

multi-unit tank car tank, or any compartment thereof, at the following reference temperatures—

- (i) 46°C (115°F) for noninsulated tanks;
- (ii) 43°C (110°F) for tank cars having a thermal protection system, incorporating a metal jacket, that provides 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; or
- (iii) 41°C (105°F) for insulated tanks.

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§ 173.29 [Amended]

14. In § 173.29, paragraph (f) would be removed and reserved.

15. In § 173.314, as currently in effect, paragraph (b)(5) would be removed, paragraph (b)(6) would be redesignated as paragraph (b)(5) and revised, and paragraph (i) would be removed and reserved, to read as follows:

§ 173.314 Requirements for compressed gases in tank car tanks.

* * * * *

(b) * * *

(5) Each tank car used for the transportation of a Division 2.1 or 2.3 material or anhydrous ammonia must have gaskets capable of surviving temperatures at or above 230°C (450°F). The use of sealants to install gaskets is prohibited.

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§ 173.314 [Amended]

16. In addition, in § 173.314, as amended at 60 FR 49074, effective July 1, 1996, the following changes would be made:

a. In the paragraph (c) table, in Column 2, for the entry "Ammonia, anhydrous, or ammonia solutions >50 percent ammonia", "Note 2" would be removed and "Note 3" added in its place.

b. In paragraph (c), in Column 3, for the entry "Dimethyl ether", the class designations "112" and "114" would be added in appropriate numerical order.

c. In the notes following the paragraph (c) table, Note 2, would be removed and reserved.

PART 174—CARRIAGE BY RAIL

17. The authority citation for Part 174 would continue to read as follows:

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

18. Section 174.3 would be revised to read as follows:

§ 174.3 Unacceptable hazardous materials shipments.

No person may accept for transportation or transport by rail any shipment of hazardous material that is not in accordance with the requirements of this subchapter.

§ 174.8 [Removed]

20. Section 174.8 would be removed.

21. Section 174.9 would be revised to read as follows:

§ 174.9 Inspection and acceptance.

At each location where a hazardous material is accepted for transportation or placed in a train, the carrier shall externally inspect each rail car containing the hazardous material, at ground level, for required markings, labels, placards, securement of closures, leakage, and for the requirements of part 215 of this title.

§ 174.10 [Removed]

22. Section 174.10 would be removed.

§ 174.11 [Removed]

23. Section 174.11 would be removed.

§ 174.18 [Removed]

24. Section 174.18 would be removed.

25. Section 174.24 would be revised to read as follows:

§ 174.24 Shipping papers.

A carrier may not accept or transport a hazardous material by rail unless the material is properly described on a shipping paper in the manner prescribed in part 172 of this subchapter. An originating carrier must have a copy of the shipping paper that bears the shipper's certification as required by § 172.204 of this subchapter.

§ 174.25 [Removed]

26. Section 174.25 would be removed.

27. In § 174.26, paragraph (a) would be removed, paragraphs (b) and (c) would be redesignated as paragraphs (a) and (b), respectively, and newly redesignated paragraph (b) would be revised to read as follows:

§ 174.26 Notice to train crews of placarded cars.

* * * * *

(b) A member of the train crew of a train transporting a hazardous material must have a copy of the shipping papers, train consist, or other car movement document for the hazardous material being transported showing the information required by part 172 of this subchapter.

§ 174.45 [Removed]

28. Section 174.45 would be removed.

§§ 174.47 through 174.49 [Removed]

29. Sections 174.47, 174.48 and 174.49 would be removed.

30. Section 174.50 would be revised to read as follows:

§ 174.50 Leaking packages.

Leaking packages other than tank cars may not be forwarded until repaired, reconditioned, or overpacked in accordance with § 173.3 of this subchapter. Except as otherwise provided, a tank car that no longer conforms to this subchapter may not be forwarded unless repaired or approved, in writing, for movement by the Associate Administrator for Safety, Federal Railroad Administration. For the applicable address and telephone number, see part 107, appendix A, of this chapter. A leaking tank car containing any hazardous material may be switched to a location distant from habitation and highways if the move can be safely made and, in the case of a liquid leak, if precautions are taken against the spread of the liquid.

31. Section 174.55 would be revised to read as follows:

§ 174.55 General requirements.

(a) Except as otherwise provided, each packaging containing hazardous materials being transported by rail must be secured within the transport vehicle so that the packaging will not become damaged to an extent that would affect its integrity under conditions normally incident to rail transportation.

(b) Each package of hazardous materials bearing package orientation markings prescribed in § 172.312 of this subchapter must be secured within the transport vehicle in accordance with the orientation indicated by the markings.

(c) The doors of the transport vehicle may not be used as support for the securement system or the package beyond their design strength as required by the AAR's Manual of Standards and Recommended Practices, Specification M-930 (for containers) and M-931 (for trailers).

§ 174.67 [Amended]

32. In § 174.67, in paragraph (k), the wording " , except that heater coil inlet and outlet pipes must be left open for drainage " would be removed.

§ 174.69 [Removed]

33. Section 174.69 would be removed.

34. Section 174.85 would be amended by revising paragraph (c) to read as follows:

§ 174.85 Position in train of placarded cars, transport vehicles, freight containers, and bulk packagings.

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