



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

1200 New Jersey Avenue, SE
Washington, DC 20590

December 1, 2025

Timothy J. Nuoffer
Field Services Manager
The Hartford Steam Boiler Inspection and Insurance Co.
One State Street
P.O. Box 5024
Hartford, CT 06102

Reference No. 25-0034

Dear Mr. Nuoffer:

This letter is in response to your March 27, 2025 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the certification of multiple element gas containers (MEGCs) that are also International Convention for Safe Containers (CSC)-approved. Specifically, you ask about the requirements for the acceptance of a design type approval issued by an approval agency that is not a Designated Approval Agency (DAA), as specified in 49 CFR Part 107, Subpart E.

We have paraphrased and answered your questions as follows:

- Q1. For an MEGC that was approved by a non-Department of Transportation (DOT) approval agency, does the requirement that all tests specified in §§ 178.74 and 178.75 be witnessed by a DAA apply to the selected framework test required by International Organization for Standardization (ISO) 1496-3?
- A1. Yes. A DAA must witness all tests required for the approval of the MEGC specified in §§ 178.74 and 178.75—this includes the applicable framework test as specified in ISO 1496-3. However, a DAA may review and reapprove a previously approved MEGC design type. The DAA assumes full responsibility for the work of the previous approval agency when reapproving the MEGC design type.
- Q2. Is the manufacturer required to construct a new prototype or re-test an existing prototype if the design type approval was issued by an inspection body that is a non-DOT approval agency?

- A2. While the manufacturer is not required to construct a new prototype or re-test an existing prototype, a DAA is required to witness all required tests (or reapprove the tests conducted by another approval agency) and to issue an approval. See answer A1.
- Q3. A manufacturer has a design type approval for an MEGC that was issued by a non-DOT approval agency that certifies that it meets the requirements of the International Maritime Dangerous Goods Code, the International Carriage of Dangerous Goods by Road, and the CSC. To obtain a DOT approval for the MEGC, is the manufacturer required to construct a new prototype or re-test an existing prototype in accordance with §§ 178.74 and 178.75 and have a DAA witness those tests?
- A3. See answer A1.
- Q4. For the purposes of § 178.74(c), must the approval agency that issues the design type approval certificate for the MEGC be a delegated approval authority by the U.S. Coast Guard (USCG) as required for CSC containers per 49 CFR Parts 450 and 451?
- A4. No. Section 178.74 does not require that the approval of an MEGC be authorized by the USCG. However, this does not preclude any potential USCG container requirements.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dirk DerKinderen', is positioned above the printed name.

Dirk DerKinderen
Chief, Standards Development Branch
Standards and Rulemaking Division

From: [INFOCNTR \(PHMSA\)](#)
To: [Dodd, Alice \(PHMSA\)](#)
Cc: [Hazmat Interps: Baker, Yul \(PHMSA\)](#)
Subject: FW: Request for Interpretation- MEGC/CSC Non-USA DAA
Date: Thursday, March 27, 2025 15:56:29
Attachments: [MEGC-CSC-Non-USA DAA Interp-03252025.pdf](#)

Hi Alice,

Please see the attached interpretation request. Let us know if you need anything.

Sincerely,
Janaye

From: Nuoffer Timothy - Hartford-Remote-HSB <Timothy_Nuoffer@hsb.com>
Sent: Thursday, March 27, 2025 3:36 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Cc: Cassidy, Duane (PHMSA) <Duane.Cassidy@dot.gov>; Babka Sandy - Hartford-HSB <sandy_babka@hsb.com>
Subject: Request for Interpretation- MEGC/CSC Non-USA DAA

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,
Please see attached my request for interpretation regarding acceptance of MEGC/CSC design type approval certificate issued by a non-USA DOT Designated Approval Agency.

Regards,

Timothy Nuoffer
Field Services Manager- Transportation Services

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