



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

400 Seventh Street, S.W.  
Washington, D.C. 20590

OCT 8 1998

Mr. Clifford J. Harvison  
President  
National Truck Carriers, Inc.  
2200 Mill Road  
Alexandria, VA 22314-4677

Ref. No. 98-0251

Dear Mr. Harvison:

This is in response to your letter dated August 25, 1998, requesting clarification of repair and replacement requirements for reclosing pressure relief valves on MC 306 cargo tank motor vehicles under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Your questions are answered as follows:

Q1. After August 31, 1998, we removed a reclosing pressure relief valve from a MC 306 cargo tank motor vehicle. The valve fails a "bench test" due to a faulty mechanical element within the valve. The mechanical element is repaired and the valve successfully passes the "bench test". May this valve be returned to service on an MC 306 cargo tank motor vehicle?

A1. Yes. The HMR permits the return of a refurbished (repaired) reclosing pressure relief valve to the cargo tank from which it was removed. However, if the repaired pressure relief valve no longer meets the performance requirements of the original specification (MC 306), the valve must be replaced. The replacement valve must meet the DOT 400-series pressure surge requirements under § 180.405(h)(2).

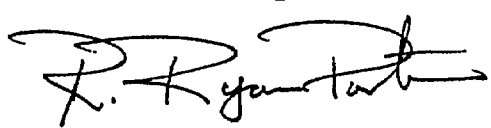
Q2. After August 31, 1998, we removed a reclosing pressure relief valve from a MC 306 cargo tank motor vehicle. The valve fails a "bench test" and the cause is determined to be the failure of a gasket, external to the valve assembly. We replace the gasket, and the valve successfully passes the "bench test". May this valve be returned to service on an MC 306 cargo tank motor vehicle?

A2. Yes. Regardless of whether the repair or refurbishment is internal or external to the valve assembly (for example, replacement of the valve seats, springs or gaskets), if the pressure relief valve meets the original specification performance criteria discussed in A1 above, it may be returned to service on the cargo tank motor vehicle from which it was removed.

180.407

I hope this satisfies your inquiry. If you need additional assistance, please do not hesitate to contact us.

Sincerely,



for Hattie L. Mitchell, Chief  
Regulatory Review and Reinvention  
Office of Hazardous Material Standards

DHM-10



# NATIONAL TANK TRUCK CARRIERS, INC.

THE NATIONAL ORGANIZATION SERVING THE FOR-HIRE TANK TRUCK INDUSTRY

CLIFFORD J HARVISON  
PRESIDENT

2200 MILL ROAD • ALEXANDRIA, VA 22314-4677  
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August 25, 1998

Mr. Alan I. Roberts  
Assoc. Admin. for Hazardous Materials Safety  
Research & Special Programs Administration  
U.S. Department of Transportation  
Washington, DC 20590

(Via Fax -- Hard Copy To Follow)

Dear Mr. Roberts:

Please consider this letter a request for an interpretation of the Administrator's Hazardous Materials Regulations.

National Tank Truck Carriers, Inc. (NTTC) is the international trade association of the tank truck industry with over 200 corporate members which specialize in the transportation of hazardous materials in cargo tank motor vehicles.

Our concerns center on an apparent ambiguity at 49 CFR 180.407(g)(ii)(A) and (B). A strict "literal" reading of this regulatory language indicates to some that if a reclosing pressure relief valve fails to meet the provisions of "(A)" (during the so-called "bench test") that pressure relief valve cannot be repaired and returned to service. It must be replaced. After August 31, 1998, it must be replaced with a reclosing pressure relief valve that complies with the equivalent "DOT 400" series cargo tank specification.

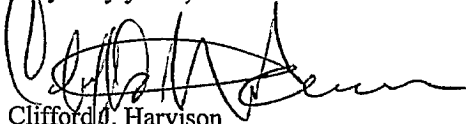
Below, I have outlined two scenarios, followed by a question.

**SCENARIO "A"** -- After August 31, 1998, a reclosing pressure relief valve is removed from an MC 306 cargo tank. It fails the "bench test", and it is determined that the failure is caused by a mechanical element of the valve. The mechanical element is repaired and the valve "passes" a subsequent "bench test". *May this valve be returned to service on a cargo tank motor vehicle?*

**SCENARIO "B"** -- After August 31, 1998, a reclosing pressure relief valve is removed from an MC 306 cargo tank. It fails the "bench test", and it is determined that the failure is caused by a gasket, external to the valve assembly. The inspector/testor replaces the gasket, and the valve "passes" the "bench test". *May this valve be returned to service on a cargo tank motor vehicle?*

Mr. Roberts, given the pendency of the August 31, 1998 "trigger date", a prompt response would be appreciated. Thank you for your consideration in this matter.

Very truly yours,



Clifford J. Harvison  
President