



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

SEP 11 2000

Mr. Clifford J. Harvison
President, National Tank Truck Carriers, Inc.
2200 Mill Road
Alexandria, VA 22314

Ref. No. 00-0239

Dear Mr. Harvison:

This responds to your letter, dated June 29, 2000, requesting clarification of the requirements of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to MC 330 and MC 331 cargo tanks. Your specific question relates to monthly inspections and tests of emergency discharge control systems on cargo tanks.

Your understanding is correct. The monthly inspections and tests applicable to cargo tank emergency discharge control systems, as specified in § 180.416(d) of the HMR, may be conducted at any suitable location.

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

Sincerely,

Thomas G. Allan

Senior Transportation Regulations Specialist
Office of Hazardous Materials Standards



000239

180.416



NATIONAL TANK TRUCK CARRIERS, INC.

THE NATIONAL ORGANIZATION SERVING THE FOR-HIRE TANK TRUCK INDUSTRY

GOING TO 180.416(d)
HM-225 Testing Cargo Tank Equip.

CLIFFORD J. HARVISON
PRESIDENT

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PHONE: 703/838-1960 • FAX: 703/684-5753

00-239

June 29, 2000
Mr. Ron Kirkpatrick
General Engineer
OHMT
RSPA
DHM-22.1
United States Department of Transportation
Washington, DC 20590

Dear Mr. Kirkpatrick:

Thank you for including yours truly in the Chicago meeting relative to the implementation of HM-225. I thought it was well-organized and productive.

More to the point, please consider this letter as a request for interpretation dealing with implementation of the requirements of 49 CFR 180.416 (d). In summary, that regulation requires owners/operators of certain MC 330/331 cargo tanks to perform "monthly inspections and tests" of the cargo tank's emergency discharge control system"

Currently, the regulation **does not** specify a location at which the test must be performed (i.e. a carrier facility, "CT" facility, etc.). Therefore, it is NTTC's opinion that the relevant inspections and tests may be performed at any suitable location, so long as the inspections and tests comply with the rule, as written.

Would you please confirm NTTC's "opinion" on this matter.

Thank you, in advance, for your cooperation.

Very truly yours,

Clifford J. Harvison
President