



U.S. Department  
of Transportation

Pipeline and Hazardous  
Materials Safety  
Administration

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

NOV 13 2013

Mr. Joe Calonge  
1365 Grove Park Lane  
Cumming, GA 30041-8098

Ref. No. 13-0143

Dear Mr. Calonge:

This responds to your July 17, 2013 request for clarification of the requirements for the repair, modification, stretching, rebarrelling or mounting of specification cargo tanks under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask for clarification of the term "work" as it is used in § 180.413(d)(2).

Your questions are paraphrased and answered as follows:

Q1. How does PHMSA define the term "work" as used in § 180.413(d)(2)?

A1. The HMR does not define the term "work." As used in § 180.413(d)(2), the term "work" refers to functions performed to modify, stretch, or rebarrel a cargo tank motor vehicle.

Q2. If a part of a cargo tank motor vehicle is modified in accordance with § 180.413(d)(2), does the entire cargo tank motor vehicle have to comply with the applicable specification?

A2. Yes. The cargo tank motor vehicle must comply with the applicable specification. Pursuant to § 180.413(d)(2), all new material and equipment affected by modification, stretching, or rebarrelling must meet the requirements of the specification in effect at the time such modification, stretching, or rebarrelling is performed, and the structural integrity requirements described in §§ 178.337-3, 178.338-3, and 178.345-3.

I hope this answers your inquiry. If you need additional assistance, please call this office at (202) 366-8553.

Sincerely,

Robert Benedict  
Chief, Standards Development Branch  
Standards and Rulemaking Division

**Drakeford, Carolyn (PHMSA)**

Boothe  
§ 180.413 (d)(2)  
Cargo Tanks

**From:** INFOCNTR (PHMSA)  
**Sent:** Wednesday, July 17, 2013 11:53 AM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: REQUEST FOR INTERPRETATION

13-0143

Hi Carolyn,

This caller requested we submit this e-mail as a formal letter of interpretation.

Thanks,  
Victoria

**From:** Joe Calonge [<mailto:jcalonge@comcast.net>]  
**Sent:** Wednesday, July 17, 2013 10:06 AM  
**To:** INFOCNTR (PHMSA)  
**Subject:** REQUEST FOR INTERPRETATION

MR.CHARLES BETTS  
Division Director  
Standards and Rulemaking  
US Department of Transportation  
Washington DC.

Sir:  
My name is Joe Calonge I 'am a Design Certifying Engineer (DCE) my registration number is CT 3237 Dot. Number 1177872.

I 'am requesting an interpretation of the following paragraph "CFR 49 180.413(d)(2)".

"Except as provided in paragraph (d)(2)(v) of this section, all new material and equipment affected by modification, stretching, or rebarrelling must meet the requirements of the specification in effect at the time such work is performed, and all applicable structural integrity requirements(178.337-3, 178.338-3, or 178.345-3 of this subchapter). The **WORK** must conform to the requirements of the applicable specifications as follows:

(i)For specification MC 300, MC 301, MC302, MC303, MC305, and MC306 cargo tanks, the provisions of either specification MC306 or DOT 406 until August 31,1995 and, thereafter to specification DOT 406 only;

My request for interpretation is: IS THE DEFINITON OF THE WORD "WORK" IN CFR49 180.413(d)(2). IS COMPLIACE WITH THIS PARAGRAPH SATISFIED WHEN ONLY THE "WORK" PERFORMED IS IN COMPIANCE IN ACCORDANCE WITH "CFR 49 180.413(d)(2)(i) OR MUST THE COMPLETE CARGO TANK MOTOR VEHICLE BE IN COMPLIANCE WITH THE CORRESPONDING SPECIFICATION ?

Thank you very much for reviewing my request  
Respectfully yours  
Joe Calonge

1365 Grove Park Lane  
Cumming, GA. 30041-8098  
Telephone 770-889-9978