



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

63644

Title 49—Transportation

CHAPTER I—MATERIALS TRANSPORTATION BUREAU, DEPARTMENT OF TRANSPORTATION

[Docket No. HM-146; Amdt. Nos. 173-112, 178-45]

PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

PART 178—SHIPPING CONTAINER SPECIFICATIONS

Extension of Service Life of DOT 3HT Cylinders

AGENCY: Materials Transportation Bureau, Department of Transportation.

ACTION: Final rule.

SUMMARY: This rule amends that part of the Department's Hazardous Materials Regulations pertaining to the requalification of DOT 3HT specification cylinders by extending the service life from 15 years to 24 years. This action responds to petitions filed by the Air Transport Association, Inc., and the Compressed Gas Association, Inc. The intended effect is to allow continued use of cylinders through a 24-year service life or 4,380 pressurizations, in place of the present 15-year service life limitation.

EFFECTIVE DATE: January 17, 1978.

FOR FURTHER INFORMATION CONTACT:

Mr. Alan I. Roberts, Director, Office of Hazardous Materials Operations, 2100 Second Street SW., Washington, D.C. 20590, 202-426-0656.

SUPPLEMENTARY INFORMATION: On December 16, 1976, the Materials Transportation Bureau (MTB) published a Notice of Proposed Rulemaking, Docket HM-146, Notice 76-13 (41 FR 54958) which proposed these amendments. The background and basis for incorporating these amendments were discussed in that notice. Interested persons were invited to give their views prior to the closing date of March 22, 1977. Primary drafters of this document are Jose S. Pena, Office of Hazardous Materials Operations, Technical Serv-

ices Branch, and Douglas A. Crockett, Office of the Chief Counsel, Research and Special Programs Directorate.

Several commenters suggested that the marking of the rejection elastic expansion on cylinders not yet marked as of the effective date of this rule be marked before the next retest date so that these cylinders need not be removed from service immediately. The MTB agrees and accordingly includes the recommendation in this rule.

Another commenter pointed out that some cylinders manufactured to DOT Special Permit 5967 in the past were incorrectly marked with "DOT 3HT" in addition to "SP 5967". Cylinders made under SP 5967 are not DOT 3HT cylinders and the service life extension provided in this amendment for 3HT cylinders does not apply to SP 5967 cylinders, even if those cylinders are marked as 3HT cylinders. Such cylinders can be identified by the marking "SP 5967" which will appear on the shoulder of the cylinder. Any cylinder so marked, regardless of any other markings that may also appear, is not a DOT 3HT cylinder, and the service life extension provided herein does not apply. This comment is made here to notify shippers, carriers or other users of 3HT cylinders that improperly marked cylinders do exist and must not be confused with DOT 3HT cylinders.

Analysis of this amendment indicates that the cost of regulatory enforcement will not significantly be affected nor will additional costs be imposed on the private sector, consumers or Federal, State or local governments.

In consideration of the foregoing, Parts 173 and 178 of Title 49, Code of Federal Regulations, are amended as follows:

1. In § 173.34 paragraphs (e) (13) (i) and (e) (13) (iii) are revised; paragraph (e) (13) (v) is added to read as follows:

§ 173.34 Qualification, maintenance and use of cylinders.

(e) * * *

(13) * * *

(i) Cylinder shall be subjected, at least once in three years, to a test by hydro-

static pressure in a water jacket, for the determination of the expansion of the cylinder. A cylinder must be condemned if the elastic expansion exceeds the marked rejection elastic expansion.

(iii) A cylinder must be condemned at the termination of a 24-year period following the date of the original test or after 4,380 pressurizations, whichever occurs first. If a cylinder is recharged more than an average of once every other day, an accurate record of the number of rechargings must be maintained by its owner, or his agent.

(v) A cylinder made before January 17, 1978 and not yet marked with a rejection elastic expansion (REE) must be marked with that REE in cubic centimeters near the marked original elastic expansion prior to the next retest date. The REE for a cylinder is 1.05 times its original elastic expansion.

2. In § 178.44, § 178.44-23(a)(4) is revised to read as follows:

§ 178.44 Specification 3HT: inside containers, seamless steel cylinders for aircraft use made of definitely prescribed steel.

§ 178.44-23 Marking.

(a) * * *

(4) Rejection elastic expansion (REE) in cubic centimeters (cc) near the date of test. The REE for a cylinder is 1.05 times its original elastic expansion.

(49 U.S.C. 1803, 1834, 1808; 49 CFR 1.53(e).)

NOTE—The MTB has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821 and OMB Circular A-107.

Issued at Washington, D.C., on December 9, 1977.

L. D. SANTMAN,

Acting Director,

Materials Transportation Bureau.

[FR Doc 77-35871 Filed 12-16-77; 3:45 am]