



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

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

JUL 8 2003

Mr. Chris J. Teas, PE
Vice President
Riddick Engineering Corporation
4600 West Markham
Little Rock, AR 72205

Ref. No. 03-0035

Dear Mr. Teas:

This is in response to your letter dated February 11, 2003, and subsequent telephone conversation with Sandra Webb of my staff, requesting clarification of requirements for construction and certification of DOT 407 cargo tanks designed to be loaded by vacuum under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171- 180). Specifically, you ask whether a cargo vacuum tank must be designed and manufactured with full ASME certification as provided in § 178.347-1(c) or to the provisions outlined in § 178.347-1(d). You also ask if, when manufacturing under the provision § 178.347-1(d), the manufacturer is required to be ASME certified as provided in § 107.503(b).

Section 178.347-1(c) provides specific requirements for designing and constructing DOT 407 cargo tanks that are loaded by vacuum. Specifically it states, "Any cargo tank built to this specification with a MAWP greater than 35 psig and each tank designed to be loaded by vacuum must be constructed and certified in accordance with the ASME Code. The external design pressure for a cargo tank loaded by vacuum must be at least 15 psig." Therefore, a cargo tank designed to be loaded by vacuum must be constructed and certified in accordance with the ASME Code. Additionally, in accordance with § 178.345-1(d) a manufacturer of a cargo tank is required to hold a current ASME certificate of authorization and must be registered with the Department in accordance with 49 CFR part 107 subpart F. This requirement applies if a cargo tank is designed and constructed under §178.347-1(c) or § 178.347-1(d).

I hope this information is helpful. If we can be of further assistance, please do not hesitate to contact us.

Sincerely,


Susan Gorsky

Senior Transportation Regulations Specialist
Office of Hazardous Materials Standards



030035

178.347

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Webb
§178.347-1(c)
Cargo Tank
03-0035

EDGAR K. RIDDICK JR., PE
 FOUNDER
 1923-1997

February 11, 2003

EDGAR K. RIDDICK III, PE
 PRESIDENT

Mr. Edward Mazzullo
 Director, Office of HAZMAT Standards
 USDOT/RSPA (DHM-10)
 400 7th Street Southwest
 Washington DC, 20590-0001

CHRIS J. TEAS, PE
 VICE PRESIDENT

Re: Formal interpretation request

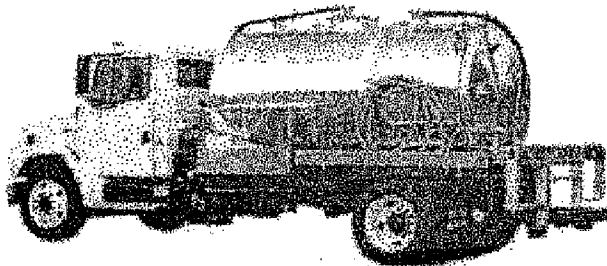
Code Needing Interpretation: Title 49, SUBTITLE B, CHAPTER I, SUBCHAPTER C, Part 178.347-1 (c)

Cargo Tank Description: Cargo tank to be designed and manufactured is as follows:

1. Mobile vacuum tank. (SEE PICTURE BELOW)
2. 1500 gallon.
3. Stainless steel.
4. Internal pressure < 15 psig.
5. Used to clean up various hazardous spills.
6. Customer: US Government.

Questions:

1. Does this cargo vacuum tank need to be designed and manufactured with full ASME certification per 178.347-1(c) or by ASME with exceptions per 178.347-1(d)?
2. Regardless, we are designing this tank per ASME standards. However, if this tank falls under (d), then does the manufacturer have to be ASME certified as listed in 107.503(b)?



Sincerely,

Chris J. Teas, PE