



U.S. Department
of Transportation

Pipeline and Hazardous
Materials Safety
Administration

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

JUL 23 2014

Mr. Kerry M. Fitzgerald
Compliance Manager
Renaldo Sales & Service, Inc.
1770 Mile Strip Road
North Collins, NY 14111

Ref. No. 14-0082

Dear Mr. Fitzgerald:

This responds to your letter dated April 10, 2014 requesting clarification of the minimum qualification requirements for cargo tank inspectors under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if an employee, who is trained to perform all aspects of an internal visual inspection, but is not a Registered Inspector, may perform the internal visual inspection of an MC331 cargo tank under the supervision of a Registered Inspector.

The answer is no. Section 180.409 sets forth the minimum qualifications for cargo tank inspectors and testers. In accordance with § 180.409(d), external and internal visual inspections must be accomplished by a Registered Inspector. Section 180.409(d) does authorize an employee of a motor carrier or a cargo tank owner who is not a Registered Inspector to perform the hydrostatic or pneumatic pressure test required by §§ 180.407(g)(1)(viii) and 180.407(g)(1)(ix), provided that: (1) The employee is familiar with the cargo tank and is trained and experienced in the use of the inspection and testing equipment used; (2) The employer submits certification that such employee meets the qualification requirements to the Associate Administrator, Attn: (PHH-32), Pipeline and Hazardous Materials Safety Administration, Department of Transportation, East Building, 1200 New Jersey Avenue, SE., Washington, DC 20590; and (3) The employer retains a copy of the tester's qualifications with the documents required by §180.417(b).

I hope this information is helpful. If you have further questions, please contact this office.

Sincerely,

Robert Benedict
Chief, Standards Development Branch
Standards and Rulemaking Division



Manufacturing & Custom Fabrication
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O'Donnell
§ 180.409(d)
Cargo Tanks
14-0082

April 10, 2014

Mr. Charles E. Betts
Director, Standards and Rulemaking Division
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590

Re: 49 CFR 180.409 (d) Minimum qualification for inspectors and testers

Dear Mr. Betts,

Is it permissible to have an employee who is trained in wet fluorescent magnetic particle testing, ultrasonic thickness testing and all other components of an internal visual inspection, who is not a Registered Inspector, perform the internal visual inspection of a MC331 cargo tank while under direct supervision, observation, and communication of a Registered Inspector?

Sincerely,

Kerry M. Fitzgerald
Compliance Manager

Renaldo Sales & Service, Inc.

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