



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

JUL 12 1999

Mr. Andy Altemos  
HMT Associates, L.L.C.  
1850 K Street, N.W., Suite 200  
Washington, DC 20006

Ref. No. 99-0168

Dear Mr. Altemos:

This is in response to your June 15, 1999 request concerning the location of the name plate and requalification markings on a DOT 51 portable tank.

The portable tank in question is in an upright position on its ends and is enclosed by a square metal configuration. Access to the tank valves, the ASME and DOT specification plates, and the requalification markings is achieved by lifting a hinged top cover. You submitted drawings of a portable tank for our review and asked if the location meets the requirements of the regulations.

The answer is no. Section 178.245-6 requires the name plate with the required markings to be in close proximity to the ASME "U" stamp certification. Paragraph UG-116(j) of the ASME Code states that the markings must be in a conspicuous place on the vessel, preferably near a manhole or handhole. With regard to the periodic retest marking, § 173.32(e)(3) of 49 CFR requires the date of the most recent periodic retest to be marked on the tank, on or near the metal certification plate, in accordance with § 178.3. Section 178.3(a)(1) states that the specification marking must be in an unobstructed area. Markings that are obscured from view by a cover do not satisfy the requirement for an unobstructed area.

I hope this satisfies your request. Should you have any further questions, please contact this office.

Sincerely,

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



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**C O V E R**  
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**S H E E T**

**FAX**

**To:** Charlie Hochman (DHM-20)  
**Fax #:** 366-3753  
**Subject:** Location of Data Plate/Retest Markings; Spec. 51  
**Date:** June 15, 1999  
**Pages:** 3, including this cover sheet.

**COMMENTS:**

Charlie,

Attached are the drawings we discussed. In Ed's absence, I wasn't certain who to follow up with to get an answer, but, because there are tanks already built and awaiting delivery, I was hoping not to have to wait until Ed's return to try to sort this out.

Please let me know if you have questions or need additional information.

Thanks for your help.

Best regards,

*Andy*

From the desk of...

**Andy Altemos**

HMT Associates, L.L.C.  
1850 K Street, N.W., Suite 200  
Washington, D.C. 20006

(202) 463-3511, Ext. 11  
Fax: (202) 463-3512