



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

1200 New Jersey Avenue, SE
Washington, DC 20590

May 18, 2026

Mr. Luis Ponce
The National Board of Boiler and Pressure Vessel Inspectors (NBBI)
1055 Crupper Avenue
Columbus, OH 43229-1183

Reference No. 25-0153

Dear Mr. Ponce:

This letter is in response to your November 19, 2025 email requesting clarification on how the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) apply to the repair or modification of specification cargo tanks performed by a repair facility holding a valid National Board Certificate of Authorization for use of the National Board “R” stamp. Specifically, you seek clarification on the applicability of the associated National Board Inspection Code (NBIC).

We have paraphrased and answered your questions as follows:

- Q1. Does § 180.413(a)(1) require each repair, modification, stretching, or rebarrelling of a specification cargo tank performed by the repair facility to be performed in accordance with the NBIC, including the application of the “R” symbol stamp and the signing of the applicable Form “R” Report?
- A1. No. Section 180.413(a)(1) sets standards for the repair facility performing the work unless otherwise excepted.
- Q2. Does § 180.413(a)(1) require each repair, modification, stretching, or rebarrelling of a specification cargo tank be performed in accordance with the edition of the NBIC in effect at the time the work is performed?

A2. In § 180.413(a)(1), the language “in effect at the time the work is performed” refers to the edition of the NBIC incorporated by reference into the HMR at the time the work is performed (see § 171.7(x)(1)). At the time of this writing, that is the 1992 edition. However, there are exceptions in §§ 180.413(a)(1)(i), (ii), and (iii).

I 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".

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

From: [INFOCNTR \(PHMSA\)](#)
To: [Baker, Yul \(PHMSA\)](#)
Cc: [Hazmat Interps](#)
Subject: FW: Letter of Interpretation Request
Date: Wednesday, November 19, 2025 13:20:02
Attachments: [image001.png](#)

Hi Yul,

Please see the below interpretation request.

Let me know if you need anything,

-Breanna

From: Luis Ponce <LPonce@nationalboard.org>
Sent: Wednesday, November 19, 2025 1:09 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Letter of Interpretation Request

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Greetings,

I am submitting this inquiry for your consideration about a requirement in the §49CFR 180.413 a) 1).

Statement of Need: There is confusion in the industry about a requirement in the referenced paragraph above that reads in part, "...each repair, modification...of a specification cargo tank must be performed by a repair facility holding a valid National Board Certificate of Authorization for use of the National Board "R" stamp and must be made in accordance with the **edition of the National Board Inspection Code in effect at the time the work is performed.**"

Background: One DOT representative stated this paragraph is not correct because there is no subsequent 'IBR' included after the standard reference, the NBIC, like there is in 180.413 a) 6) for MC 330 and MC 331 cargo tanks. However, another DOT representative disagrees and said the 180.413 a) 1) paragraph is correct. In addition, the year edition of the NBIC in the §171.7 is 1992 but this differs from the requirement in the statement of

need (bold and underlined text).

Question 1: Is it the intent that §49CFR 180.413 a) 1) requires each repair, modification, stretching, or rebarrelling of a specification cargo tank must be performed in accordance with the NBIC, including stamping the “R” symbol stamp and signing the applicable Form “R” Report?

Question 2: Is it the intent that §49CFR 180.413 a) 1) requires each repair, modification, stretching, or rebarrelling of a specification cargo tank must be performed in accordance with the edition of the NBIC in effect at the time the work is performed?

Regards,

Luis Ponce

Manager of Technical Services



The National Board of Boiler and Pressure Vessel Inspectors
1055 Crupper Avenue
Columbus, Ohio 43229-1183
Email: lponce@nationalboard.org
Phone: 614-431-3201 Office
Fax: 614-847-1828