

**Research and Special Programs Administration**

**49 CFR Part 173**

[Docket No. HM-174; Amdt. Nos. 173-145, 179-27]

**Shippers; General Requirements for Shipments and Packagings; Correction**

**AGENCY:** Materials Transportation Bureau, Research and Special Programs Administration, Department of Transportation.

**ACTION:** Correction to final rule.

**SUMMARY:** This document corrects an error in the final rule issued under Docket HM-174 (46 FR 8005; January 26, 1981) by allowing the use of Specification 112A tank cars for transportation of dimethylamine, monomethylamine and trimethylamine until July 1, 1982.

**EFFECTIVE DATE:** This rule will become effective on March 31, 1981.

**FOR FURTHER INFORMATION CONTACT:** Leavitt A. Peterson, Office of Safety, Federal Railroad Administration, 400 Seventh Street, S.W., Washington, D.C. 20590, (202) 426-0897.

**SUPPLEMENTARY INFORMATION:** This correction is necessary because the above named flammable gases were not specifically identified as being affected by the final rule issued under Docket HM-144 (43 FR 30057; July 13, 1978). When the final rule under HM-174 was published, all 112A tank car entries were modified to reflect changes for all tank cars used to transport flammable gases. This change affected approximately 68 tank cars used to transport methylamine gases which do not meet the tank head puncture resistance or thermal protection requirements of regulations issued under HM-144. In order to rectify this situation by allowing sufficient time to retrofit these tank cars, MTB is authorizing the use of 112A tank cars for the transportation of methylamine gases until July 1, 1982.

**Regulatory Impact**

This correction has been determined not to be a major rule under the provisions of Executive Order 12291 since it relieves a burden on industry by

allowing sufficient time to retrofit certain tank cars, as required by the corrected final rule, without interrupting the transportation of certain hazardous materials.

Under the terms of the Department's Notice of Postponement of Pending Regulations, dated February 4, 1981 (46 FR 10706), the effective date for the applicable provisions of the rules issued under HM-174 was established as March 31, 1981. Without this rule, the tank cars affected by this rule would be in violation of those provisions as of that date, and the rail movement of the affected materials would be interrupted, causing a severe burden on shippers and consumers of methylamine gases. Therefore, the MTB has determined that this rule responds to an emergency situation under Section 8(a)(1) of Executive Order 12291 since it is impracticable to follow the provisions of the Order with respect to the rule. There is insufficient time prior to the March 31 effective date to allow for the full 10-day review period required by Section 3(c)(3) of the Order for rules other than major rules.

In consideration of the foregoing, Part 173 of Title 49 Code of Federal Regulations is amended as follows:

1. In § 173.314(c), the table is amended and Note 27 is added to read as follows:

**§ 173.314 Requirements for compressed gases in tank cars.**

\* \* \* \* \*  
(c) \* \* \*

| Kind of gas                 | Maximum <sup>1</sup> | Required tank car <sup>2</sup>             |
|-----------------------------|----------------------|--|
| Dimethylamine, anhydrous.   | 59                   | DOT106A500X.                               |
|                             | 62                   | DOT105A300W, Notes 4, 23 and 26.           |
|                             | 61                   | DOT112T340W, 112J340W, Notes 26 and 27.    |
| Monomethylamine, anhydrous. | 60                   | DOT106A500X.                               |
|                             | 62                   | DOT105A300W, Notes 4, 23 and 26.           |
|                             | 61                   | DOT112T340W, 112J340W, Notes 4, 26 and 27. |
| Trimethylamine, anhydrous.  | 57                   | DOT106A500X.                               |
|                             | 59                   | DOT105A300W, Notes 4, 23 and 26.           |

| Kind of gas | Maximum <sup>1</sup> | Required tank car <sup>2</sup>         |
|-------------|----------------------|--|
|             | 59                   | DOT112T340, 112J340W, Notes 26 and 27. |

<sup>1</sup> Permitted filling density, Note 1.  
<sup>2</sup> See § 173.31(a)(2) and (3).

\* \* \* \* \*  
**Note 27.**—Specification 112A tank cars may be used until July 1, 1982. (49 U.S.C. 1803, 1804, 1808; 49 CFR 1.53, Appendix 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 does not require a Regulatory Impact Analysis, nor does it require an environmental impact statement under the National Environmental Policy Act (49 U.S.C. 4321 et seq.). I certify that this document will not have a significant economic impact on a substantial number of small entities. A regulatory evaluation and an environmental assessment are available for review in the docket.

Issued in Washington, D.C. on March 23, 1981.

L. D. Santman,  
Director, Materials Transportation Bureau.  
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**Federal Highway Administration**

**49 CFR Part 395**

[BMCS Docket No. 91; Amdt. No. 80-2]

**Hours of Service of Drivers; Test Program of Alternative Methods to Driver's Logs**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Extension of expiration date of test program.

**SUMMARY:** This action extends from April 1, 1981 to April 1, 1983, the period during which participating carriers may use modified carrier documents in lieu of the driver's log. A description of the test program of alternative methods to driver's logs is contained in BMCS Docket No. MC-91; Notice No. 80-2, published in the Federal Register April 28, 1980 (45 FR 28243) revised by Notice No. 80-5, published in the Federal Register July 17, 1980 (45 FR 48015).

**EFFECTIVE DATE:** March 31, 1981.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gerald J. Davis, Bureau of Motor Carrier Safety, (202) 426-9767; or Mr. Gerald M. Tierney, Office of the Chief