requirements and the appropriate multi-purpose plate shall be identified using the following colors:

- MC 306 RED
- MC 307 GREEN
- MC 312 YELLOW
- Non Spec. BLUE

Additionally those parts to be changed or added shall be stamped with the appropriate MC Spec. Number ____ (c) Manufacturer's certificate. A certificate signed by a responsible official of the manufacturer of the cargo tank, or from a competent testing agency, certifying that each such cargo tank is designed, constructed and tested in accordance and complies with the requirements contained in the applicable specification shall be procured, and such certificate shall be retained in the files of the carrier during the time that such cargo tank is employed by him plus one year. In lieu of this certificate, if the motor carrier himself elects to ascertain that any such tank fulfills the requirements of the specification by his own test, he shall similarly retain the test data.

MC 306

§ 178.341 Specification MC 306; cargo tanks.

§ 178.341-1 General requirements.

(a) Specification MC 306 cargo tanks must comply with the general design and construction requirements in §178.340 in addition to the specific requirements contained in this section.

(b) Design pressure. The design pressure of each cargo tank shall not be less than that pressure exerted by the static head of the fully loaded tank in the upright position.

§ 178.341-2 Thickness of shells, heads, bulkheads and baffles.

(a) Material thickness. The minimum thicknesses of tank material authorized in §178.340-3 shall be predicated on not exceeding the maximum allowable stress level (§178.340-4(a)) but in no case less than those indicated in *Tables I and II on page 248*.

(1) Product density. The material thicknesses contained in Table I and II are minimums based on a maximum 7.2 pounds per gallon product weight. If the tank is designed to haul products weighing more than 7.2 pounds per gallon, the gallon per inch value used to determine the minimum thickness of heads, bulkheads, baffles or shell sheets shall be the actual section capacity required in gallons per inch multiplied by

DIEMER TANK, INC.

FOND DU LAC, WISCONSIN U.S.A.

MFR'S SERIAL NO. 10BGX5214MFOA2720

D.O.T. SPEC. MC307/312 DATE MFR. 4-16-91

ORIG. TEST DATE 4-11-91 CERT. DATE 4-16-91

DESIGN PRESSURE 35 PSIG TEST PRESSURE 55 PSIG

HEAD MATERIAL SA-240-T 316 SS 25 THK

SHELL MATERIAL SA-240-T 316 SS .165 THK

WELD MATERIAL T316L-SS LINING MATERIAL NONE

NOMINAL CAPACITY/BY COMP. 1 FRONT TO REAR
5500 U.S. GALS

MAX. PRODUCT LOAD 52600 LBS. MAX TEMP 150 °F

MAX. PRODUCT WT 116 LBS/GALS

LOADING LIMITS --- GPM --- PSIG 29 THK

UNLOADING LIMITS --- GPM 35 PSIG

10020

CERTIFICATION PLATE

VEHICLE MANUFACTURER ACRO TRAILER, Co.
MFG. SER. NO. 6469 V.I.N. 1A9114325J1005006
SPECIFICATION IDENTIFICATION MC-307-312-SS

DATE OF MANUFACTURE 9 18 87
ORIGINAL TEST DATE 9 3 87
CERTIFICATION DATE 9 18 87

DESIGN PRESSURE 35+VACUUM PSIG
TEST PRESSURE 55+VACUUM PSIG

HEAD MATERIAL SA-240-316L 61" DR. 4" K.R. .187 IN.
SHELL MATERIAL SA-240-316L 61" ID. 8 GA.

WELD MATERIAL ER-316L-SI
LINING MATERIAL NONE

NOMINAL TANK CAPACITY BY COMPARTMENTS (FRONT TO REAR)
6000 U.S. GALS.

MAXIMUM PRODUCT LOAD 55000 LBS.

LOADING LIMITS NONE GPM and/or PSIG

UNLOADING LIMITS 55 GPM and/or PSIG

DATE
SERIAL
MODE
THIS
APPL
VEHI
IN E
MAN
GRO
GRO
ACR