

Cargo Tanks: Non-Specification Cargo Tank Rules

Description:

In states that permit it, non-specification cargo tanks may be used to transport LP-gas provided that they meet the requirements of 49 CFR § 173.315 (k).

Regulatory Reference

49 CFR § 173, Subpart G Gases; Preparation and Packaging
49 CFR § 173.315 Compressed gases in cargo tanks and portable tanks

Applies to:

The regulation applies to operation of non-specification cargo tanks in intrastate service where permitted by the state authority having jurisdiction.

General Requirements:

A nonspecification cargo tank meeting, and marked in conformance with, the edition of the ASME Code in effect when it was fabricated may be used for the transportation of liquefied petroleum gas provided it meets all of the following conditions:

- (1) It must have a minimum design pressure no lower than 250 psig.
- (2) It must have a capacity of 3,500 water gallons or less.
- (3) It must have been manufactured in conformance with the ASME Code prior to January 1, 1981, according to its ASME nameplate and manufacturer's data report.
- (4) It must conform to applicable provisions of NFPA Pamphlet 58, except to the extent that provisions of Pamphlet 58 are inconsistent with requirements in parts 178 and 180 of [Title 49, *Code of Federal Regulations*].
- (5) It must be inspected, tested, and equipped in accordance with subpart E of part 180 of this subchapter as specified for MC 331 cargo tanks [all required annual inspections and 5-year tests and inspections; see General Requirements item (2) in Compliance Guide DOT No. 6].
- (6) It must be operated exclusively in intrastate commerce, including its operation by a motor carrier otherwise engaged in interstate commerce, in a state where its operation was permitted by law prior to January 1, 1981. A cargo tank motor vehicle operating under authority of this section may cross state lines to travel to and from a qualified assembly, repair, maintenance, or requalification facility. The cargo tank need not be cleaned and purged, but it may not contain liquefied petroleum gas in excess of five percent of the water capacity of the cargo tank. If the vehicle engine is supplied fuel from the cargo tank, enough fuel in excess of five percent of the cargo tank's water capacity may be carried for the trip to or from the facility.
- (7) It must have been used to transport liquefied petroleum gas prior to January 1, 1981.
 - (1) It must be operated in conformance with all other requirements of this subchapter [49 CFR § 173, Subpart G].

Training Requirements:

There are no training requirements prescribed by the applicable regulations for non-specification cargo tanks.

Maintenance and Review

Where non-specification cargo tanks are allowed in intrastate use, operators should ensure that all required inspections and tests are performed in a timely manner to avoid the possibility that a lapse in scheduled inspections or tests might disqualify the cargo tank for continued use. Documentation of compliance with all required elements of 49 CFR § 173, Subpart G, and the specific requirements of 49 CFR § 173.315 (k) should be maintained and periodically reviewed. Particular attention should be given to ensuring that non-specification cargo tanks are equipped with emergency discharge control systems that are certified by a U.S. DOT Design Certifying Engineer before or in conjunction with the 1st 5-year pressure test required after July 1, 2001. A U.S. DOT Registered Inspector must document installation and initial testing of the emergency discharge control system.