



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Ave., S.E.
Washington, DC 20590

OCT 3 2008

Mr. W.A. Glass
Oklahoma LP Gas Administrator
2101 North Lincoln
Oklahoma City, OK 73105

Ref. No.: 08-0170

Dear Mr. Glass:

This is in response to your June 16, 2008 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if the intent of § 180.417(c) is to require each motor carrier operating a specification MC330 or MC331 cargo tank to make a written report if the cargo tank does not have manholes.

The answer is yes. Section 180.417(c)(3) states that after completion of the pressure test specified in § 180.407(g)(3), each person who operates an MC330 or MC331 cargo tank in any service that may cause stress corrosion cracking must make a report containing the information specified in § 180.417(c). The testing requirements in § 180.407(g)(3) do not apply to cargo tanks that do not have manholes; however, that does not except the motor carrier from the requirement to generate a report in accordance with § 180.417(c)(3).

I hope this answers your inquiry.

Sincerely,

Susan Gorsky
Acting Chief, Standards Development
Office of Hazardous Materials Standards



STATE OF OKLAHOMA

LIQUEFIED PETROLEUM GAS ADMINISTRATION

Eichenlaub
§180.417(c)
Cargo Tank
08-0170

June 16, 2008

Mr. Edward T. Mazzullo
Director, Office of Hazardous Materials Standards
1200 New Jersey Avenue, SE East Bldg, 2nd Floor
Washington, DC 20590

Ref: DOT Question & Request for PHMSA Interpretation

Sir,

I have the following question:

Q: Is the intent of 49 CFR 180.417(C) to require each motor carrier operating a Specification MC330 or MC331 cargo tank to make a written report if the cargo tank does not have manholes?

Comment,

49 CFR 180.417(c) (1) would read more clearly if it had the wording "of the portion" included as follows:

After completion of the portion of the pressure test specified in 180.407(g) (3)...

Thank you,

Gary McDonald
Oklahoma LP Gas Administration
Safety Code Enf. Officer

cc: W A. Glass
Okla. L.P. Gas Administrator
2101 North Lincoln
Oklahoma City, OK 73105
Phone (405) 521-2458
Fax (405) 521-6037
E-Mail: lpgasinfo@lpgas.state.ok.us

LP Gas

From: gdmc@sbcglobal.net
Sent: Friday, June 13, 2008 12:37 PM
To: LPGAS
Cc: steverush@windstream.net; greg; larry
Subject: DOT question

Here is a copy of a question I sent to DOT. I will send everyone a copy, when I get a reply

gary

The following was submitted to infocntr@dot.gov on Friday, June 13, 2008 at 13:42:57.

Category: Qualification and Maintenance of Packagings (Sections 180.1 - 180.519)

Comments/Question: I have the following questions as to the intent of 49 CFR 180.417(c)(1), which contains the wording....
"After completion of the pressure test specified in 180.407(g)(3)"..... Should this sentence read? "After completion of the portion of the pressure test specified in 180.407(g)(3)..... 180.407(g)(3) reads, "This paragraph does not apply to cargo tanks that do not have manholes." Does this also mean the reporting requirements found in 180.417(c) do not apply to MC330 and 331 cargo tanks that do not have manholes? Thank You Gary McDonald Oklahoma LP Gas Administration

Email: gdmc@sbcglobal.net

Phone: 405-521-2458

*The above e-mail was sent, but a satisfactory response was not received. I received a phone response, but it was not satisfactory.