



U.S. Department  
of Transportation

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

**Pipeline and Hazardous  
Materials Safety  
Administration**

NOV 06 2013

Mr. Brad Thomas  
Logistics Safety and Security Manager  
Albermarle Corporation  
451 Florida Street  
Baton Rouge, LA 70801

Ref. No. 13-0159

Dear Mr. Thomas:

This responds to your July 30, 2013 request for clarification of the requirements for the modification of the DOT Specification 51 portable tanks under §§ 178.274 and 178.275 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if modification of a DOT Specification 51 portable tank is authorized under the HMR. You also reference letter of interpretation Ref. No. 07-0225, indicating that modifications can be made as long as they do not “invalidate the ASME U stamp”.

In your incoming letter, you state that you have a DOT Specification 51 portable tank with an inverted removable dome with a vent connection attached to the side of the dome. This connection is threaded, and, you express concern it may be accidentally loosened as hoses are connected and disconnected. You indicate that the use of a flanged connection would enhance the safety of the containers. To modify this connection, you would need to lower the point at which the vent connection intersects the wall of the inverted dome. You would have to cut off the existing vent connection, patch the hole, and cut a new hole a few inches lower.

Your questions are paraphrased and answered below:

Q1. Does interpretation letter Ref. No. 07-0225 state that welding and cutting on any part of the DOT Specification 51 portable tank is permitted by a shop having an R stamp?

A1. No. Ref No 07-0225 stated modifications are authorized if they are done in accordance with ASME and do not invalidate the ASME U stamp.

Q2. What limitations are on modification of these DOT Specification 51 portable tanks?

A2. Modifications made in accordance with §§ 178.274 and 178.275 that do not invalidate the ASME U stamp requirements are authorized. Modifications that are not in compliance would require a special permit to install.

Q3. If the modifications you described in your incoming letter are done in accordance with ASME, would the DOT Specification 51 portable tank still be approved for shipping hazardous materials?

A3. PHMSA does not determine if modifications meet the requirements or violate the ASME U stamp. An approval agency (§ 107.401) should determine if the modification to the DOT 51 Specification portable tank violates the ASME U stamp. Ultimately, it is the owner of the packaging's responsibility to determine compliance with the HMR.

Q4. If the proposed modification is not allowable, would it be allowable to replace the removable dome with a new dome having the adjusted vent location?

A4. It should be noted dome replacement is permitted if the new dome with the adjusted vent location is done in accordance with §§ 178.274 and 178.275 and does not invalidate the ASME U stamp.

I hope this answers your inquiry. If you need additional assistance, please contact this office at (202) 366-8553.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Benedict". The signature is written in a cursive, somewhat stylized font.

Robert Benedict  
Chief, Standards Development Branch  
Standards and Rulemaking Division

Boothe  
§ 178.275 (g) (3)

**Drakeford, Carolyn (PHMSA)**

**From:** INFOCNTR (PHMSA)  
**Sent:** Tuesday, July 30, 2013 4:36 PM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: PHMSA Interpretation Request  
**Attachments:** [Untitled].pdf

Portable Tanks  
13-0159

Hi Carolyn,

This caller requested we submit this e-mail as a formal letter of interpretation.

Thanks,  
Victoria

**From:** [Brad.Thomas@albemarle.com](mailto:Brad.Thomas@albemarle.com) [mailto:[Brad.Thomas@albemarle.com](mailto:Brad.Thomas@albemarle.com)]  
**Sent:** Tuesday, July 30, 2013 3:14 PM  
**To:** INFOCNTR (PHMSA)  
**Subject:** Fw: PHMSA Interpretation Request

Rather than editing and omitting a pertinent piece of information, I am forwarding the below email in its entirety. Please acknowledge receipt.

Thank You  
Brad Thomas

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**Brad Thomas** | Bulk Logistics Manager | Logistics Safety and Security Manager | Albemarle Corporation | 451 Florida Street | Baton Rouge, LA 70801 | ☎: 225.388.7104 | 📠: 225.388.7387 | [brad\\_thomas@albemarle.com](mailto:brad_thomas@albemarle.com) | [www.albemarle.com](http://www.albemarle.com)  
----- Forwarded by Brad Thomas/BatonRouge/Chem/Albemarle on 07/30/2013 02:10 PM -----

Laurie Davidson/BatonRouge/Chem/Albemarle

To Brad Thomas/BatonRouge/Chem/Albemarle@Albemarle

cc

07/30/2013 02:06 PM

Subject PHMSA Interpretation Request

Brad,

Please ask PHMSA for an interpretation on the following topic:

49 CFR no longer allows Portable Tanks to be built to DOT Specification 51. Many old DOT 51 tanks are still in use. What are the limitations on modification of these tanks?

Interpretation Reference Number 07-0225 issued by the U.S. Department of Transportation in 2008 seems to indicate that modifications can be made as long as they do not "invalidate the ASME U stamp". This seems to allow welding and cutting on any part of the container by a shop having an R stamp. Is this correct?

We have a container with an inverted removable dome (drawing attached). A vent connection is attached to the side of the dome. This connection is threaded, and we are concerned it may accidentally be loosened as hoses are connected and disconnected. We feel the use of a flanged connection would enhance the safety of the containers. In order to modify this

connection and utilize a flanged valve, we would need to lower the point at which the vent connection intersects the wall of the inverted dome. Thus we would have to cut off the existing vent connection, patch the hole, and cut a new hole a few inches lower. If this is all done per ASME, would the DOT 51 tank still be approved for shipping hazardous materials as it is now?

If the proposed modification described above is not allowable, would it be allowable to replace the removable dome with a new dome having the adjusted vent location?

We often have questions about the limitations on modification to our large fleet of DOT 51 tanks. Some guidance would be very valuable to us.

If there are any questions, contact Laurie Davidson at 225-388-7827 or [laurie\\_davidson@albemarle.com](mailto:laurie_davidson@albemarle.com).

Laurie