U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

December 6, 2019

Mr. Michael R. Kloesel
Manager, Corporation Container
Certification Department
Corporate ABS Programs
American Bureau of Shipping (ABS)
1701 City Plaza Drive
Spring, TX 77384

Reference No. 19-0096

Dear Mr. Kloesel:

This letter is in response to your July 25, 2019, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to Multiple Element Gas Containers (MEGCs). You state it is your understanding that MEGC tubes successfully certified in conformance with the International Maritime Dangerous Goods Code (IMDG Code) will be accepted as authorized MEGC packagings by all signatory bodies to the IMDG Code. Specifically, you state your company has been asked to certify an MEGC container to the IMDG Code.

We have paraphrased your questions and answered them as follows:

Q1. A discrepancy exists between sections IMDG Code §§ 6.2.2.1.2 and 6.7.5.2.3. Section 6.2.2.1.2 permits an MEGC tube to be manufactured with composite materials in conformance with Chapter 6.2 and § 6.7.5.2.3 permits MEGC tubes to be manufactured with steel in conformance with Chapter 6.7. Which requirement is correct?

A1. Section 6.7.5.2.3 requires that MEGC "elements," which are defined as tubes in § 6.7.5.1, must be of seamless steel. Therefore, under § 6.2.2.1.2, composite tubes must be offered for transportation as individual pressure vessels or in racks where the tubes are not connected. Composite tubes are not authorized as an element of an MEGC without an approval under § 6.7.1.2.

Q2. If the Pipeline and Hazardous Material Safety Administration (PHMSA) interprets that IMDG Code § 6.7.5.2.3 is the governing requirement for MEGC's, is there a way for our client to build composite MEGC tubes and certify them to the IMDG Code?

A2. As stated in Answer A1, the only way to authorize composite tubes to be constructed and certified as elements of an MEGC is with an approval issued under § 6.7.1.2.

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

Sincerely,

T. Glenn Foster

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

Edmonson

19-0096

Dodd, Alice (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Thursday, July 25, 2019 4:16 PM
To: Hazmat Interps
Subject: FW: Request of interpretation IMDG
Attachments: Request for Interpretation - IMDG.pdf

Hi Alice and Ikeya,

Please see the attached request for a letter of interpretation.

Thanks,
Kathryn, HMIC

From: Simone Goncalves [mailto:sgoncalves@eagle.org]
Sent: Thursday, July 25, 2019 4:02 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Cc: Approvals (PHMSA) <Approvals@dot.gov>; Michael Kloesel <mkloesel@eagle.org>; Cassidy, Duane (PHMSA) <Duane.Cassidy@dot.gov>; Benninghoven, Neil (PHMSA) <james.benninghoven@dot.gov>
Subject: Request of interpretation IMDG

Dear Mr. Shane Kelley,

Please find attached the ABS request for interpretation of IMDG Regulations.

Thank you.

Best Regards,
Simone Gonçalves
Technical Manager
Container Certification Department
281-877-6325 wk
sgoncalves@eagle.org

July 25, 2019

Mr. Shane Kelley
Director, Standards and Rulemaking Division
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590

Subject: Interpretation of IMDG Regulation – Sections 6.7.5 and 6.2.2.1.2.

Mr. Shane Kelley,

ABS has been asked to provide certification to an MEGC with composite tubes to the IMDG Code only, no US DOT approval. The US DOT/PHMSA is the competent authority to the IMDG Code in the US which has allowed ABS to provide certification as a DAA. Our approval letter CA2002090015 indicates that we can provide certification to an MEGC under Chapter 6.7.5 of the IMDG Code. Certification to the IMDG Code by ABS should be acceptable worldwide by all signatory bodies to the IMDG Code.

In 6.7.5.2.3 the IMDG Code states: "Elements of an MEGC shall be made of seamless steel and be constructed and tested according to Chapter 6.2."

But, in 6.2.2.1.2 the IMDG Code states: "The following standards apply for the design, construction and initial inspection and test of UN tubes. . .". In the table which follows, ISO 11515:2013 *Gas cylinders – Refillable composite reinforced tubes of water capacity between 450L and 3,000L – Design, construction and testing* is listed as a reference and an acceptable standard for construction.

There appears to be a discrepancy between section 6.7.5.2.3 and 6.2.2.1.2. Although the IMDG Code requires the tubes to be manufactured to Chapter 6.2 which allows for composite tubes, Chapter 6.7 requires them to be steel. Which section is the governing requirement?

If it is the US DOT/PHMSA's interpretation that 6.7.5.2.3 is the governing requirement, is there a way for our client to build an MEGC with composite tubes and certify it to the IMDG Code?

Please feel free to contact me at the below numbers or Ms. Simone Goncalves at (281) 877-6325 with any questions or comments.

Best regards,

Michael R. Kloesel
Manager
Corp. Container Certification Dept. Tel: 1-281-877-6432
Email: mkloesel@eagle.org | ABSContainers@eagle.