



U.S. Department
of Transportation

1200 New Jersey Avenue SE
Washington, DC 20590

**Pipeline and Hazardous
Materials Safety
Administration**

NOV 7 2011

Mr. John Klein
Jacobus Energy
11815 West Bradley Road
Milwaukee, WI 53224

Ref. No. 10-0115

Dear Mr. Klein:

This responds to your request for clarification on § 180.413 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You ask if an "R" stamp is required when performing welding repair on the discharge and inlet piping to a MC306 or MC406 cargo tank. Further, you state that the repair or replacement could be part of routine maintenance or as part of replacement during a truck mounted tank changeover to a new cab and chassis. Additionally, you also ask if this piping is considered to be part of the laden retention system of the cargo tank.

The answer to both of your questions is no. Repair is defined in § 180.403 as any welding on a cargo tank wall done to return a cargo tank or a cargo tank motor vehicle to its original design and construction specification, or to a condition prescribed for a later equivalent specification in effect at the time of the repair. Cargo tank wall is defined in § 178.320 as, those parts of the cargo tank that make up the primary lading retention structure, including, shell, bulkheads, and fittings and, when closed, yield the minimum volume of the cargo tank assembly.

Section 180.413 requirements include the "R" stamp when repairing specification cargo tanks. The piping is not normally considered part of the cargo tank wall. Therefore, any welding that occurs on the piping is generally not considered a repair nor would it require an "R" stamp.

I hope this answers your inquiry. If you need further assistance, please contact this office.

Sincerely,

Ben Supko
Acting Chief, Standards Development Branch
Standards and Rulemaking Division

Drakeford, Carolyn (PHMSA)

Boothe
\$ 180.413

Cargo Tanks
10-0115

From: Supko, Ben (PHMSA)
Sent: Wednesday, May 26, 2010 12:56 PM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: Letter of Interpretation

Importance: High

From: INFOCNTR (PHMSA)
Sent: Tuesday, February 23, 2010 4:41 PM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: Letter of Interpretation
Importance: High

Carolyn,
Attached is a request for written interpretation.
Thanks,
Rob

From: JohnKlein@jacobusenergy.com [mailto:JohnKlein@jacobusenergy.com]
Sent: Tuesday, February 23, 2010 4:36 PM
To: INFOCNTR (PHMSA)
Subject: Letter of Interpretation
Importance: High

February 23, 2010

Pipeline and Hazardous Materials Safety Administration
East Building, 2nd Floor
1200 New Jersey Ave., NE
Washington, DC 20590

Re: Formal Letter of Interpretation

Dear Sir/Madam

We are requesting a formal letter of interpretation as to whether or not we are required to have an "R" stamp when performing work (welding – repair) on the discharge and inlet piping to a MC306 or MC406 cargo tank. The repair or replacement could be part of routine maintenance or as part of replacement during a truck mounted tank changeover to a new cab and chassis. In connection to this request we would also like clarification as to whether or not this piping is considered to be part of the laden retention system of the cargo tank.

Please contact me if you need additional information. Thank you in advance for your response.

J.D. Klein
Jacobus Energy
11815 West Bradley Road
Milwaukee, WI 53224

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