Points in the United States and Canada TO Ports and Points in the Far East.

(b) Tariffs which may be filed by or on behalf of the above-mentioned carriers in the ocean trade between the United States and Taiwan shall also be suspended.

(c) All affected conference or rate agreement tariffs shall be amended to reflect the suspensions specified above. Operation by any carrier under suspended, cancelled or rejected tariffs shall subject said carriers to all applicable remedies and penalties provided by law.

§ 588.3 Terminal and transshipment agreements of Taiwan-flag carriers suspended.

(a) On a date 30 days from the issuance of a final rule, the following agreements and all amendments thereto, insofar as they relate to the trade between the United States and Taiwan, are suspended in full:

Evergreen Marine Corporation

No. 224–004087—City of Los Angeles Preferential Use Agreement.

No. 224–010716—Port of San Francisco Terminal Use Agreement.

No. 224–010718—Virginia International Terminal Non-Executive Use Agreement.

No. 224–010763—South Carolina State Ports Authority Exclusive Use Agreement.

No. 224–010774—Georgia Ports Authority Terminal Lease Agreement.

No. 224–010804—City of Los Angeles Preferential Use Agreement.

No. 224–010825—City of Los Angeles Non-Exclusive Assignment Agreement.

No. 224–010854—Port of Oakland, California Terminal Use Agreement.

No. 224–011062—Maryland Port Administration Terminal Lease Agreement.

No. 224–011068—Port of Portland, Oregon Terminal Lease Agreement.

Yangming Marine Transport Corp.

No. 224–010749—Georgia Ports Authority Terminal Lease Agreement.

No. 224–010816—North Carolina State Ports Authority Terminal Lease Agreement.

No. 224–010826—City of Los Angeles Non-Exclusive Use Agreement.

No. 224–010929—City of Los Angeles Non-Exclusive Use Agreement.

Orient Overseas Container Line, Inc.

No. 224–010910—Port of Oakland, California Preferential Assignment Agreement.

No. 224–010926—Long Beach Container Terminal Container Terminal and Stevedoring Agreement.

No. 224–010956—Stevedoring Services of America Container Service Agreement.

No. 224–010957—Stevedoring Services of America Container Service Agreement.

No. 224–011081—South Carolina State Ports Authority Terminal Operating Agreement.

No. 224–010736 [1]—City of Long Beach Terminal Lease Agreement.

No. 224–011067 [1]—City of Long Beach Terminal Lease Agreement.

No. 218–010785—Non-Exclusive Transshipment Agreement Between Orient Overseas Container Line, Ltd. and Totem Trailer Express, Inc.

(b) Agreements which may be filed by or on behalf of the above-mentioned carriers in the ocean trade between the United States and Taiwan shall also be cancelled.

(c) Operation by any carrier under suspended, cancelled or rejected agreements shall subject said carriers to all applicable remedies and penalties provided by law. By the Commission.

Joseph C. Polking,

Secretary.

[FR Doc. 87–28120 Filed 12–7–87; 8:45 am]

BILLING CODE 6730–01–M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 173

[Docket No. HM–201; Advance Notice]

Detection and Repair of Cracks, Pits, Corrosion, Lining Flaws, Thermal Protection Flaws, and Other Defects of Tank Car Tanks

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

ACTION: Advanced notice of proposed rulemaking (ANPRM).

SUMMARY: RSPA and the Federal Railroad Administration (FRA) are considering new safety standards that would require railroad tank car owners and repair facilities to inspect for cracks after certain tank repairs to assure that no cracks exist. RSPA and FRA are also considering the revision of existing periodic reinspection requirements for tank car tanks to more adequately detect cracks, pits, corrosion, lining flaws, thermal protection flaws, and other defects. These new safety standards and revised periodic reinspection requirements could include specific inspection techniques to assure that small defects, which may grow in size, are properly identified and repaired or monitored.

DATE: Comments must be received by February 11, 1988.

ADDRESS: Address comments to the Dockets Unit, Research and Special Programs Administration, Department of Transportation, Washington, DC 20590. Comments should identify the docket and notice number and be submitted in five copies. Persons wishing to receive confirmation of receipt of their comments should include a self-addressed stamped postcard. The Dockets Unit is located in Room 8426 of the Nassif Building, 400 7th Street SW., Washington, DC 20590. Public dockets may be reviewed between the hours of 8:30 a.m., and 5:00 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Philip Olekszyk, Deputy Associate Administrator for Safety, Federal Railroad Administration, RRS-2, Washington, DC 20590, Telephone 202–366–0897.

SUPPLEMENTARY INFORMATION: As a result of actions taken in response to an incident involving a tank car tank leaking ethylene oxide on December 31, 1984, at North Little Rock, Arkansas, RSPA and FRA have identified a problem concerning tank car tanks with small cracks. Investigation of this incident revealed that the subject tank car tank had been equipped with an anti-shift bracket not in conformance with the Hazardous Materials Regulations (HMR) for such brackets on tanks carrying hazardous materials. FRA's Office of Safety subsequently reviewed construction records and had identified, by September 1985, approximately 9,000 hazardous materials tank car tanks with nonconforming brackets. These tanks were built by one manufacturer, which proposed to bring the affected tanks into conformance by means of a campaign to remove the noncornforming brackets, inspect the tank shell for cracks, and remove or repair detected cracks before returnng the tank to service.

During the retrofit program, FRA inspectors noted some anomalies in the procedure. Independently, FRA received reports from the Louisiana State Police of similar anomalies. In August 1985, the FRA's Associate Administrator for Safety asked the DOT Transportation Systems Center to make a preliminary technical assessment of the adequacy of

[1] Long Beach Container Terminal is a subsidiary of Orient Overseas Container (Holding) Ltd., and an affiliate of Orient Overseas Container Line. Long Beach Container Terminal is a party to these lease agreements with the City of Long Beach, California.

the manufacturer's inspection and repair procedures. The center formed a Task Force for this purpose, consisting of five senior engineering faculty members from three universities, a National Bureau of Standards expert on tank car steels, and two senior members of the Center's technical staff. The Task Force members are nationally recognized authorities on structures, structural fatigue, and fracture mechanics.

The Task Force issued a final report, which is available as part of this docket. This report documents the Task Force assessment of the inspection and repair procedures. The Task Force assessed three risks: (1) The risk that local reductions of shell thickness ("thin shell") might lead to burst failures; (2) the risk that the insepction procedure would not detect certain cracks which might continue to grow in fatigue during subsequent service; and (3) the risk that a weld repair might damage the shell if the repair procedure is not adequate. The thin shell issue is addressed in a separate notice of proposed rulemaking published elsewhere in today's **Federal Register**. The Task Froce has identified two major technical issues, related to crack detection and repair: (1) Adequacy of crack detection and (2) the ability to repair detected cracks without collateral damage.

In addition to the above study, the Task Force has also issued a report, which is part of this docket, concerning the retrofit installation of 'belly sitffeners' under the tank shell of certain tank car tanks. The report indicates that the shell belly should be nondestructively inspected for cracks. The report also indicates that post weld heat treatment, even for those situations in which 49 CFR 171.21(f) does not require postweld heat treatment, would be beneficial in reducing residual stresses which can promote crack initiation and growth.

In addition to the detection and repair of cracks arising from tank repairs, RSPA and FRA are also concerned with the detection and repair of cracks, pits, corrosion, lining flaws, thermal protection flaws, and other defects arising from causes other than tank repairs. 49 CFR 173.31(c)(3) generally requires that single unit tank car tanks in service 10 years or more be 'internally inspected' for defects during the periodic retest and reinspection of the tanks. There are no similar requirements for multi-unit tank car tanks, although § 173.31(d)(9) does allow the visual inspection of certain tanks as an alternative to periodic hydrostatic testing.

RSPA and FRA are concerned that the lack of specificity in the internal inspection requirements of 49 CFR 173.31(c)(3) for single unit tank car tanks and the absence of any internal inspection requirements for multi-unit tank car tanks, may result in the nondetection of small defects that may grow in size and lead to tank failure. RSPA and FRA are also concerned with the detection and repair of defects that are present on the external surface of tank car tanks, but which are obscured by insulation.

RSPA and FRA do not have quantitative data on how many tank car tanks have undetected cracks, pits, corrosion, lining flaws, thermal protection flaws, or other defects. However, we are aware that (1) some insulated tanks have substantial corrosion on the external tank surfaces, apparently due to a reaction between insulation components and condensation; (2) some tanks in corrosive service have large areas where internal corrosion has reduced the tank thickness to below the minimum thickness prescribed in Part 179 of the HMR and (3) the linings of some tanks have lost their integrity. Therefore, RSPA and FRA believe that there may be a significant number of tank car tanks that are stenciled and used as DOT specifications tank car tanks, but are actually noncomplying tank car tanks, because they have defects (such as unrepaired cracks, pits, corrosion, or lining flaws). Accordingly, these noncomplying tanks are not authorized to transport hazardous materials requiring the use of a DOT specification tank.

RSP and FRA have concluded that rulemaking may be needed to address the detection and repair of cracks, pits, corrosion, lining flaws, thermal protection flaws, and other defects. RSPA and FRA request all interested parties to provide comments on the questions listed below:

1. What types of tank car tank repairs are likely to lead to undetected cracks (e.g., grinding, arc gouging, welding)?
2. How effective is postweld heat treatment in reducing the growth of existing cracks or the formation of new cracks?
3. What inspection techniques (e.g., ultrasonic, magnetic particle, acoustic emission, and radioscopic) are appropriate to detect small cracks, pits, corrosion, lining flaws, thermal protection flaws, and other defects?
4. What techniques are appropriate to repair small cracks, pits, corrosion, lining flaws, thermal protection flaws, and other defects without causing collateral damage?
5. For small cracks, pits, corrosion, lining flaws, thermal protection flaws, and other defects, what alternatives to defect repair are appropriate (e.g. special handling, special train placement, and more frequent reinspections)?

Commenters are not limited to responding to the questions raised above and may submit any facts and views consistent with the intent of this notice. In addition, commenters are encouraged to provide comments on "major rule" considerations under the DOT regulatory procedures (44 FR 11034), potential environmental impacts subject to the Environmental Policy Act, information collection burdens which must be reviewed under the Paperwork Reduction Act, and economic impact on small entities subject to the Regulatory Flexibility Act.

Issued in Washington, DC on December 2, 1987 under the authority delegated in 49 CFR Part 106, Appendix A.

Alan I. Roberts,

Director Office of Hazardous Materials Transportation.

[FR Doc. 87-28105 Filed 12-7-87; 8:45 am]

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49 CFR Part 173

[Docket No. HM-201B; Notice No. 87-11]

Shippers; Use of Tank Car Tanks With Localized Thin Spots

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

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The RSPA and the Federal Railroad Administration (FRA) are proposing the development of safety standards that would (1) permit the use of railroad tank car tanks with tank shell thicknesses in localized areas less than the minimum specified in the Hazardous Materials Regulations (HMR) and (2) require the measurement of tank car tank thicknesses under certain conditions. This action is necessary to verify that tank repairs do not result in significant decreases in shell thicknesses. The intended effect of this action is to assure that tank repairs do not result in a reduction in the level of safety and to facilitate commerce by allowing the use of tank car tanks, with localized thin spots, which have been determined to be safe for the transportation of hazardous materials.

DATE: Comments must be received by February 11, 1988.

ADDRESS: Address comments to the Dockets Unit, Research and Special Programs Administration, Department of