



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

1200 New Jersey Avenue, SE  
Washington, DC 20590

June 23, 2022

Mr. Peter Faulkner  
President  
Desert Isle Inc., Lahaina Air Conditioning, Ltd.  
P.O. Box 700699  
Kapolei, HI 96709-0699

Reference No. 22-0005

Dear Mr. Faulkner:

This letter is in response to your January 20, 2022, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the periodic testing, inspection, and repair of portable tanks. Specifically, you ask whether T75 United Nations (UN) portable tanks used for the transportation of refrigerated, liquefied gases (e.g., carbon dioxide) are excepted from the pneumatic test required by the 5-year periodic inspection and test specified in § 180.605(e).

The answer is yes. As specified in § 180.605(e), portable tanks used for the transportation of refrigerated, liquefied gases are excepted from the requirement for internal inspection and the hydraulic pressure test (hydrostatic or pneumatic) during the 5-year periodic inspection and test, if the portable tanks were pressure tested to a minimum test pressure of 1.3 times the design pressure using an inert gas, as prescribed in § 178.338-16(a) and (b), before putting the portable tank into service initially, and after any exceptional inspections and tests specified in § 180.605(f).

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

Sincerely,

A handwritten signature in blue ink that reads "T. Glenn Foster". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

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

**From:** [INFOCNTR \(PHMSA\)](#)  
**To:** [Dodd, Alice \(PHMSA\)](#)  
**Cc:** [Hazmat Interps](#)  
**Subject:** FW: RE: 49CFR180.605 (e) Periodic inspection and test -- IA-0002  
**Date:** Thursday, January 27, 2022 1:07:14 PM  
**Attachments:** [rptPeriodicSIS.pdf](#)  
[image006.png](#)  
[image008.png](#)

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Hello Alice,

Please see the interp request below and attached.

This request is the same from Ann Fukunaga. It may be best to assign to the same person, since they are asking the same question, and are from the same company.

If you have any questions, please do not hesitate to reach out.

Regards,

-Breanna

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**From:** Peter Faulkner <peter.faulkner@desertisleinc.com>  
**Sent:** Thursday, January 20, 2022 4:17 PM  
**To:** PHMSA HM InfoCenter <PHMSAHMInfoCenter@dot.gov>; OSM <osm@oceansurveys.net>  
**Subject:** Fwd: RE: 49CFR180.605 (e) Periodic inspection and test -- IA-0002

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Can I request an interpretation for the following

49CFR180.605 (e) Periodic inspection and test -- "...Portable tanks used for the transportation of refrigerated, liquefied gases are excepted from the requirement for internal inspection and the hydraulic pressure test during the 5-year periodic inspection and test, if the portable tanks were pressure tested to a minimum test pressure of 1.3 times the design pressure using an inert gas as prescribed...before putting the portable tank into initial service..."

Are these tanks exempt from the 5 year, in this case, pneumatic test?

Commodity: Refrigerated Liquid Carbon Dioxide UN2187

Tank was manufactured under UN T75 with US/DOT approval and Inspected by an IA. See nameplate with Test data.

See attached

Pete Faulkner  
President Desert Isle Inc., Lahaina Air conditioning, Ltd.

Office: (808) 682-4209 Ext 6 message  
Cell: (808) 479-3997  
Fax: (808) 682-4194

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NEW! [www.desertisleinc.com](http://www.desertisleinc.com) NEW!

Follow us on Twitter: <http://twitter.com/desertislebev>

**PLEASE NOTE EFFECTIVE IMMEDIATELY DUE TO COVID-19 AT THIS TIME OUR  
SERVICE TECHNICIAN HOURS ARE  
MONDAY-FRIDAY 8AM-4PM**

CONFIDENTIALITY: The information contained in or attached to this e-mail is intended for the sole use of the designated recipient and may contain privileged and confidential information. If you are NOT the designated recipient please notify us by e-mail or phone at (808) 6824209 and destroy all electronic and hard copies of the original message. Thank you

----- Forwarded message -----

From: **OSM** <[osm@oceansurveys.net](mailto:osm@oceansurveys.net)>  
Date: Thu, Jan 20, 2022 at 9:09 AM  
Subject: Fwd: RE: 49CFR180.605 (e) Periodic inspection and test -- IA-0002  
To: Peter Faulkner <[peter.faulkner@desertisleinc.com](mailto:peter.faulkner@desertisleinc.com)>

Here is your answer, you should ask for an interpretation from the standards division, see contact information below.

Aloha,

Ann

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OSM, LLC  
4348 Waialae Avenue, #485  
Honolulu, Hawaii 96816  
Telephone: (808) 525-5000  
E-mail: [osm@oceansurveys.net](mailto:osm@oceansurveys.net)

----- Original Message -----

**Subject:**RE: 49CFR180.605 (e) Periodic inspection and test -- IA-0002  
**Date:**2022-01-20 04:12  
**From:**"Pascal, Irwin (PHMSA)" <[irwin.pascal@dot.gov](mailto:irwin.pascal@dot.gov)>  
**To:**"[osm@oceansurveys.net](mailto:osm@oceansurveys.net)" <[osm@oceansurveys.net](mailto:osm@oceansurveys.net)>  
**Cc:**"Approvals (PHMSA)" <[Approvals@dot.gov](mailto:Approvals@dot.gov)>

Good day Ann

I would recommend the individual send an interp request to the standards division here at PHMSA in order to obtain a definite answer. This question may have already been addressed, and if so the response time will be short. Because **in my opinion, not PHMSA's**, the site states that ".....excepted from the requirement for internal inspection and the hydraulic pressure test during the 5-year periodic inspection and test...", so that would mean to me that the 5-year periodic inspection and test would still need to be performed, except that the two items stated are exempt. You can see why an interp request is the best alternative as my opinion really does not count. I have attached the HMIC information below.

Hazardous Material Information Center ([PHMSAHMInfoCenter@dot.gov](mailto:PHMSAHMInfoCenter@dot.gov))

1-800-HMR-4922  
1-800-467-4922  
202-366-4488  
[infocntr@dot.gov](mailto:infocntr@dot.gov)

Irwin Pascal *CDGP*

Transportation Specialist

Sciences and Engineering Division

Office of Hazardous Materials Safety

US Department of Transportation  
**Pipeline and Hazardous Materials Safety Administration**

1200 New Jersey Ave., SE

Washington, D.C. 20590-0001

Email: [Irwin.pascal@dot.gov](mailto:Irwin.pascal@dot.gov)

Office: 202-366-8181 ♦ Fax: 202-366-3753

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**From:** Approvals (PHMSA) <[Approvals@dot.gov](mailto:Approvals@dot.gov)>  
**Sent:** Thursday, January 20, 2022 7:57 AM  
**To:** Pascal, Irwin (PHMSA) <[irwin.pascal@dot.gov](mailto:irwin.pascal@dot.gov)>  
**Subject:** FW: 49CFR180.605 (e) Periodic inspection and test -- IA-0002

Please take a look and respond to the applicant. Let me know if you need assistance.

## **Duane M. Cassidy**

Chief, Pressure Vessels Branch (PHH-25)

Sciences and Engineering Division

Office of Hazardous Materials Safety

US Department of Transportation

**Pipeline and Hazardous Materials Safety Administration**

E21-301, 1200 New Jersey Ave SE, Washington, DC 20590

Office: 202.366.5794 ♦ Mobile: 202.596.0583

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**From:** OSM <[osm@oceansurveys.net](mailto:osm@oceansurveys.net)>

**Sent:** Wednesday, January 19, 2022 5:49 PM  
**To:** Approvals (PHMSA) <[Approvals@dot.gov](mailto:Approvals@dot.gov)>  
**Subject:** 49CFR180.605 (e) Periodic inspection and test -- IA-0002

**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.

To Whom It May Concern;

I have an inquiry from a potential customer who has UN Portable Tanks (T75) used for the transportation of refrigerated liquefied gas (Carbon Dioxide).

49CFR180.605 (e) Periodic inspection and test -- "...Portable tanks used for the transportation of refrigerated, liquefied gases are excepted from the requirement for internal inspection and the hydraulic pressure test during the 5-year periodic inspection and test, if the portable tanks were pressure tested to a minimum test pressure of 1.3 times the design pressure using an inert gas as prescribed...before putting the portable tank into service..."

Are these tanks exempt from the 5 year, in this case, pneumatic test?

Looking forward to hearing from you as soon as possible.

Thank you.

Aloha,

Ann Fukunaga

IA-0002

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OSM, LLC  
4348 Waialae Avenue, #485  
Honolulu, Hawaii 96816

Telephone: (808) 525-5000  
E-mail: [osm@oceansurveys.net](mailto:osm@oceansurveys.net)





# DNV/GL SILVER/CIMS Tank Container Periodic Inspection Report

Control Number  
Date 25-Apr-19

This certifies that the undernoted tank container has been reinspected in accordance with the regulations indicated.

Note: This inspection is performed subject to DNV-GL's Standard Terms and Conditions.

Scope: ☒ 2½ Year Inspection ☐ 5 Year Inspection ☐ Exceptional

Place of inspection:	Rapid Tank Service, Kallo, Belgium	Owner's Serial Number	TONU 720015-0
Operator/Lessor:	Bofort NV	Manufacturer's Serial No.	P42923
Manufacturer:	GASCON		

## Applicable Regulations. Enter initial approval No. as applicable

<input checked="" type="checkbox"/> CSC B BV 63256	<input type="checkbox"/> UK-DFT
<input checked="" type="checkbox"/> IMO UN PORTABLE T75	<input checked="" type="checkbox"/> US-DOT IA-8106
<input checked="" type="checkbox"/> RID/ADR B63256	<input type="checkbox"/> AAR 600
<input type="checkbox"/> BAM	<input checked="" type="checkbox"/> TC Impact
<input checked="" type="checkbox"/> TIR GB C 12123 BV 2013	<input checked="" type="checkbox"/> UIC <input type="checkbox"/> FRA

Tank Information	
Year of Manufacture:	2016
Max Gross Weight (Kg):	36000
Tare Weight (Kg):	8900
Capacity (L):	22000
Design Temp (C):	-196/+50
M.A.W.P. (Bar):	22
Test Pressure (Bar):	30.7
Top Discharge:	No
Bottom Discharge:	Yes
No. of closures in series:	Three
Shell Material:	SA240 304
Shell Thickness (mm):	10.0 MM
Heads Material:	S240 304
Heads Thickness (mm):	10.1 MM
ISO Type:	22K7

Inspection Dates (mm/yy)	
Initial Hydro Test:	10/16 Witness: BV
Last Hydro Test:	10/16 Witness: BV
This inspection date:	25/04/19
Date Next Inspection Due:	10/21

Inspections Performed	N/A	In Order	See Comments
Internal Inspection	X		
External Inspection		X	
Leak Test		X	
Date: 25-Apr-19			
Pressure (Bar): 19.8			
Fittings Inspection		X	
Frame Inspection		X	
Decals Inspection		X	
Steam Coils Test	X		
Pressure (Bar): N/A			

Pressure Relief Valves	1st	2nd
Manufacturer/Type:	BESTOBELL	N/A
Serial Number:	SEE COMMENTS	N/A
Full Flow Rate (CMHR):	NOT SHOWN	N/A
Operating Pressure (Bar):	22	N/A
Vacuum Setting (Hg):	N/A	N/A
Bursting Disc (Bar):	N/A	N/A

Surveyors Name:	T. De Smit
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Comments:	4X SRV S/N.: 36/014/16, 36/005/16, 36/006/16 36/019/16
	IA-9101
	Anthony Bova
	CSC 10/21
Plate Marking/Stamping:	NV04/19