



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

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

AUG 04 2016

Mr. James Theriot  
Slade's Industrial Services, Inc.  
1626 U.S. Highway 190 West  
Port Allen, LA 70767

Reference No. 16-0049

Dear Mr. Theriot:

This letter is in response to your February 29, 2016, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to visual inspection requirements for cargo tanks with an external vinyl wrap. Specifically, you reference a letter of interpretation on this subject that the Pipeline and Hazardous Materials Safety Administration (PHMSA) issued on July 22, 2014, under Reference No. 14-0110. PHMSA issued another letter of interpretation on this subject on April 14, 2016, under Reference No. 15-0226.

We have paraphrased and answered your questions as follows:

- Q1. Would a cargo tank covered with an external vinyl wrap such that it displays a 2-foot decal on both sides of the tank need to be internally inspected annually?
- A1. Any portion of the cargo tank that is covered with an external lining (such as a vinyl wrap), coated (such as with paint), or designed in a manner that prevents it from external inspection must be internally inspected in conformance with § 180.407(d)(1) in conjunction with the external visual inspection for the remaining areas of the cargo tank. The "Compliance Dates" table in § 180.407(c) prescribes the time period for the external visual inspection as six months for cargo tanks designed to be loaded by vacuum with full opening rear heads and one year for all other cargo tanks. Further, those areas of the cargo tank that are able to be externally inspected must be externally inspected in conformance with § 180.407(d), and the results of this inspection must be subsequently noted in the cargo tank's inspection report.
- Q2. Do cargo tanks that are painted need to be internally inspected annually?
- A2. Cargo tanks painted in a manner that prevents them from being externally inspected must be internally inspected as stated in A1. See § 180.407(d)(1).

- Q3. Would a stick-on placard - or any other type of decal or sticker - have to be removed from a cargo tank?
- A3. The answer is no. However, as noted in A1, if a stick-on placard, decal, or sticker prevents areas of the cargo tank from being inspected externally, those areas must be given an internal inspection in conformance with § 180.407(d)(1).
- Q4. If a stick-on placard is not removed, does the HMR require the cargo tank to have an internal visual inspection?
- A4. The answer is yes. See A3.
- Q5. Would a cargo tank with an exterior that is anything other than bare metal require an internal inspection annually?
- A5. Section 180.407(d)(1) states, “[i]f external visual inspection is precluded because any part of the cargo tank wall is externally lined, coated, or designed to prevent an external visual inspection, those areas of the cargo tank must be internally inspected.” Therefore, one must consider whether the application of paint on the exterior of a cargo tank wall prevents the performance of an external visual inspection that conforms to the requirements of the HMR (e.g., §§ 180.407(d)(2) through (d)(7)). It is the opinion of this Office that the Registered Inspector (as defined in § 171.8), or other appropriate person meeting the requirements of § 180.409, would determine whether the paint has covered certain areas of the cargo tank wall in such a way that prevents a proper external visual inspection from being performed. If the Registered Inspector determines that the application of paint does indeed prevent a proper external visual inspection, an internal visual inspection of those areas affected by the paint would be required in conjunction with the external visual inspection for the remaining areas of the cargo tank wall prescribed in § 180.407(c).

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,



T. Glenn Foster  
Chief, Regulatory Review and Reinvention Branch  
Standard and Rulemaking Division



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Edmanson  
§ 180.405 180.406  
Cargo Tanks  
16-0049

To: U.S. DOT/PHMSA

02/29/2016

Subject: Questions on Interpretation #14-0110

On this interpretation an internal visual inspection is required if a tank is wrapped. Would a tank that has a 2' decal going down the side of the tank need to be internally inspected annually? What about tanks that are painted?, if a tank has a stick on placard or any other type of decal or sticker, will that have to be removed? or if not remove would an internal visual inspection be required? Would anything other than bare metal require an internal inspection annually?

Sincerely

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