



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

NOV 6 1998

Mr. Daniel R. Meyer
Safe Delivery System, L.L.C. (SDS)
404 North Main
Quimby, Iowa 51049

Ref. No.: 98-0281

Dear Mr. Meyer:

This responds to your letter of September 8, 1998, concerning cargo tank requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You ask whether a system that detects shear or separation within the vehicle pumping system and automatically shuts the internal self-closing stop valve satisfies the requirement in § 178.337-11(a)(1)(i).

The answer to your question is "yes." The specification requirements for emergency discharge control can be achieved by means of either an internal self-closing stop valve or an excess flow valve (see § 178.337-8(a)(2)). Thus, if the "DRM Safety System" will automatically close the internal self-closing stop valve in the event of shear or separation of piping or hose, then the system does conform to the performance standard in § 178.337-11(a)(1)(i).

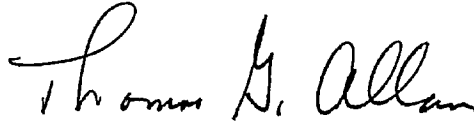
You should be aware that the provisions of the HMR applicable to emergency discharge control systems are currently under discussion by a negotiated rulemaking advisory committee that was chartered to develop recommendations for alternative safety standards for preventing and mitigating unintentional releases of hazardous materials during the unloading of cargo tank motor vehicles in liquefied compressed gas service. Enclosed for your information is a copy of the *Federal Register* notice that established the advisory committee and outlined the issues it is

178.337-11

to consider. Also enclosed is a *Federal Register* notice announcing the advisory committee's meeting schedule.

I hope this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Thomas G. Allan". The signature is written in dark ink and is positioned above the typed name.

Thomas G. Allan
Senior Transportation Regulations Specialist
Office of Hazardous Materials Standards

Enclosure

Safe Delivery System, L.L.C. (SDS)
404 North Main
Quimby, Iowa 51049-0266

Gorsky
§ 178.337-11
98-0281

September 8, 1998

Mr. Ed Mazzullo
Office of Hazardous Materials Standards and Regulations
400 Seventh Street Southwest
Washington, D.C. 20590

Dear Mr. Mazzullo:

Safe Delivery Systems, (SDS, L.L.C) is an Iowa based company that is currently developing a system to be used with MC 330, MC331 and 173.315(k) cargo tanks for compliance with the current Title 49 CFR 178.337-11 (a)(1)(i).

The system, called the "DRM Safety System", is designed to continuously monitor both the piping system and the hose or hoses for shear or separation and if detected, will close the internal self closing stop valves and shut down the engine of the cargo tank operating vehicle.

With this letter I am asking for interpretation to Title 49 CFR 178.337-11 (a)(1)(i).

According to Title 49 CFR 178.337-11 (a)(1)(i), which reads as follows:

"178.337-11 (a)(1)(i)

(i) Each internal self-closing stop valve and excess flow valve must automatically close if any of its attachments are sheared off or if any attached hoses or piping are separated."

Our question to you is:

The regulations state "and excess flow valve must automatically close", although this type of valve will not be found on the cargo tank motor vehicle in conjunction with an internal self closing valve.

If shear or separation is detected within the vehicle pumping system, and the internal valve or the self closing stop valve is shut off by activating its actuator have we complied with Title 49 CFR 178.337-11 (a)(1)(i)?

I can be reached at 1-515-964-4940 if you should need to contact me. Please reply as soon as possible as this is an important issue for us.

Thanking you in advance for your reply, I remain

Sincerely

Daniel R Meyer

Daniel R. Meyer
529 S.W. Goodwin
Ankeny, Iowa 50021