



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

MAY 11 2001

Mr. Clifford J. Harvison
President
National Tank Truck Carriers, Inc.
2200 Mill Road
Alexandria, Virginia 22314

Ref. No. 00-0348

Dear ~~Mr.~~ Harvison:

This responds to your letter, dated November 27, 2000, concerning cargo tank inspections and tests required by the Hazardous Materials Regulations (HMR; 40 CFR Parts 171-180). Specifically, you ask about testing and marking requirements for insulated cargo tanks that are tested in accordance with § 180.407(d).

Section 180.407(c) establishes periodic inspection and test requirements for specification cargo tanks. Generally, an MC 330, MC 331, and MC 338 cargo tank must undergo a visual external inspection each year. Section 180.407(d) requires a visual internal inspection in place of the visual external inspection for an insulated cargo tank, except for an MC 330 or MC 331 cargo tank. However, for a cargo tank, including an MC 330 and MC 331 cargo tank, for which an internal visual inspection is precluded, either because the tank has an internal lining or coating or is not equipped with a manhole, § 180.407(d) requires the tank to be pressure tested in accordance with § 180.407(c) and (g). Consistent with § 180.407(d), the chart in § 180.407(c) indicates that, except for MC 338 cargo tanks, all cargo tank that are insulated with no manhole or are insulated and lined must be pressure tested annually. An MC 338 cargo tank need only be pressure tested every five years. A cargo tank that is successfully pressure tested in accordance with § 180.407(g) in lieu of a visual internal inspection must be marked with a "P" and the month and year of the test (see § 180.415).

Even where insulation precludes a visual external inspection of the tank shell, a visual external inspection of a cargo tank's piping, valves, gaskets, manholes, emergency devices, remote closures, and all major appurtenances and structural attachments must be conducted in accordance with § 180.407(d)(2). The cargo tank must be marked as specified in § 180.415 to indicate successful completion of the visual external inspection.

I hope this satisfies your request.

Sincerely,


John A. Gale

Transportation Regulations Specialist
Office of Hazardous Materials Standards



000348

180.407



NATIONAL TANK TRUCK CARRIERS, INC.

THE NATIONAL ORGANIZATION SERVING THE FOR-HIRE TANK TRUCK INDUSTRY

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Johnsen

§ 180.407(c) & (g)

Test/Inspection

00-0348

November 27, 2000

Mr. Ron Kirkpatrick
General Engineer, DHM-22.1
Research & Special Programs Administration
United States Department of Transportation
Washington, DC 20590

Dear Mr. Kirkpatrick:

The purpose of this letter is to seek regulatory guidance and clarification with respect to the application of certain portions of 49 CFR Part 180 to MC 330, MC 331 and MC 338 Specification Cargo Tanks which are insulated (with an outer jacket) and have no manhole or inspection opening. Our inquiry involves, also, the appropriate marking of the cargo tank for compliance purposes.

NTTC believes that, since insulation and the lack of an inspection opening precludes an external and internal visual inspection, such tanks must be hydrostatically or pneumatically tested on a five year basis (in accordance with 49 CFR 180.407 (c) and (g)).

Furthermore, NTTC believes that, since the "pressure test" is to be performed *in lieu of* the external and internal visual inspections, that the "V" and "T" markings (specified at 180.415) *should not* be applied to the cargo tank as indicia of compliance; however, the "P" marking (with the appropriate date) should be applied as indicia.

Mr. Kirkpatrick would you please verify that NTTC's interpretation is correct; or, if not, please give appropriate guidance in this matter. Please understand that this is a matter of on-going enforcement action, and a prompt response would be appreciated.

Very truly yours,

Clifford J. Harvison
President