



U.S. Department of Transportation  
Pipeline and Hazardous Material  
Safety Administration

1200 New Jersey Ave, S.E.  
Washington, D.C. 20590

**DEC 17 2009**

Mr. Don Lampshire  
President, Gas Service and Supply  
3396 Swan Lake Road  
Bossier City, LA 71111

Reference No. 09-0203

Dear Mr. Lampshire:

This is in response to your August 31, 2009 e-mail concerning cargo tank (CT) registration numbers issued by the Department of Transportation (DOT). Specifically, you ask if the number is intended to indicate an approval or endorsement from DOT that the recipient of the number can perform the tasks required for cargo tanks that are prescribed in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

As specified in 49 CFR 107.504(f), issuance of a DOT CT registration number is not an approval or endorsement by the Department of the qualifications of any person to perform cargo tank manufacture, assembly, certification, inspection, or repair specified functions. A person registered in compliance with § 107.503 who meets the knowledge and ability requirements for an Authorized Inspector, Design Certifying Engineer, or Registered Inspector as these terms are defined in § 171.8 of the HMR is authorized to perform the designated functions. Persons who are properly trained and holds a CT registration number but not an ASME U or National Board R stamp may perform inspections, tests, and other work involving changes to motor vehicle equipment such as lights, power train components, steering and brake systems, etc. They are not authorized to perform work affecting the cargo tank wall or its structural integrity or lading retention capability.

In accordance with § 107.502, no person may engage in the manufacture, assembly, certification, inspection, or repair of a cargo tank or cargo tank motor vehicle manufactured under the terms of a DOT specification or a special permit unless the person is registered with DOT in accordance with the provisions of 49 CFR Part 107, Subpart F. A person employed as a registered inspector or design certifying engineer is considered to be registered if his or her employer is registered. The CT program is managed and enforced by the Federal Motor Carrier Safety Administration (FMCSA).

Section 180.403 defines “repair” to mean welding on a cargo tank wall – the primary lading retention structure – done to return the cargo tank or cargo tank motor vehicle to its original design and construction standard. Any person undertaking repairs on DOT specification cargo tanks must: (1) hold a valid ASME Certification of Authorization for

use of the "U" stamp, or a valid National Board Certification for the use of the "R" stamp, and (2) be registered in accordance with 49 CFR Part 107, Subpart F.

You state you have knowledge that some companies in receipt of a CT registration number and no other form of certification are representing themselves as being qualified to perform tests and repairs on DOT specification MC 330 and MC 331 cargo tanks. As stated above, FMCSA is responsible for ensuring the compliance of "cargo tank facilities," which includes cargo tank manufacturers, owners, and inspectors, as well as enforcement matters concerning cargo tanks and individuals under FMCSA regulations and the HMR. We are forwarding your letter for handling to Mr. James O. Simmons, Chief, Hazardous Materials Division, Office of Enforcement and Compliance, Federal Motor Carrier Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE, Routing Symbol MC-ECH, Washington, DC, 20590, (202) 493-0496.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hattie L. Mitchell', with a long horizontal flourish extending to the right.

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

Edmonson  
 § 107.504 (f)  
 Applicability  
 09-0203

**Drakeford, Carolyn (PHMSA)**

**From:** INFOCNTR (PHMSA)  
**Sent:** Monday, August 31, 2009 8:41 AM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: interpretation of hazardous material standards  
**Importance:** High

**From:** Don Lampshire [mailto:sales@gssprovers.com]  
**Sent:** Thursday, August 27, 2009 5:42 PM  
**To:** INFOCNTR (PHMSA)  
**Subject:** interpretation of hazardous material standards  
**Importance:** High

To whom it may concern:

I am requesting an interpretation of 107.504 (f)

My understanding is that a request for a CT number is not a approval or endorsement from the department of transportation.  
 Is this correct? If so and in many cases why are CT numbers given to companies who obviously do not have the qualifications  
 To perform the work outlined under CFR 49 on cargo tanks. These companies who merely write a letter to DOT and tell  
 Customers they are qualified under DOT to perform tests and repairs to MC tanks are becoming more prevalent in today's  
 Market. These companies know DOT will not check the registration information and use the CT number issued as an  
 Approval or endorsement from the department of transportation to perform work as outlined in CFR 49. I have been in  
 This industry since CT numbers were first issued. I currently hold a U and R stamp with ASME and the National Board and see  
 The misuse of CT numbers on a regular basis. Louisiana currently has a shop who just got their CT number and are doing  
 Work including testing on MC330 and MC331 pressure vessels. This company has no LP gas background, no LP gas tank repair background,  
 No ASME background but yet use their new found CT number to get cargo tank customers. They can at that point use the  
 CT number for testing and repairs. Why is there no oversight on CT numbers other than the investigation after the explosion and  
 subsequent deaths?

Best Regards,  
 Don Lampshire  
 President  
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 318-747-3425 fax  
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9/1/2009