



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue SE  
Washington, DC 20590

JAN 08 2016

Mr. Kenny Prather  
Miller Transportation Services, Inc.  
15855 Wood Drive  
Channelview, TX 77530

Ref. No.: 15-0178

Dear Mr. Prather:

This is in response to your letter dated August 17, 2015 requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) for accident damage protection for DOT 406, DOT 407 and DOT 412 cargo tank motor vehicles. Specifically you ask whether the piping at the rear of the cargo tank must be equipped with a sacrificial device outboard of a shut-off valve when the trailer has a notched rear-end cargo tank protection device.

Yes, when a notched rear-end cargo tank protection device is used, the piping must be equipped with a sacrificial device outboard of a shut-off valve. As provided by § 178.345-8(d) the maximum width of a notch, indentation, or separation between sections of a rear-end cargo tank protection device may not exceed 24 inches. A notched, indented, or separated rear-end protection device may be used only when the piping at the rear of the cargo tank is equipped with a sacrificial device outboard of a shut-off valve.

I trust this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

Duane A. Pfund  
International Standards Coordinator  
Standards and Rulemaking Division

Leary  
§ 178.345-8(d)(2)(ii)  
Packaging Specs.  
15-0178

**Dodd, Alice (PHMSA)**

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**From:** Geller, Shelby CTR (PHMSA)  
**Sent:** Monday, August 24, 2015 12:55 PM  
**To:** Hazmat Interps  
**Subject:** FW: Regulation 178.345-8 (d) (2) (ii) request formal letter of interpretation  
**Attachments:** 41-3246 001.jpg; 41-3246 002.jpg

Dear Shante and Alice,

Attached is a request for a formal letter of interpretation. I spoke with Mr. Prather about his request.

Thanks,  
Shelby

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**From:** Kenny Prather [<mailto:Kprather@millert.com>]  
**Sent:** Monday, August 24, 2015 10:14 AM  
**To:** INFOCNTR (PHMSA)  
**Subject:** FW: Regulation 178.345-8 (d) (2) (ii) request formal letter of interpretation

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**From:** Kenny Prather  
**Sent:** Monday, August 17, 2015 3:22 PM  
**To:** 'phmsa.hm-infocenter@dot.gov'  
**Subject:** Regulation 178.345-8 (d) (2) (ii)

My question is in regard to the above regulation:

(ii) The maximum width of a notch, indentation, or separation between sections of a rear-end cargo tank protection device may not exceed 24 inches. A notched, indented, or separated rear-end protection device may be used only when the piping at the rear of the cargo tank is equipped with a sacrificial device outboard of a shut-off valve.

I have not seen any trailers with the notched bumper with a valve that has a shear section they have the same valve as the ones with a straight bumper. Is this a violation of the above regulation?

Thank you,

**Kenny Prather**  
**Miller Transportation Services, Inc.**  
*A Miller Transporters, Inc. affiliate*  
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