



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

Docket No. HM-17; Amdt. 173-9

**PART 173—SHIPPERS**

**Shipment of Residual Motor Fuel  
Antiknock Compound**

The purpose of this amendment to the Hazardous Materials Regulations is to authorize the shipment of residual motor fuel antiknock compound in steel storage tanks conforming to ASME specifications.

On March 12, 1969, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-17; notice No. 69-5 (34 F.R. 5113) which proposed to amend the Hazardous Materials Regulations to permit the shipment of non-DOT specification storage tanks built to ASME specifications containing only solid or semisolid residual motor fuel antiknock compound. Interested persons were afforded an opportunity to participate in this rule making.

Two comments were received and each suggested some modification of § 173.354 (c) as proposed. One respondent suggested that the provision would be more explicit if the subject tanks were required to be designed, constructed, inspected and stamped to ASME specifications. The other respondent suggested paragraph (c) be modified to eliminate the requirement that the tanks be "built to ASME specifications" on the premise that there are certain vessels adequate for this service that do not come under the jurisdiction of the ASME Code. It was further suggested that the word "only" should be deleted from paragraph (c) so as not to preclude residual material containing iron rust and other contaminants in minute quantities.

In view of the comments made and in the belief that the type of tanks authorized should be the type of steel tanks previously permitted under special per-

mit conditions, the Board has determined that only steel tanks conforming to ASME specifications, and so marked, be authorized at this time. Furthermore, the Board concurs in the suggestion that paragraph (c) be reworded to recognize that the residual poisonous material may contain minute quantities of foreign contaminants.

In consideration of the foregoing, 49 CFR Part 173 is amended, effective September 3, 1969, by adding paragraph (c) in § 173.354 to read as set forth below. However, compliance with the regulations as amended herein is authorized immediately.

§ 173.354 Motor fuel antiknock compound or tetraethyl lead.

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(c) Steel tanks conforming to ASME specifications (including marking) which contain solid or semisolid residual motor fuel antiknock compound (including rust, scale, or other contaminants) may be shipped by rail freight or highway. All openings must be closed with gasketed blank flanges or vapor tight threaded closures. Each tank must be secured and braced to prevent movement under conditions normally incident to transportation.

This amendment is made under the authority of sections 831-835 of title 18, United States Code, and section 9 of the Department of Transportation Act (49 U.S.C. 1657).

Issued in Washington, D.C., on June 19, 1969.

R. N. WHITMAN,  
*Administrator,*  
*Federal Railroad Administration.*

F. C. TURNER,  
*Administrator,*  
*Federal Highway Administration.*

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8:48 a.m.]