DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS REGULATIONS BOARD
WASHINGTON, D.C. 20590

DEPARTMENT OF TRANSPORTATION

Hazardous Materials Regulations Board

[49 CFR Parts 173, 177]

[Docket No. HM-14; Notice 69-17]

TRANSPORTATION OF HAZARDOUS MATERIALS

Hazardous Materials in Specification 106A and 110A Tanks by Rail Freight and Highway

On February 15, 1969, a notice of proposed rule making (Docket No. HM-14; Notice No. 69-2) was published in the FEDERAL REGISTER (34 F.R. 2256) requesting public comment on a proposal of the Hazardous Materials Regulations Board to amend § 173.247(a)(16) of the Department's Hazardous Materials Regulations to authorize the transportation of antimony pentachloride in specification 106A and 110A tanks by highway.

It has been determined that there is an increasing use being made of these -- called "ton tanks" for transportation azardous materials by motor vehicle. e are at present nine sections in t 173 of the Hazardous Materials Regulations that authorize more than 30 different materials to be transported by highway in these tanks. All the authorizations are found in notes to various sections of the regulations. Rather than continue this practice, as was proposed in the notice, this notice is published under the same docket number to request public comment on a broader proposal which is being considered by the Board.

The Hazardous Materials Board is considering amending the Department's Hazardous Materials Regulations, (1) to cancel the notes (except § 173.314(c), note 7) which authorize the transportation of specification 106A or 110A tanks by highway and to specifically authorize such transportation by placing the authority in the text of the affected regulations; (2) to describe these two specifications as tanks instead of tank cars where highway transportation is authorized; (3) to remove the specification designation 106A500 from sections affected since the "grandfather" authorization for the use of this specification is provided for in § 173.31(a)(2); (4) to authorize not only antimony pentachloride to be transported by highway in these tanks as was proposel in Notice No. 69-2, but also titanium tetrachloride (anhy- us) as is presently authorized for rail 73.247(a)(16); (5) to make editorial substantive changes concerning out- e requirements in the various sections affected; (6) to make specific reference, in the appropriate sections, to § 174.560 and to proposed § 177.834(m) which sections contain particular requirements pertaining to the transportation and handling of these tanks; (7) to add a new paragraph (m) to § 177.834 to specify in one place the conditions and requirements for the carriage of these tanks by highway and to provide a reference to the regulations in Part 174 which specify requirements for combination rail-freight-highway transportation where transfers are involved and for trailer-on-flat-car operations; (8) to cancel §§ 177.837(c), 177.839(d), 177.840 (c), and 177.841(c), note 1 since the requirements specified in these sections will be covered by § 177.834(m).

Interested persons are invited to give their views on this proposal. Communications should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, 400 Sixth Street SW., Washington, D.C. 20590. Communications received on or before September 10, 1969, will be considered before final action is taken on the proposal. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, both before and after the closing date for comments.

One comment has been received by the Board concerning the proposal in Notice No. 69-2. The commenter had no objection to the basic proposal but raised the point that these tanks, when placed on motor vehicles, could be tendered to the railroads for trailer-on-flat-car-service. The commenter recommended the addition of a sentence to specify conditions for the offering of vehicles loaded with these tanks for rail transportation. This manner of carriage is authorized by the regulations and it is appropriate to provide a reference in Part 177 to requirements in Part 174 which relate to such carriage. Section 177.834(m)(4) is being considered as a means to accomplish this purpose.

It is also proposed to add a new paragraph (a)(6) in § 173.353 in order to provide separate authorizations for specification 106A tanks from those for specification 105A and 111A tank cars presently authorized in paragraph (a)(5) of that section.

This notice includes the proposed revision to § 173.264(b)(6) pertaining to the shipment of hydrofluoric acid in specification 110A500W tanks which was originally proposed in Docket No. HM-9; Notice No. 68-7 (33 F.R. 17189).

In consideration of the foregoing, it is proposed to amend the Hazardous Materials Regulations as follows:

I. Part 173 would be amended as follows:

A. In the Table of Contents § 173.336 would be amended to read as follows:

Sec.
173.336 Nitrogen dioxide, liquid; nitrogen peroxide, liquid; and nitrogen tetroxide, liquid.

B. In § 173.148 paragraph (a)(4) would be amended; note 1 and footnote 1 would be canceled as follows:

§ 173.148 Monoethylamine.

(a) * * *

(4) Specification 106A500X, or 110A 500W (§§ 179.300, 179.301 of this chapter) tanks. Authorized only for transportation by rail freight and by highway. (See §§ 174.560 and 177.834 (m) of this chapter for special requirements.)

[Note 1 canceled]
[Footnote 1 canceled]

* * * * *

C. In § 173.247 paragraph (a)(16) would be amended as follows:

§ 173.247 Acetyl chloride, antimony pentachloride, benzoyl chloride, chromyl chloride, pyro sulfuryl chloride, silicon chloride, sulfur chloride (mono and di), sulfuryl chloride, thionyl chloride, tin tetrachloride (anhydrous), and titanium tetrachloride.

(a) * * *

(16) Specification 106A500X or 110A 500W (§§ 179.300, 179.301 of this chapter) tanks. Authorized only for antimony pentachloride and titanium tetrachloride (anhydrous). Tanks containing titanium tetrachloride (anhydrous) must not be equipped with safety devices. Authorized only for transportation by rail freight and by highway. (See §§ 174.560 and 177.834(m) of this chapter for special requirements.)

D. In § 173.264 paragraph (b)(6) would be amended; note 1 would be canceled as follows:

§ 173.264 Hydrofluoric acid.

* * * * *

(b) * * *

(6) Specification 106A500X or 110A 500W (§§ 179.300, 179.301 of this chapter) tanks. Tanks may not be equipped with safety devices of any type and valves must be protected by metal caps. Tanks must not be filled to a density in excess of 85 percent of the water weight capacity of the tank. Authorized only for transportation by rail freight and by highway. (See §§ 174.560 and 177.8 (m) of this chapter for spec requirements.)

[Note 1 canceled]

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E. In § 173.314 paragraph (c) table, note 7 would be amended as follows:

§ 173.314 Requirements for compressed gases in tank cars.

* * * * *

(c) * * *

NOTE 7: Specification 106A or 110A tanks authorized only for transportation by rail freight and by highway. (See §§ 174.560 and 177.834(m) of this chapter for special requirements.)

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F. In § 173.333 paragraph (a)(2) would be amended; note 1 and footnote 1 would be canceled as follows:

§ 173.333 Phosgene or diphosgene.

(a) * * *

(2) Specification 106A500X (§§ 179.300, 179.301 of this chapter) tanks. Authorized only for phosgene. Each tank must be equipped with gas-tight valve protection caps which must be approved by the Bureau of Explosives. Tanks must not be equipped with safety devices of any type. Outage must be sufficient to prevent tanks from becoming liquid full at 130° F. Authorized only for transportation by rail freight and by highway. (See §§ 174.560 and 177.834(m) of this chapter for special requirements.)

[Note 1 canceled]
[Footnote 1 canceled]

* * * * *

[illegible] § 173.336 the heading and para- [illegible] (a)(3) would be amended; note [illegible] footnote 1 would be canceled as follows:

§ 173.336 Nitrogen dioxide, liquid; nitrogen peroxide, liquid; and nitrogen tetroxide, liquid.

(a) * * *

(3) Specification 106A500X (§§ 179.300, 179.301 of this chapter) tanks. Each tank must be equipped with gas-tight valve protection caps which must be approved by the Bureau of Explosives. Tanks must not be equipped with safety devices of any type. Outage must be sufficient to prevent tanks from becoming liquid full at 130° F. Authorized only for transportation by rail freight and by highway. (See §§ 174.560 and 177.834(m) of this chapter for special requirements.)

[Note 1 canceled]
[Footnote 1 canceled]

* * * * *

H. In § 173.338 paragraph (a)(3) would be amended; note 1 and footnote 1 would be canceled as follows:

§ 173.338 Nitrogen tetroxide-nitric oxide mixtures containing up to 33.2 percent weight nitric oxide.

(a) * * *

(3) Specification 106A500X (§§ 179.300, [illegible] of this chapter) tanks. Each tank [illegible] equipped with gas-tight valve [illegible]tion caps which must be approved by the Bureau of Explosives. Tanks must not be equipped with safety devices of any type. Outage must be sufficient to prevent tanks from becoming liquid full at 130° F. Authorized only for transportation by rail freight and by highway. (See §§ 174.560 and 177.834(m) of this chapter for special requirements.)

[Note 1 canceled]
[Footnote 1 canceled]

* * * * *

I. In § 173.353 paragraph (a)(5) would be amended; (a)(6) would be added; paragraph (b) would be canceled as follows:

§ 173.353 Methyl bromide, liquid (bromomethane), mixtures of methyl bromide and ethylene dibromide, liquid, mixtures of methyl bromide and chlorpicrin, liquid, or methyl bromide and nonflammable, nonliquefied compressed gas mixtures, liquid.

(a) * * *

(5) Specification 105A100,[1] 105A100-W, or 111A100-W-4 (§§ 179.100, 179.101, 179.200, 179.201 of this chapter) tank cars. Outage must be sufficient to prevent tank cars from becoming liquid full at 105° F.

[Note 1 canceled]

(6) Specification 106A500X (§§ 179.300, 179.301 of this chapter) tanks. Outage must be sufficient to prevent tanks from becoming liquid full at 130° F. Authorized only for transportation by rail freight and by highway. (See §§ 174.560 and 177.834(m) of this chapter for special requirements.)

(b) [Canceled]

* * * * *

J. In § 173.357 paragraph (b)(4) would be amended; footnote 1 would be canceled as follows:

§ 173.357 Chlorpicrin and chlorpicrin mixtures containing no compressed gas or poisonous liquid, class A.

* * * * *

(b) * * *

(4) Specification 106A500X (§§ 179.300, 179.301 of this chapter) tanks. Valves must be protected by metal caps. Tanks must not be equipped with safety devices of any type. Outage must be sufficient to prevent tanks from becoming liquid full at 130° F. Authorized only for transportation by rail freight and by highway. (See §§ 174.560 and 177.834(m) of this chapter for special requirements.)

[Footnote 1 canceled]

* * * * *

II. Part 177 would be amended as follows:

A. In § 177.834 paragraph (m) would be added to read as follows:

§ 177.834 General requirements.

* * * * *

(m) Tanks constructed and maintained in compliance with specifi[illegible] 106A or 110A (§§ 179.300, 179.301 [illegible] chapter) that are authorized f[illegible] shipment of hazardous materials by highway in Part 173 of this chapter must be carried in accordance with the following requirements:

(1) Tanks must be securely chocked or clamped on vehicles to prevent any shifting.

(2) Equipment suitable for handing a tank must be provided at any point where a tank is to be loaded upon or removed from a vehicle.

(3) No more than two cargo carrying vehicles may be in the same combination of vehicles.

(4) Compliance with § 174.560 of this chapter for combination rail freight, highway shipments and §§ 174.532 and 174.533 of this chapter for trailer-on-flat-car service is required.

B. In § 177.837 paragraph (c) would be canceled as follows:

§ 177.837 Flammable liquids.

* * * * *

(c) [Canceled]

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C. In § 177.839 pararaph (d) would be canceled as follows:

§ 177.839 Corrosive liquids.

* * * * *

(d) [Canceled]

D. In § 177.840 paragraph (c) [illegible] be canceled as follows:

§ 177.840 Compressed gases.

* * * * *

(c) [Canceled]

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E. In § 177.841 note 1 following paragraph (c) would be canceled as follows:

§ 177.841 Poisons.

* * * * *

(c) * * *

[Note 1 canceled]

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These proposals are made under the authority of sections 831–835 of title 18, United States Code, section 9 of the Department of Transportation Act (49 U.S.C. 1657).

Issued in Washington, D.C., on July 8, 1969.

R. N. WHITMAN,
Administrator,
Federal Railroad Administration.

F. C. TURNER,
Administrator,
Federal Highway Administration.

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