

DEPARTMENT OF TRANSPORTATION

**Research and Special Programs
Administration**

49 CFR Part 173

[Docket No. HM-201B; Amdt. No. 173-215]

RIN 2137-AB39

**Shippers: Use of Tank Car Tanks with
Localized Reductions in Shell
Thickness**

AGENCY: Research and Special Programs
Administration (RSPA), DOT.

ACTION: Final rule; Further extension of
effective date.

SUMMARY: RSPA is further extending the effective date of a final rule published in the Federal Register (54 FR 8336) on February 28, 1989, under Docket No. HM-201B, Amendment No. 173-208, from September 1, 1989 to January 1, 1990. This action is necessary to allow RSPA and the Federal Railroad Administration (FRA) more time to review several petitions for reconsideration which were received in response to the final rule.

EFFECTIVE DATES: January 1, 1990. However, compliance with Amendment No. 173-208 is authorized as of March 30, 1989.

FOR FURTHER INFORMATION CONTACT: Marilyn E. Morris, Standards Division (DHM-10), Office of Hazardous Materials Transportation, RSPA, DOT, 400 7th Street SW, Washington, DC 20590, (202) 366-4488.

SUPPLEMENTARY INFORMATION: On February 28, 1989, RSPA published a final rule (Docket No. HM-201B, Amdt. No. 173-208; 54 FR 8336) concerning the use of tank cars which have localized reductions in shell thickness due to repairs. RSPA has received 13 petitions for reconsideration as a result of that final rule. This action, which extends the effective date of the final rule, is necessary because RSPA finds it impracticable to take action and respond to certain issues discussed in the petitions within the 90 day period mentioned in 49 CFR 106.37(b) or within the period of the earlier time extension of effective date, published in the May 15, 1989 Federal Register (Docket HM-201B, Amdt. 173-211; 54 FR 20856), which extended the effective date from June 1, 1989, to September 1, 1989.

The extension of the effective date of Amendment Nos. 173-208 to January 1, 1990, will allow additional time for RSPA and FRA to consider and review the technical data made available by the petitioners following publication of the

final rule on February 28, 1989, examine the issues raised in the petitions for reconsideration and to prepare an appropriate response. In the interim, voluntary compliance with provisions of the final rule is authorized.

Issued in Washington, DC on August 25, 1989, under authority delegated in 49 CFR part 1.

Douglas B. Ham,

Acting Administrator.

[FR Doc. 89-20428 Filed 8-29-89; 8:45 am]

BILLING CODE 4910-99-01