

## § 180.601

returned to manufacturer for repair, or scrapped); and identification of the person conducting the retest or inspection.

[Amdt. 180-8, 60 FR 49079, Sept. 21, 1995, as amended by Amdt. 179-50, 61 FR 33257, June 26, 1996; 65 FR 58633, Sept. 29, 2000; 66 FR 45187, 45392, Aug. 28, 2001]

### Subpart G—Qualification and Maintenance of Portable Tanks

SOURCE: 66 FR 33453, June 21, 2001, unless otherwise noted.

#### § 180.601 Applicability.

This subpart prescribes requirements, in addition to those contained in parts 107, 171, 172, 173, and 178 of this subchapter, applicable to any person responsible for the continuing qualification, maintenance or periodic retesting of a portable tank.

#### § 180.603 Qualification of portable tanks.

(a) Each portable tank used for the transportation of hazardous materials must be an authorized packaging.

(b) To qualify as an authorized packaging, each portable tank must conform to the requirements of this subchapter and the applicable design specification to which the portable tank was constructed.

(c) The following portable tanks are authorized for use provided they conform to all applicable safety requirements of this subchapter: 51, 56, 57, 60, IM 101, IM 102 and UN portable tanks.

(d) A portable tank that also meets the definition of "container" in 49 CFR 450.3(a)(3) must conform to the requirements in parts 450 through 453 of this title for compliance with Annex II of the Convention for Safe Containers (CSC).

(e) *Exemption portable tanks based on DOT 51 portable tanks.* The owner of a portable tank constructed in accordance with and used under an exemption issued prior to August 31, 1996, which was in conformance with the requirements for Specification DOT 51 portable tanks with the exception of the location of fill and discharge outlets, shall examine the portable tank and its design to determine if it meets the outlet requirements in effect on Octo-

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ber 1, 1996. If the owner determines that the portable tank is in compliance with all requirements of the DOT 51 specification, the exemption number stenciled on the portable tank shall be removed and the specification plate (or a plate placed adjacent to the specification plate) shall be durably marked "DOT 51-E\*\*\*\*\*" (where \*\*\*\*\* is to be replaced by the exemption number). During the period the portable tank is in service, and for one year thereafter, the owner of the portable tank must retain on file, at its principal place of business, a copy of the last exemption in effect.

#### § 180.605 Requirements for periodic testing, inspection and repair of portable tanks.

(a) A portable tank constructed in accordance with a DOT specification for which a test or inspection specified in this subpart has become due, must be tested or inspected prior to being returned for transportation.

(b) *Conditions requiring test and inspection of portable tanks.* Without regard to any other test or inspection requirements, a Specification or UN portable tank must be tested and inspected in accordance with this section prior to further use if any of the following conditions exist:

(1) The portable tank shows evidence of dents, corroded or abraded areas, leakage, or any other condition that might render it unsafe for transportation service.

(2) The portable tank has been in an accident and has been damaged to an extent that may adversely affect its ability to retain the hazardous material.

(3) The portable tank has been out of hazardous materials transportation service for a period of one year or more.

(4) The portable tank has been modified from its original design specification.

(5) The portable tank is in an unsafe operating condition based on the existence of probable cause.

(c) *Schedule for periodic inspections and tests.* Each Specification portable tank must be tested and inspected in accordance with the following schedule: