

**DEPARTMENT OF TRANSPORTATION**

**Research and Special Programs Administration**

**49 CFR Parts 172, 173, and 179**

[Docket No. HM-166H; Amdt. Nos. 172-70, 173-150, and 179-29]

**Dispersant and Refrigerant Gases; Removal of Obsolete Compliance Reporting Requirements; (Correction)**

**AGENCY:** Materials Transportation Bureau (MTB), Research and Special Programs Administration, DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects a final rule issued under Docket HM-166H; Dispersant and Refrigerant gases; Removal of Obsolete Compliance Reporting Requirements, which was published in the *Federal Register* on Thursday, October 8, 1981 (46 FR 49883). This action is necessary to correct minor errors that were made in the publication process and in the original document. This correction will not impose an undue burden on persons affected by the regulations.

**EFFECTIVE DATE:** July 1, 1982. However, compliance with the regulations as amended herein, is authorized immediately.

**ADDRESS:** Copies of supporting documents, Regulatory Evaluation and Environmental Assessment are available for inspection and reproduction at the following address: Dockets Branch, Materials Transportation Bureau, U.S. Department of Transportation, Room 8426, 400 Seventh Street, S.W., Washington, D.C. 20590. Public dockets may be reviewed between the hours of 8:30 a.m. and 5:00 p.m. Monday through Friday. Telephone (202) 426-3148.

**FOR FURTHER INFORMATION CONTACT:** Darrell L. Raines, Chief, Exemptions and Regulations Termination Branch, Office of Hazardous Materials Regulation, Materials Transportation Bureau, Washington, D.C. 20590 (202-472-2726).

**SUPPLEMENTARY INFORMATION:** Except for the preamble, the entire final rule is being republished because several entries printed in the § 172.101 Hazardous Materials Table were underlined instead of being in italics and because of other minor noncontroversial omissions and errors. Changes which have been made by this correction are (1) certain words and numbers in Column (2) of the § 172.101 Table which were underlined are now in italics; (2) reference to § 173.314 and § 173.315 has been added to Column (5)(b) of the § 172.101 Table and to the § 173.314 and § 173.315 Tables in order to completely eliminate the need for DOT-E 3193 and DOT-E 5200, for the entries Chloropentafluoroethane (R-115) and Chlorotrifluoromethane (R-13); (3) Dichlorodifluoromethane and Difluoroethane mixture (constant boiling mixture) (R-500) has been deleted from the § 173.304(a)(2) Table because of the reference in § 172.101 to Refrigerant gas, n.o.s. or Dispersant gas, n.o.s.; (4) the deletion entry for Dichlorodifluoromethane and dichloroethane mixture (constant boiling mixture) in the § 173.314(a) Table has been corrected by changing "dichloroethane" to read "difluoroethane". Also, in the § 173.314(a) Table, reference to Note 25 has been added to Bromotrifluoromethane in order to provide for shipments by cargo vessel, as authorized by DOT-E 3193. Note 23 has been added after DOT-105A100W for Chlorodifluoroethane (R-142b) (1-Chloro-1,1-difluoroethane) reflect new construction requirements and the

reference to DOT-114A340 has been corrected to read DOT-114T340W and 114J340W. Reference to Note 28 has been deleted for Chlorodifluoromethane (R-22) since it is not a flammable gas, and Note 13 added to simplify tank car marking requirements. Reference to Note 28 has been deleted for Dichlorodifluoromethane (R-12) because this material is a nonflammable gas. For Difluoroethane (R-152a), a flammable gas, reference to DOT-114A340W has been corrected to read DOT-114T340W and 114J340W and Note 23 has been deleted as no longer necessary. For Refrigerant gas, n.o.s. or Dispersant gas, n.o.s., reference to Note 13 has been added to simplify tank car marking requirements and reference to Notes 23 and 27 have been deleted because they are not applicable; (5) paragraph (h) in § 173.315 has been added as proposed in the notice. This paragraph was inadvertently omitted during the rulemaking process; and (6) Note 9 has been added to Difluoroethane (R-152a) and to Refrigerant gas, n.o.s. or dispersant gas, n.o.s. in the § 173.315 Table to simplify tank marking requirements.

Except for the preamble, the final rule published at page 49883 of the issue of October 8, 1981 is corrected to read as follows:

In consideration of the foregoing, 49 CFR Parts 172, 173 and 179 are amended to read as follows:

**PART 172—HAZARDOUS MATERIALS TABLES AND HAZARDOUS MATERIALS COMMUNICATIONS REGULATIONS**

1. In § 172.101 the Hazardous Materials Table is amended by deleting or adding as indicated by the entries listed below:

**§ 172.101 Hazardous Materials Table**

(1) + EAW	(2) Hazardous materials descriptions and proper shipping names	(3) Hazard class	(3A) Identification number	(4) Label(s) required (if not excepted)	(5) Packaging		(6) Maximum net quantity in one package		(7) Water shipments		
					Excep-tions	Specific require-ments	Passenger carrying aircraft or railcar	Cargo only aircraft	Cargo ves-sel	Pas-senger ves-sel	Other require-ments
					(a)	(b)	(a)	(b)	(a)	(b)	(c)
	(Delete).....										
	Dichlorodifluoromethane.....	Nonflamma-ble gas.	UN1028.....	Nonflamma-ble gas.	173.306	173.304 173.314 173.315	150 pounds....	300 pounds....	1,2	1,2	
	Dichlorodifluoromethane and difluoroethane mixture (constant boiling mixture).	Nonflamma-ble gas.	UN2602.....	Nonflamma-ble gas.	173.306	173.304 173.314 173.315	150 pounds....	300 pounds....	1,2	1,2	
	Dichlorodifluoromethane-dichlorotrifluoroethane mixture.	Nonflamma-ble gas.	NA1956.....	Nonflamma-ble gas.	173.306	173.304 173.314 173.315	150 pounds....	300 pounds....	1,2	1,2	



(1) + EAW	(2) Hazardous materials descriptions and proper shipping names	(3) Hazard class	(3A) Identification number	(4) Label(s) required (if not excepted)	(5) Packaging		(6) Maximum net quantity in one package		(7) Water shipments			
					Exceptions	Specific requirements	Passenger carrying aircraft or railcar	Cargo only aircraft	Cargo vessel	Pas-senger vessel	Other require-ments	
												(a)
	Dichlorodifluoromethane (R-12) and trichlorotrifluoroethane (R-113) mixture See Refrigerant gas, n.o.s. or Dispersant gas, n.o.s.											
	Difluoroethane (R-152a)	Flammable gas	UN1030	Flammable gas	173.306	173.304 173.314 173.315	Forbidden	300 pounds	1,2	1,2		
	Dispersant gas, n.o.s. See Refrigerant gas, n.o.s.											
	Refrigerant gas, n.o.s. or Dispersant gas, n.o.s.	Nonflam-mable gas	UN1078	Nonflam-mable gas	173.306	173.304 173.314 173.315	150 pounds	300 pounds	1,2	1,2		
	Refrigerant gas, n.o.s. or Dispersant gas, n.o.s.	Flammable gas	NA1954	Flammable gas	173.306	173.304 173.314 173.315	Forbidden	300 pounds	1,2	1,2		
	Trifluoromethane and chlorotrifluoromethane mixture (constant boiling mixture) (R-503). See Refrigerant gas, n.o.s.											

**PART 173—SHIPPERS—GENERAL REGULATIONS FOR SHIPMENTS AND PACKAGINGS**

2. In § 173.300, paragraph (i) is added to read as follows:

**§ 173.300 Definitions.**

(i) *Refrigerant gas or Dispersant gas.* The term "Refrigerant gas" or "Dispersant gas" applies to all flammable or nonflammable,

nonpoisonous refrigerant gases, dispersant gases (fluorocarbons) listed in §§ 172.101, 173.304(a)(2), 173.314(c), 173.315(a)(1) and 173.315(h), and mixtures thereof, or any other compressed gas meeting one of the following:

- (1) A nonflammable mixture containing not less than 50% fluorocarbon content, having a vapor pressure not exceeding 260 psig at 130° F.
- (2) A flammable mixture containing

not less than 50% fluorocarbon content, not over 40% by weight of a flammable component, having a vapor pressure not exceeding 260 psig at 130° F.

3. In § 173.304, the following named gases listed in the Table in paragraph (a)(2) are deleted or added to read as follows:

**§ 173.304 Charging of cylinders with liquefied compressed gas.**

- (a) \* \* \*
- (2) \* \* \*

Kind of gas	Maximum permitted filling density (see Note 1)	Containers marked as shown in this column or of the same type with higher service pressure must be used except as provided in § 173.34 (a), (b), § 173.301(j) (see notes following table)
(Deleted)		
Dichlorodifluoromethane (see Note 8)	119	DOT-3A225; DOT-3AA225; DOT-3B225; DOT-4A225; DOT-4B225; DOT-4BA225; DOT-4EW225; DOT-4B240ET; DOT-4E225; DOT-9; DOT-39; DOT-41; DOT-3E1800.
Difluoroethane (see Note 8)	79	DOT-3A150; DOT-3AA150; DOT-3B150; DOT-4B150; DOT-4BA225; DOT-4BW225; DOT-3E1800.
Difluoromonochloroethane (see Note 8)	100	DOT-3A150; DOT-3AA150; DOT-3B150; DOT-4B150; DOT-4BA225; DOT-3E1800; DOT-39.
Monochlorodifluoromethane (see Note 8)	105	DOT-3A240; DOT-3AA240; DOT-3B240; DOT-4B240; DOT-4BA240; DOT-4BW240; DOT-4B240ET; DOT-4E240; DOT-39; DOT-41; DOT-3E1800.
Monochloropentafluoroethane (see Note 8)	110	DOT-3A225; DOT-3AA225; DOT-3B225; DOT-4A225; DOT-4B225; DOT-4BA225; DOT-4BW225; DOT-3E1800; DOT-39.
Monochlorotrifluoromethane (see Note 8)	100	DOT-3A1800; DOT-3AA1800; DOT-3; DOT-3E1800; DOT-39.
(Add)		
Bromotrifluoromethane (R-13B1 or H-1301)	124	DOT-3A400; DOT-3AA400; DOT-3B400; DOT-4A400; DOT-4AA400; DOT-4B400; DOT-4BA400; DOT-4BW400; DOT-3E1800; DOT-39.
Chlorodifluoroethane (R-142b) 1-chloro-1,1-difluoroethane (see Note 8)	100	DOT-3A150; DOT-3AA150; DOT-3B150; DOT-4B150; DOT-4BA225; DOT-4BW225; DOT-3E1800; DOT-39.
Chlorodifluoromethane (R-22) (see Note 8)	105	DOT-3A240; DOT-3AA240; DOT-3B240; DOT-4B240; DOT-4BA240; DOT-4BW240; DOT-4B240ET; DOT-4E240; DOT-39; DOT-41; DOT-3E1800.
Chloropentafluoroethane (R-115) (see Note 8)	110	DOT-3A225; DOT-3AA225; DOT-3B225; DOT-4A225; DOT-4B225; DOT-4BA225; DOT-4BW225; DOT-3E1800; DOT-39.

Kind of gas	Maximum permitted filling density (see Note 1)	Containers marked as shown in this column or of the same type with higher service pressure must be used except as provided in § 173.34 (a), (b), § 173.301(j) (see notes following table)
Chlorotrifluoromethane (R-13) (see Note 8)	100.....	DOT-3A1800; DOT-3AA1800; DOT-3; DOT-3E1800; DOT-39.
Dichlorodifluoromethane (R-12) (see Note 8)	119.....	DOT-3A225; DOT-3AA225; DOT-3B225; DOT-4A225; DOT-4B225; DOT-4BA225; DOT-4BW225; DOT-4B240ET; DOT-4E225; DOT-8; DOT-39; DOT-41; DOT-3E1800.
Difluoroethane (R-152a) (see Note 8)	79.....	DOT-3A150; DOT-3AA150; DOT-3B150; DOT-4B150; DOT-4BA225; DOT-4BW225; DOT-3E1800.
Refrigerant gas, n.o.s. or Dispersant gas, n.o.s. (see Note 8)	Not liquid full at 130°F.	DOT-3A240; DOT-3AA240; DOT-3B240; DOT-3E1800; DOT-4A240; DOT-4B240; DOT-4BA240; DOT-4BW240; DOT-4E240; DOT-9; DOT-39.

4. In § 173.314, the following named gases listed in the Table in paragraph (c) are deleted or added as indicated; Note 4 is revised; and Notes 28 and 29 are added to read as follows:

§ 173.314 Requirements for compressed gases in tank cars.

(a) \* \* \*

Kind of gas	Maximum permitted filling density, Note 1	Required tank car, see § 173.31(a) (2) and (3)
(Delete)		
Dichlorodifluoromethane; Note 13.....	119.....	DOT-105A500X, 110A500W, Note 25.
	125.....	DOT-105A300W.
	123.....	DOT-112A340W, 114A340W.
Dichlorodifluoromethane and difluoroethane mixture (constant boiling mixture); Note 13.	Note 22.....	DOT-106A500X, 110A500W, Note 25. DOT-105A300W.
Dichlorodifluoromethane-dichlorotetrafluoroethane mixture; Note 13.	119.....	DOT-106A500X, 110A500W, Note 25.
	125.....	DOT-105A300W.
	Note 21.....	DOT-112A340W, 114A340W.
Dichlorodifluoromethane-monochlorodifluoromethane mixture; Note 13.	119.....	DOT-106A500X, 110A500W, Note 25.
	125.....	DOT-105A300W.
	123.....	DOT-112A340W, 114A340W.
Dichlorodifluoromethane-monofluorotrichloromethane mixture; Note 13.	Note 22.....	DOT-106A500X, 110A500W, Note 25.
	Note 21.....	DOT-105A300W. DOT-112A340W, 114A340W.
Dichlorodifluoromethane-trichloromonofluoromethane mixture; Note 13.	119.....	DOT-106A500X, 110A500W, Note 25.
	125.....	DOT-105A300W.
	123, Note 21.....	DOT-112A340W, 114A340W.
Dichlorodifluoromethane-trichlorotrifluoroethane mixture; Note 13.	119.....	DOT-106A500X, 110A500W, Note 25.
	125.....	DOT-105A300W.
	123.....	DOT-112A340W, 114A340W.
Difluoroethane.....	79.....	DOT-106A500X, 110A500W, Note 25.
	79.....	DOT-112T400W, 112J400W.
	84.....	DOT-105A300W, Note 23.
Difluoromonochloroethane; Note 13.....	100.....	DOT-106A500X, 110A500W, Note 25.
		DOT-105A100W, Notes 4 and 23.
Monobromotrifluoromethane.....	124.....	DOT-110A800W, Note 7 and 13.
	140.....	DOT-105A500W, Note 13.
Monochlorodifluoromethane; Note 13.....	105.....	DOT-106A500X, 110A500W, Note 25.
	110.....	DOT-105A300W.
	108.....	DOT-112A400W.
Monochlorotetrafluoroethane; Note 13.....	125.....	DOT-106A500X, 110A500W, Note 25.
	126.....	DOT-112A400W.
(Add)		
Bromotrifluoromethane (R-13B1 or H-1301)	124.....	DOT-100A800W, Notes 13 and 25.
	140.....	DOT-105A500W, Note 13.
Chlorodifluoroethane (R-142b) (1-Chloro-1,1-difluoroethane); Notes 4, Note 13.	100.....	DOT-106A500X, 110A500W, Note 25. DOT-105A100W, Note 23. DOT-114T340W, 114J340W, Notes 28 and 29.
Chlorodifluoromethane (R-22); Note 13.....	105.....	DOT-106A500X, 110A500W, Note 25.
	110.....	DOT-105A300W.
	108.....	DOT-112A400W.
	Note 21.....	DOT-114A340W, Note 29.
Chloropentafluoroethane (R-115); Note 13.	Note 21.....	DOT-106A500X, 110A500W, Note 25. DOT-105A300W, Note 23. DOT-114A340W, Note 29.
Chlorotetrafluoroethane (R-124); Note 13.	125.....	DOT-106A500X, 110A500W, Note 25.
	126.....	DOT-112A400W.
Chlorotrifluoromethane (R-13); Note 13.....	Note 21.....	DOT-106A500X, 110A500W, Note 25. DOT-105A300W, Note 23. DOT-114A340W, Note 29.
Dichlorodifluoromethane (R-12); Note 13.	119.....	DOT-106A500X, 110A500W, Note 25.
	123.....	DOT-112A340W, 114A340W, Note 29.
	125.....	DOT-105A300W.

Kind of gas	Maximum permitted filling density, Note 1	Required tank car, see § 173.31(a) (2) and (3)
Difluoroethane (R-152a); Note 4, Note 13	79	DOT-106A500X, 110A500W, Note 25.
	79	DOT-112T400W, 112J400W, 114T340W, 114J340W, Notes 28 and 29.
	84	DOT-105A300W, Note 23.
Refrigerant gas, n.o.s. or Dispersant gas, n.o.s. Note 13.	Note 21	DOT-106A500X, 110A500W, Note 25.
		DOT-105A300W, Note 23.
		DOT-112A340W, 114A340W, Notes 28 and 29.

Note 4: For tank cars other than DOT-106A and DOT-110A used for the transportation of liquefied flammable gases, interior pipes of loading and unloading valves must be equipped with excess-flow valves of approved design.

Note 28: DOT-114A340W tank cars may be equipped with bottom outlets, except that the bottom outlets must be rendered inoperative and effectively sealed to preclude bottom unloading when transporting flammable gases.

Note 29: A maximum safety relief valve setting of 280.5 psig is authorized on DOT Specification 114A340W tank car tanks.

5. In § 173.315, the following named gases listed in the Table in paragraph (a)(1) are deleted or added as indicated; the Table in paragraph (h) is revised by changing the heading in the second column and the named gases are deleted or added to read as follows:

**§ 173.315 Compressed gases in cargo tanks and portable tank containers.**

Kind of gas	Maximum permitted filling density		Specification container required	
	Percent by weight (see Note 1)	Percent by volume (see par. (f) of this section)	Type (see Note 2)	Minimum design pressure (psig)
(Delete)				
Dichlorodifluoromethane (See Note 9).....	119	do	DOT-51, MC-330, MC-331	150.
Dichlorodifluoromethane and difluoroethane mixture (constant boiling mixture) (See Note 9).	See par. (c) of this section.	do	MC-330, MC-331	250.
Dichlorodifluoromethane-dichlorotetrafluoroethane mixture (See Note 9).	119	do	DOT-51, MC-330, MC-331	150.
Dichlorodifluoromethane monofluorotrichloromethane mixture (See Note 9).	See par. (c) of this section.	do	do	150.
a Difluoroethane	79	do	MC-330, MC-331	150.
ii Difluoromonochloroethane (See Note 9)....	100	do	MC-330, MC-331	100.
Monobromotrifluoromethane (See Note 9)	133	See Note 7	DOT-51, MC-330, MC-331	365.
Monochlorodifluoromethane (See Note 9).	105	See Note 7	DOT-51, MC-330, MC-331	250.
(Add)				
Bromotrifluoromethane (R-13B1 or H-1301); (See Note 9).	133	See Note 7	DOT-51, MC-330, MC-331	365.
Chlorodifluoroethane (R-142b) (1-Chloro 1,1-difluoroethane); (See Note 9).	100	See Note 7	DOT-51, MC-330, MC-331	100.
Chlorodifluoromethane (R-22); (See Note 9).	105	See Note 7	DOT-51, MC-330, MC-331	250.
Chloropentafluoroethane (R-115); (See Note 9).	See par. (c) of this section.	See Note 7	DOT-51, MC-330, MC-331	See par. (c)(1) of this section.
Chlorotrifluoromethane (R-13); (See Note 9).	See par. (c) of this section.	See Note 7	DOT-51, MC-330, MC-331	See par. (c)(1) of this section.
Dichlorodifluoromethane (R-12); (See Note 9).	119	See Note 7	DOT-51, MC-330, MC-331	150.
Difluoroethane (R-152a); (See Note 9).....	79	See Note 7	DOT-51, MC-330, MC-331	150.
Refrigerant gas, n.o.s. or Dispersant gas, n.o.s. (See Note 9).	See par. (c) of this section.	See Note 7	DOT-51, MC-330, MC-331	See par. (c)(1) of this section.

(h) \* \* \*

Kind of gas	Gaging device permitted for filling purposes	Kind of gas	Gaging device permitted for filling purpose
		Dichlorodifluoromethane-monofluorotrichloromethane mixture.	None.
(Delete)		(Add)	
Dichlorodifluoromethane and difluoroethane mixture (constant boiling mixture).	None.	Refrigerant gas, n.o.s. or Dispersant gas, n.o.s.....	None.
Dichlorodifluoromethanedichlorotetrafluoroethane mixture.	None.		

**PART 179—SPECIFICATION FOR TANK CARS**

6. Section 179.105-9 is removed.

**§ 179.105-9 [Reserved]**

(49 U.S.C. 1803, 1804, 1808; 49 CFR 1.53, App. A to Part 1)

Note.—The Materials Transportation Bureau has determined that this document will not result in a "major rule" under the terms of Executive Order 12291 and is not a significant regulation under DOT's regulatory policy and procedures (44 FR 11034, nor require an environmental impact statement under the National Environmental Policy Act (49 U.S.C. 4321) et seq.). A regulatory evaluation and an environmental assessment are available for review in the docket. I certify that this final rule will not have a significant economic impact on a substantial number of small entities.

Issued in Washington, D.C. on February 9, 1982.

L. D. Santman,

Director, Materials Transportation Bureau.

[FR Doc. 82-4219 Filed 2-19-82; 8:45 am]

BILLING CODE 4910-60-M