to-discharge pressure setting of 150 psig. RSPA is proposing that these tank cars remain marked at the higher pressure specification while maintaining the currently applied safety relief device (e.g., DOT 105S300W, Safety Valve 150 LB).

RSPA is proposing to remove a requirement in Special Provision B57 that the shipping name CHLOROPRENE must be marked on a tank car. This marking requirement is included in the proposed revision of § 172.330(a)(1). RSPA also is revising the first sentence of Special Provision B78 to specify test pressure and clarify which rail cars are authorized.

Section 172.203. Currently, rail carrier shipping paper requirements are contained in both Parts 172 and 174. In this notice, RSPA proposes to move the shipping paper requirements in Part 174 to Part 172. RSPA and FRA believe that by consolidating the shipping paper requirements, including additional shipping paper entries for tank cars containing the residue of a hazardous material, compliance will be improved. Paragraph (e)(2) currently references paragraph (e)(3) and § 174.25 for shipping paper description requirements for residues of hazardous materials in tank cars. These references would be replaced with a specific requirement to precede the basic shipping description with the wording ''RESIDUE, LAST CONTAINED.'' Paragraph (g)(1) also would be revised to reflect the incorporation of shipping paper requirements currently contained in Part 174 by a requirement to identify a rail car, freight container, transport vehicle, or portable tank that contains a hazardous material by ''reporting mark and number.''

Section 172.205. Based on a petition [P–1053] from AAR, RSPA would revise paragraph (f) for consistency with Environmental Protection Agency (EPA) hazardous waste manifest requirements for transportation by rail contained in 40 CFR 263.20(f).

Section 172.330. Paragraph (a)(1) would be revised to clarify marking requirements for tank cars. Marking requirements currently contained in § 172.102 special provisions and in Parts 173 and 179 would be incorporated into § 172.330 or removed as part of this revision. The requirement to mark the proper shipping name or common name of a hazardous material on a tank car would be limited to Division 2.1 and 2.3 materials, Division 2.2 materials in a Class DOT 107 tank car, anhydrous ammonia, ammonia solutions with more than 50% ammonia, bromine and bromine solutions, hydrogen cyanide, chloroprene, and refrigerant or dispersant gases, as defined in § 173.115.

Section 172.510. Paragraph (a) would be revised to require the placement of each placard on a white square background for each class DOT 113 tank car used to transport a Division 2.1 (flammable gas) material. The white square background notifies railroad switching crews that the car may not be cut off while in motion. The current regulations only require rail cars containing Divisions 1.1 and 1.2 explosives, Division 2.3 Hazard Zone A materials and Division 6.1 PG I Hazard Zone A materials to have the white square background, but not the class DOT 113 tank car. This change will simplify the switching requirements for rail cars by communicating, through a white square background, that a class DOT 113 tank car transporting a Division 2.1 material may not be cut off while in motion. RSPA and FRA believe that this requirement will make it easier to train yard switching employees and reduce the potential for overspeed impacts. The inner support system for class 113 tank cars is designed to withstand loads producing accelerations of 7''g'' longitudinal, 3''g'' transverse, and 3''g'' vertical. Consequently, it is imperative that railroads shove this class of car to rest to prevent yielding of the support system.

Sections 172.510 and 172.526. Provisions applying to the specifications and use of RESIDUE placards would be removed in these sections. The RESIDUE placard is not required by any other mode and, because the information provided through a RESIDUE placard can be adequately conveyed through primary and subsidiary placards and shipping paper information, RSPA and FRA believe that this placard is unnecessary. Further, FRA reports that during the last six years its inspectors cited missing, faded, or incorrect placards on nearly 22,000 occasions. By removing the RESIDUE placard requirement, RSPA and FRA believe that offerors will use permanent adhesive placards, such as those used on highway vehicles, thereby increasing compliance with HMR placarding requirements. Also, RSPA and FRA understand that Transport Canada is considering removing the RESIDUE placard from its Transportation of Dangerous Goods Regulations to the extent that, in December 1993, it issued a newsletter asking for public comment. Such an action by Transport Canada would have a direct effect on transborder shipments; consequently, RSPA and FRA believe a proposal to remove this requirement from the HMR is appropriate.

Part 173

Section 173.24b. RSPA is proposing to amend paragraph (a) to recognize the insulation properties of thermal protection applied to tank cars. The proposed rule would allow for a ''mid-range'' temperature for the calculation of outage and filling limits, provided the insulation qualities provide an overall thermal conductance at 15.5°C (60°F) of no more than 10.22 kilojoules per hour per square meter per degrees Celsius (0.5 Btu per hour per square foot per degree F) temperature differential. This proposal is based on a petition for rulemaking submitted by the Propane Gas Association of Canada [P–1251], developed in cooperation with Transport Canada.

Section 173.29. Paragraph (f) would be removed, consistent with the proposed removal of § 172.510(c).

Section 173.314. Paragraph (b)(5), which contains provisions for marking the proper shipping name of certain Class 2 materials on tank cars, would be removed because these provisions also appear in § 172.330. Paragraph (b)(6) would be redesignated (b)(5) and amended to revise requirements for heat-resistant gaskets. In 1988, the National Transportation Safety Board (NTSB) recommended that FRA: (1) establish performance standards for determining the acceptability of heat-resistant gaskets on tank cars; and (2) evaluate the effect on gasket compatibility and heat-resistant performance of sealants used for installing gaskets on tank cars. NTSB recommended that FRA establish performance criteria to decide what sealant is acceptable and conditions for its use. (Butadiene Release and Fire from GATX 55996 at the CSX Terminal Junction Interchange, New Orleans, Louisiana, September 8, 1987 (NTSB/HZM–88/01)). As a result of the NTSB recommendation, RSPA published an Advanced Notice of Proposed Rulemaking (ANPRM) on May 18, 1990, under Docket HM–175A [Notice 90–8; 55 FR 20242] requesting comments on gasket specifications and the use of sealant materials. Commenters to the ANPRM expressed concerns regarding the technical complications for defining gasket specifications in the regulations, since there are many variables in torquing values for the fitting closure/gasket combination and the chemical compatibility of the gasket material. In a Notice of Proposed Rulemaking (NPRM) published October 8, 1993 [58 FR 52574] under Docket HM–175A, RSPA and FRA announced that several