



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

3869

[Docket No. HM-100; Amdt. No. 179-14A]

PART 179—SPECIFICATIONS FOR TANK CARS

Ethylene Oxide; Opening in Tank Car Heads

The purpose of this amendment to Part 179 of Title 49, Code of Federal Regulations, is to extend the date for compliance by affected persons with the construction requirements of § 179.102-12 (a) (2) and (a) (7) as they apply to tank cars built before January 31, 1975.

By Amendment No. 179-14 under Docket No. HM-100 (39 FR 24909, July 8, 1974), the Hazardous Materials Regulations Board provided among other things that each tank car used to transport ethylene oxide must be constructed in compliance with the requirements of § 179.102-12 (a) (2) and (a) (7) after January 31, 1975, except that tank cars which are not in compliance and were built before January 31, 1975, must be in compliance with those requirements by January 31, 1976.

Two petitioners have requested the Materials Transportation Bureau to extend the January 31, 1976 compliance date due to unforeseen delays caused for example by unavailability of materials, that have prevented the modifications required by § 179.102-12 (a) (2) and (a) (7) to all specification 105A100W tank cars currently in ethylene oxide service.

One petitioner pointed out that unlike the January 31, 1976 compliance date for specification 105A100W tank cars, the

compliance date specified for 111A100W4 tank cars is July 31, 1976 (see § 179.202-18(a)(2) and (a)(7), 39 FR 24909, July 8, 1974). In light of that difference and because the Bureau believes that the delays in meeting the January 31, 1976 compliance date were unavoidable, compliance with the provisions of § 179.102-12(a)(2) and (a)(7) for specification 105A100W tank cars built before January 31, 1975 will be extended.

Since this amendment provides the immediate relief necessary to avoid non-compliance with a not yet effective regulation, notice and public procedure thereon is impracticable and because this amendment imposes no additional burden on the persons affected, it may be made effective in less than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, paragraphs (a) (2) and (a) (7) of § 179.102-12 of Title 49, Code of Federal Regulations, are amended by changing the date "January 31, 1976" therein to read "July 31, 1976".

(18 U.S.C. 831-835; 49 CFR 1.53(g))

Effective date. This amendment is effective on January 27, 1976.

Issued in Washington, D.C., on January 22, 1976.

JAMES T. CURTIS, Jr.,

Director,

Materials Transportation Bureau.

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