



DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS REGULATIONS BOARD
WASHINGTON, D.C. 20590

64

[Docket No. HM-58; Amendment No. 173-40]

PART 173--SHIPPERS

Retest of Damaged Tank Car Tanks

The purpose of this amendment is to require the hydrostatic retest of damaged tank car tanks after repairs requiring hot or cold forming to restore the tank contour.

On September 16, 1970, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-58; Notice No. 70-17 (35 F.R. 14511), proposing to amend the regulations as stated above.

Interested parties were invited to give their views on this proposal. No objections were received to the provisions of the basic proposal. One commenter observed that it might minimize confusion if the word "shell" were deleted from the first sentence of § 173.31(c)(9) as it was proposed. On the basis of intent regarding the change, and in the interest of safety in repair of cars to be returned to service, the Board agrees that the rule would be improved by this change.

Accordingly, 49 CFR Part 173 is amended as follows:

In § 173.31 paragraph (c)(9) is amended to read as follows:

§ 173.31 Qualification, maintenance, and use of tank cars.

* * * * *

(c) * * *

(9) After repairs requiring welding, riveting, caulking of rivets, or hot or cold forming to restore tank contour, tanks must be retested as specified in Retest Table 1 of this paragraph before return to service. Glass, lead, or rubber-lined tanks must be retested before lining is renewed. Interior heater systems must be retested before return to service after repairs or renewals of any part of the system.

* * * * *

This amendment is effective March 10, 1971. However, compliance with the regulations, as amended herein, is authorized immediately.

(Secs. 831-835, title 18, U.S.C., sec. 9, Department of Transportation Act, 49 U.S.C. 1657)

Issued in Washington, D.C., on December 29, 1970.

CARL V. LYON,
Acting Administrator,
Federal Railroad Administration.

[F.R. Doc. 71-100; Filed, Jan. 4, 1971;
8:51 a.m.]