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Transportation/Hazardous Materials: Pipeline and Hazardous Materials Safety Administration Addresses Question Regarding Specification Tank Cars

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The United States Pipeline and Hazardous Materials Safety Administration (“PHMSA”) addressed in a May 6th interpretive letter a question regarding clarification of the Hazardous Materials Regulations (“HMR”) applicable to specification tank cars.

The question involved the visual inspection requirements of rail tank cars under § 180.509(d)(3).

Rescar first asks whether the HMR requires that the visual inspection of the service equipment be performed by a “certified nondestructive technician” using a procedure that has been approved by a nondestructive level III technician.

PHMSA responds in the affirmative, noting:

. . . When performing visual inspections of equipment required by §§ 179.7 and 180.509, those visual inspections are considered performing nondestructive testing. Therefore, the tank car facility must ensure employees that perform those functions are qualified as specified in § 179.7(c).

Rescar also asks whether the intent of § 180.509(d)(3) is met if an individual receives, at a minimum, function-specific training for the visual inspection of service equipment, including gaskets, for indications of corrosion and other conditions that may make the tank car unsafe for transportation.

PHMSA responds in the negative. It states:

. . . Function-specific training as specified in § 172.704(a)(2) only meets the minimum hazmat employee training requirements. As indicated in A1, visual inspections are nondestructive tests and employees performing those functions must be qualified in such testing, as well.

A copy of the letter can be downloaded [here](#).