



DEPARTMENT OF TRANSPORTATION  
MATERIALS TRANSPORTATION BUREAU  
WASHINGTON, D.C. 20590

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Title 49—Transportation  
CHAPTER I—MATERIALS TRANSPORTATION  
BUREAU, DEPARTMENT OF TRANSPORTATION  
[Docket No. HM-158, Amdt. No. 173-113]  
PART 173—SHIPPERS—GENERAL  
REQUIREMENTS FOR SHIPMENTS AND  
PACKAGINGS

Empty Canadian Tank Cars

AGENCY: Materials Transportation Bureau, DOT

ACTION: Final rule.

SUMMARY: This amendment allows empty Canadian tank cars to be returned from the United States to Canada if transported in conformity with Canadian Transport Commission (CTC) regulations. This amendment is needed because of differences between CTC and DOT placarding requirements that result from recent changes to DOT requirements. The amendment provides a minor enlargement of existing DOT recognition of CTC regulations.

This amendment is effective January 16, 1978.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION: A number of Canadian rail shippers of liquefied petroleum gas have notified DOT that they anticipate problems in providing EMPTY placards specified by DOT for tank cars returning to

Canada after delivery of liquefied petroleum gas in the United States. EMPTY placards, required for use on tank cars only, are normally printed on the reverse side of placards used for full loadings, and the placard is reversed when the lading is removed.

Shipments of hazardous materials moving from Canada into the United States, or through the United States en route to Canada, are permitted by 49 CFR 173.8 to be placarded in conformity with CTC regulations. However, recent changes to DOT placarding requirements have resulted in differences between the EMPTY placards specified by DOT for use with tank cars and those specified by CTC. This amendment is being made in support of the long-standing DOT recognition of CTC regulations for Canadian shipments to United States consignees.

This rule is a relaxation of existing requirements and the Materials Transportation Bureau finds it is in the public interest to allow empty cars to be returned to Canada in conformity with CTC regulations to avoid possible delays in the movement of propane and other hazardous materials from Canada to the United States. As the new DOT placarding requirements became mandatory for rail shipments on January 1, 1978, immediate action is required. Consequently, public notice is dispensed with and this rule is effective immediately.

This rule will not affect the cost of regulatory enforcement nor impose added costs on industry, consumers or Federal, State or local governments. There will not be any significant environmental or economic impact (E.O.

11821; OMB Circular A-107) associated with this relaxation of existing requirements.

The primary drafters of this document are Alan I. Roberts, Director, Office of Hazardous Materials Operations, and Douglas A. Crockett, Chief Counsel's Office, Research and Special Programs Directorate.

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

1. In § 173.8, paragraph (a) is revised to read as follows:

§ 173.8 Canadian shipments and packagings.

(a) Shipments of hazardous materials which conform to the regulations of the Canadian Transport Commission (formerly the Board of Transport Commissioners for Canada), may be transported from the point of entry in the United States to their destination in the United States, or through the United States, en route to a point in Canada. Empty rail tank cars may be transported in conformity with Canadian Transport Commission regulations from point of origin in the United States to point of entry into Canada.

(49 U.S.C. 1803, 1804, 1808; 49 CFR 1.53(e))

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