



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

APR 02 2018

Mr. Karl Kronau
Wisconsin State Patrol
911 W. North Street
Deforest, WI 53532

Reference No. 16-0191

Dear Mr. Kronau:

This letter is in response to your November 17, 2016, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to required marking(s) of the inlet/outlet(s) on MC331 cargo tank motor vehicles as it relates to a previously-issued letter of interpretation. You also provided photographs for reference.

We have paraphrased and answered your questions as follows:

Q1. You ask whether the marking requirement in § 178.337-9(c), which requires each cargo tank inlet and outlet to 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, may be satisfied if the markings are placed on the accident damage protection frame.

A1. The answer is yes. Provided the marking is readily visible, legible, durable to withstand transport conditions, and clearly associated with the corresponding inlet or outlet, the marking would satisfy the requirements of the HMR.

Q2. You ask whether communicating “liquid” or “vapor” markings using durable tags attached by a wire that hangs loosely but is secured to the piping, outlet, or valve is an acceptable method of marking the cargo tank inlet and outlet in accordance with § 178.337-9(c).

A2. See A1.

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

Sincerely,

Shane Kelley
Director
Standards and Rulemaking Division

Casey
§ 178.337-9(c)
Packaging Specs
16-0191

Dodd, Alice (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Friday, November 18, 2016 2:03 PM
To: Hazmat Interps
Subject: FW: Formal letter of Interpretation request

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Shante/Alice,

Please submit this as a letter of interpretation. Mr. Kronau spoke with Jodi. Please note this clarification is in relation to Ref. No. 16-0001.

Please let me know if you have any questions.

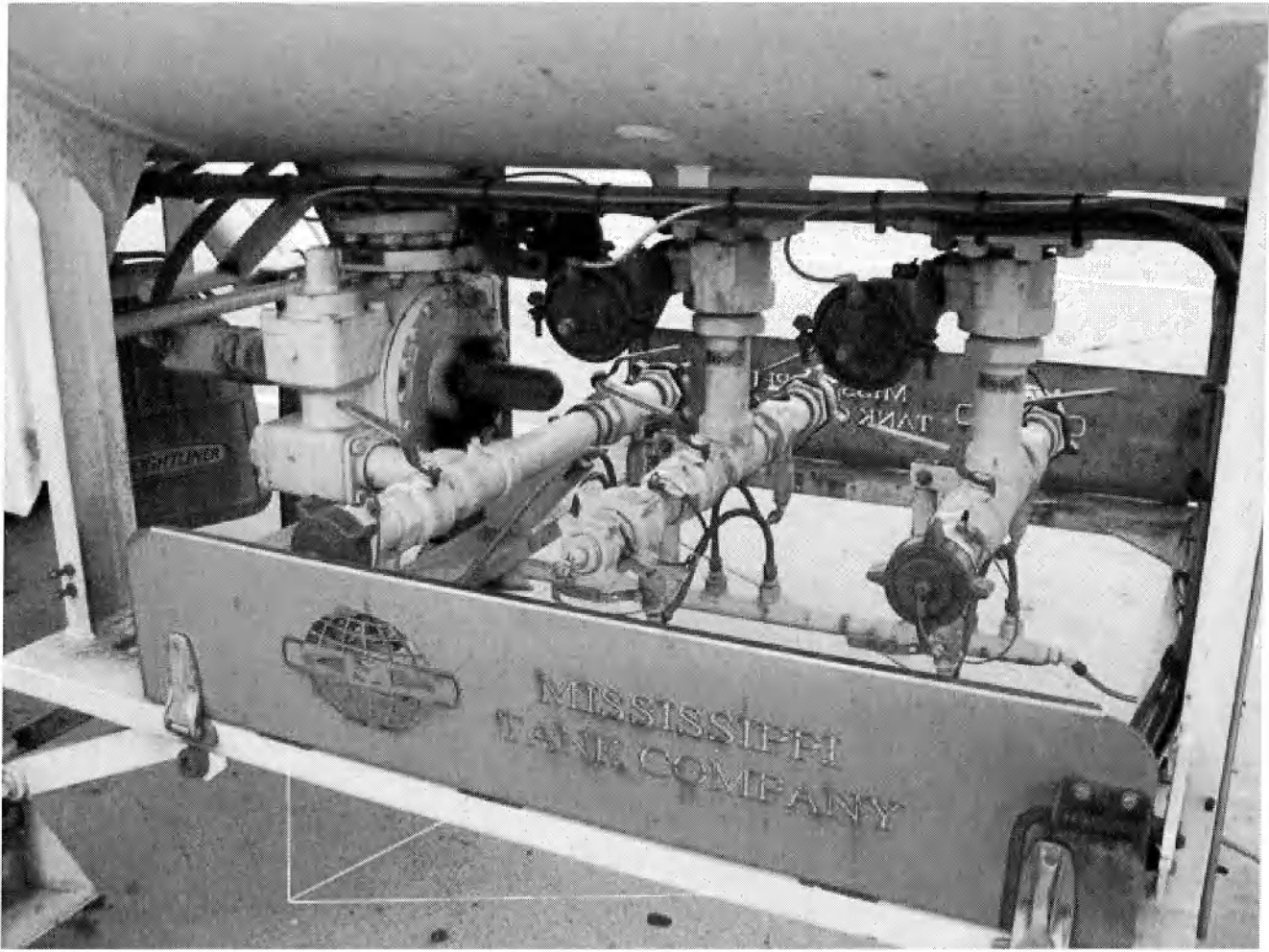
Thanks,
Jordan

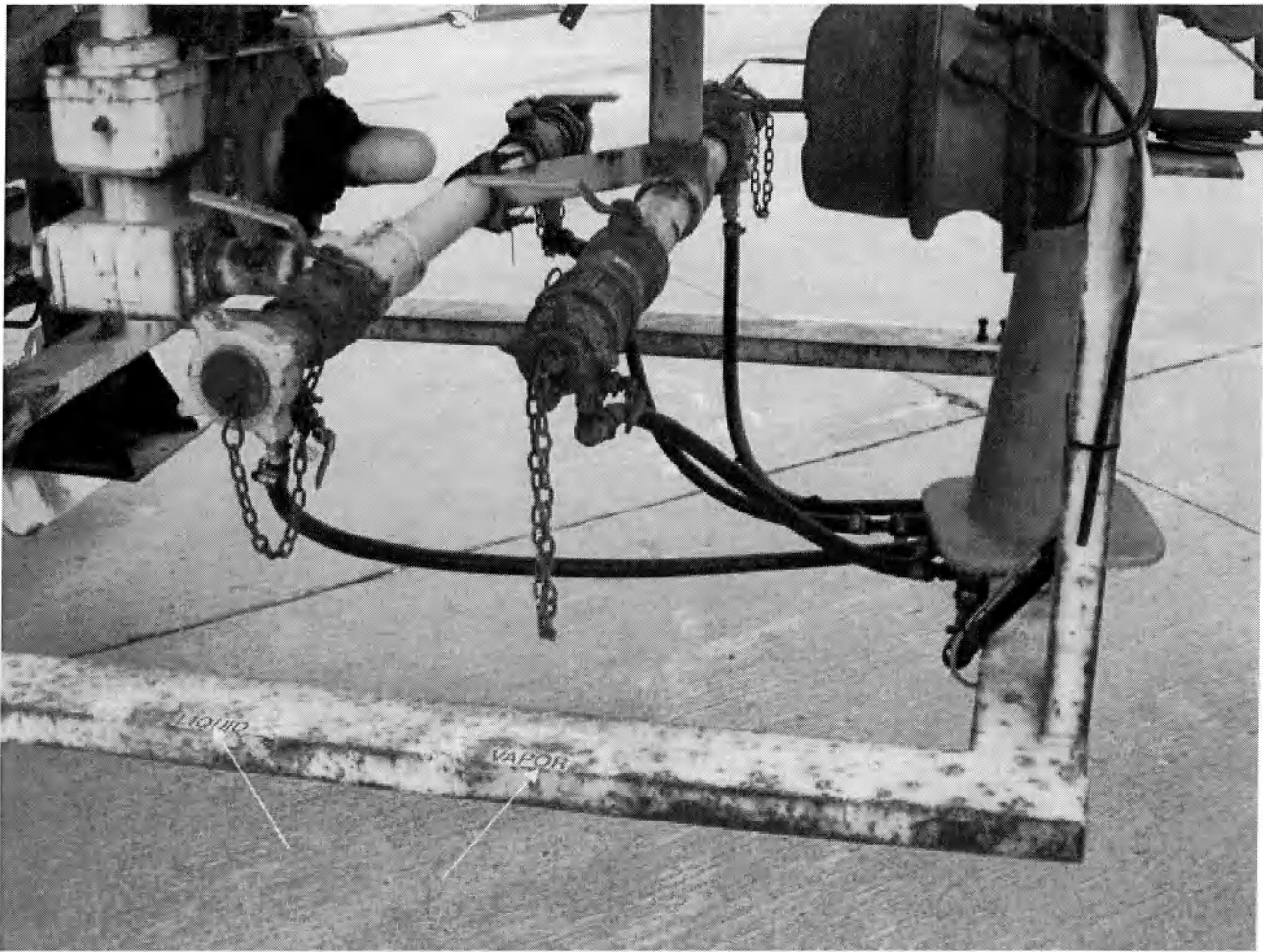
From: Kronau, Karl - DOT [<mailto:Karl.Kronau@dot.wi.gov>]
Sent: Thursday, November 17, 2016 4:28 PM
To: INFOCNTR (PHMSA)
Cc: Maxson, Anne - DOT; Johnson, Jeremiah - DOT
Subject: Formal letter of Interpretation request

I am requesting a formal letter of interpretation or a letter of clarification of your recent Interpretation (16-0001) regarding 49CFR178.337-9(c) as it relates to the requirement of an MC331 cargo tank inlet and outlet to be marked "liquid" or "vapor". In your interpretation you state that compliance would be achieved when, "The required markings must be on the inlet and outlet equipment itself and in close proximity to its respective make/break connection point, rather than on the cargo tank wall."

Question1:

Is the "equipment" inclusive of the accident protection required under 178.337-10? Would a cargo tank with the "Vapor", "Liquid" markings placed on the accident protection frame (see photos below), and in close proximity of the inlets/outlet make break connection be in compliance of 178.337-9(c)?





Question 2:

Would the "Liquid", "Vapor" markings on a durable tag that is wired tied (hanging loose, but secure) to the piping, outlet, or valve handle close to the make break connection be in compliance? Or do they need to be rigidly attached?

Sincerely

Insp. Karl Kronau



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