

49 CFR Part 180

Hazardous materials transportation, Incorporation by reference, Motor carriers, Motor vehicle safety, Packaging and containers, Railroad safety, Reporting and recordkeeping requirements.

In consideration of the foregoing, 49 CFR Chapter I is amended as follows:

PART 171—GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS

1. The authority citation for part 171 continues to read as follows:

Authority: 49 U.S.C. 5101–5127; 49 CFR 1.53.

§ 171.7 [Amended]

2. In § 171.7, in paragraph (a)(3) Table, the following changes are made:

a. Under the *Association of American Railroads*, for the entry “AAR Manual of Standards and Recommended Practices, Section C—Part III, Specifications for Tank Cars, Specification M–1002, September, 1992” in column 2, the references are revised to read “173.31; 174.63; 179.6; 179.7; 179.12; 179.16; 179.20; 179.22; 179.100; 179.101; 179.102; 179.103; 179.200; 179.201; 179.220; 179.300; 179.400; 180.509; 180.513; 180.515; 180.517.”.

b. Under the *Association of American Railroads*, for the entry “AAR Specifications for Design, Fabrication and Construction of Freight Cars, Volume 1, 1988” in column 2, the reference is revised to read “179.16.”.

c. Under the *Compressed Gas Association, Inc.*, for the entry “CGA Pamphlet C–6, Standards for Visual Inspection of Compressed Gas Cylinders, 1984” in column 2, the reference is revised to read “173.34; 180.519.”.

PART 172—HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS, HAZARDOUS MATERIALS COMMUNICATIONS, EMERGENCY RESPONSE INFORMATION, AND TRAINING REQUIREMENTS

3. The authority citation for part 172 continues to read as follows:

Authority: 49 U.S.C. 5101–5127; 49 CFR 1.53.

§ 172.101 [Amended]

4. In § 172.101, in the Hazardous Materials Table, the following changes are made:

a. For the entries “Benzyl chloride”, “Fluorosulfonic acid”, and “Titanium tetrachloride”, in Column (7), Special Provision “B41,” is removed.

b. For the entries “Carbon dioxide, refrigerated liquid” and “Vinyl fluoride

inhibited”, in Column (7), Special Provision “B43” is removed.

c. For the entry “Hydrogen chloride, refrigerated liquid”, in Column (7), Special Provision “B43” is removed.

d. For the entry “Ethyl methyl ether”, in column (7), Special Provision “B63” is removed.

e. For the entry “Ethyl chloride”, in column (7), Special Provision “B63,” is removed.

§ 172.102 [Amended]

5. In § 172.102, in paragraph (c)(3), the following changes are made:

a. Special Provision “B41” is removed.

b. Special Provision “B43” is removed.

c. Special Provision “B63” is removed.

d. Special Provision “B64” is amended by revising the section reference “§ 179.105–5” to read “§ 179.16”.

e. Special Provision “B79” is amended by revising the section references “§§ 179.105–4 and 179.105–5” to read “§§ 179.16 and 179.18”.

PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

6. The authority citation for part 173 continues to read as follows:

Authority: 49 U.S.C. 5101–5127; 49 CFR 1.53.

7. Section 173.31 is revised to read as follows:

§ 173.31 Use of tank cars.

(a) *General.* (1) No person may offer a hazardous material for transportation in a tank car unless the tank car meets the applicable specification and packaging requirements of this subchapter or, when this subchapter authorizes the use of a non-DOT specification tank car, the applicable specification to which the tank was constructed.

(2) Tank cars and appurtenances may be used for the transportation of any commodity for which they are authorized in this part and specified on the certificate of construction (AAR Form 4–2 or by addendum on Form R–1). See § 179.5 of this subchapter. Transfer of a tank car from one specified service on its certificate of construction to another may be made only by the owner or with the owner’s authorization. A tank car proposed for a commodity service other than specified on its certificate of construction must be approved for such service by the AAR’s Tank Car Committee.

(3) No person may fill a tank car overdue for periodic inspection with a

hazardous material and then offer it for transportation. Any tank car marked as meeting a DOT specification and any non-specification tank car transporting a hazardous material must have a periodic inspection and test conforming to Subpart F of Part 180 of this subchapter.

(4) No railroad tank car, regardless of its construction date, may be used for the transportation in commerce of any hazardous material unless the air brake equipment support attachments of such tank car conform to the standards for attachments set forth in §§ 179.100–16 and 179.200–19 of this subchapter.

(5) No railroad tank car, regardless of its construction date, may be used for the transportation in commerce of any hazardous material with a self-energized manway located below the liquid level of the lading.

(6) Unless otherwise specifically provided in this part:

(i) When this subchapter designates a specific specification tank car, the same class tank car with a higher marked test pressure also may be used.

(ii) When the tank car specification delimiter is an “A,” offerors may also use tank cars with a delimiter “S,” “J” or “T”.

(iii) When the tank car specification delimiter is an “S,” offerors may also use tank cars with a delimiter “J” or “T”.

(iv) When a tank car specification delimiter is a “T” offerors may also use tank cars with a delimiter of “J”.

(v) When a tank car specification delimiter is a “J”, offerors may not use a tank car with any other specification delimiter.

(b) *Safety systems—(1) Coupler vertical restraint.* Each tank car conforming to a DOT specification and any other tank car used for transportation of a hazardous material must be equipped with a coupler vertical restraint system that meets the requirements of § 179.14 of this subchapter.

(2) *Pressure relief devices.* (i) Pressure relief devices on tank cars must conform to Part 179 of this subchapter.

(ii) Except for shipments of chloroprene, inhibited, in class DOT 115 tank cars, tank cars used for materials meeting the definition for Division 6.1 liquid, Packing Group I or II, Class 2 materials, or Class 3 or 4 liquids, must have self-closing pressure relief devices. However, a tank car built before January 1, 1991, and equipped with a non-closing pressure relief device may be used to transport a Division 6.1 or Class 4 liquid if the liquid is not poisonous by inhalation. Unless otherwise specifically provided in this