



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

1200 New Jersey Avenue, SE  
Washington, DC 20590

APR 02 2015

Jeff Lisowski  
Safety and Compliance Manager  
Lamb Fuels, Inc.  
725 Main Street, Suite B  
Chula Vista, CA 91911

Ref. No. 14-0196

Dear Mr. Lisowski:

This responds to your request for clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the specification marking on a MC 306 cargo tank. Specifically, you ask whether the specification data plate on a MC 306 cargo tank built in the 1970s should be located on the front right side of the cargo tank in accordance with the regulations at the time of construction of the cargo tank.

Your understanding is correct. When a cargo tank specification is removed from the HMR, new construction is no longer authorized. Section 180.405 allows for the continued use of existing MC 306 cargo tanks built prior to the removal of their specification. Except as otherwise provided in § 180.405, to qualify as an authorized packaging, MC 306 cargo tanks must fully conform to the applicable specification in effect on the date initial construction began. Between 1968 and July 1, 1985 the metal specification plate was required to be located on the "right side, near the front, in a place readily accessible for inspection" in accordance with § 178.340-10(b).

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

Sincerely,

A handwritten signature in cursive script that reads "T. Glenn Foster".

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

Lehman  
§ 178.345-14(c)  
marking  
14-0196

**Dodd, Alice (PHMSA)**

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**From:** Ciccarone, Michael CTR (PHMSA)  
**Sent:** Tuesday, October 14, 2014 4:03 PM  
**To:** Hazmat Interps  
**Subject:** FW: MC 306 Specification Data Plate Guidance

**Importance:** High

Shante and Alice,

Please submit this for a formal letter of interpretation. Mr. Lisowski spoke to Shelby Geller and me in the HMIC, and Michael Stevens as well.

Thanks,

Mike

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**From:** Jeff Lisowski [<mailto:jeff@lambfuels.com>]  
**Sent:** Wednesday, October 08, 2014 7:54 PM  
**To:** INFOCNTR (PHMSA)  
**Subject:** MC 306 Specification Data Plate Guidance  
**Importance:** High

We have had a couple Roadside Inspections where we were found in violation of 49 CFR 178.345-14(c).

It was determined by one State inspector that the MC 306 specification data plate was not visible because of its location, which was on the passenger side second bolster.

This was typical of MC 306 specification plates for cargo tanks that were built in the 1970's. But 49 CFR 178.345-14(a) points out in its first paragraph that it pertains to DOT 406, DOT 407 and, DOT 412 cargo tanks.

The only thing I could find in the CFR pertaining to data plates being moved, would be if the cargo tank was recertified as a DOT 406.

After one such Roadside Inspection we had a cargo tank repair shop move the specification data plate to the front left of the cargo tank to conform with 49 CFR 178.345-14, but looking back at this, I am not sure this was correct.

Any guidance on this matter is appreciated.

*Jeff Lisowski, CSS*  
Safety and Compliance Manager

**"Fuel Recovery Solutions"™**

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*"Stay Safe!"*