



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

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

MAY 16 2002

Mr. Glen Gillaspia  
415 Lookout Lane  
Dickenson, TX 77539

Ref. No. 02-0065

Dear Mr. Gillaspia:

This is in response to your February 25, 2002 letter concerning attendance requirements for rail tank car unloading under the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180). Specifically, you ask if you could have one camera monitor two tank cars by switching the video image from one car to the other every ten seconds.

The arrangement you describe does not conform to the monitoring requirements of § 174.67(i) which requires a tank car to be continuously attended throughout the entire period of unloading and while the tank car is connected to an unloading device. Enclosed is a letter from Thomas Allan (Ref. No. 99-0217) of our office which further clarifies this issue.

I hope this satisfies your request.

Sincerely,

Delmer F. Billings  
Chief, Standards Development  
Office of Hazardous Materials Standards

Enclosure



020065

174.67



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

NOV 23 1999

Mr. Carlton W. Hendrix  
DOT Compliance Manager  
LaRoche Industries Inc.  
1100 Johnson Ferry Road, NE  
Atlanta, Georgia 30342

Ref. No. 99-0217

Dear Mr. Hendrix:

This responds to your letter of August 3, 1999, requesting clarification of the attendance requirements for unloading tank cars under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask for clarification of requirements for monitoring unloading operations with remote cameras and for leaving unloading connections attached to a tank car when no product is being transferred.

Section 174.67(i) of the HMR requires a tank car to be continuously attended throughout the entire period of unloading and while the tank car is connected to an unloading device. This requirement can be met by human attendance or by use of signaling systems, such as sensors, alarms, and electronic surveillance equipment. Human monitoring must be performed by the person responsible for the unloading operation. The attendant may monitor unloading from on-site or from a remote location within the plant. In either location, the attendant must be knowledgeable about the product, have the ability to identify conditions requiring action, and have the capability and authority to halt the flow of product immediately.

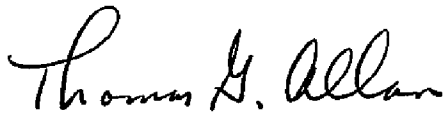
In your letter, you describe a remote monitoring arrangement that involves five different cameras, including one focused on the tank car unloading process, flashing to the same monitor so that each camera's field of view appears on the monitor once every 1.5 minutes. This arrangement does not conform to the requirements for monitoring the unloading of a tank car outlined above. Observing an unloading operation once every 1.5 minutes is not continuous monitoring.

You also describe an arrangement where two cameras, located at each end of four tank cars coupled together, are positioned so that two cars are visible in each camera's field of view. Provided the two cameras allow the attendant a continuous, unobstructed view of each tank car and its unloading connections, this arrangement would satisfy the attendance requirements of § 174.67(i).

Finally, you ask whether a facility may leave unloading connections attached to a tank car when no product is being transferred as long as the tank car is attended by a qualified person or by remote monitoring devices. The answer is no. Section 174.67(j) requires all unloading connections to be disconnected if the unloading operation is discontinued for any reason. However, numerous facilities hold an exemption from the regulations to permit a tank car to remain attached to unloading connections when no product is being transferred. Currently, the Research and Special Programs Administration (RSPA) has issued about 80 exemptions that authorize the use of video cameras, process control gauges, flow gauges, and monitors to observe tank cars with unloading connections attached when no product is being transferred. Under a notice of proposed rulemaking (NPRM) published under Docket HM-212 (57 FR 42466), RSPA proposed to amend the tank car unloading requirements to remove obsolete or unnecessary provisions and to allow tank cars to remain standing with unloading connections attached when no product is being transferred. We are in the process of drafting the final rule for this rulemaking. A copy of the NPRM is enclosed.

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

Sincerely,



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

Enclosure

Johnson  
\$174.67(i)  
Cargo Tanks  
00-0065

Mr. Mazullo,

2/25/2002

I am writing this letter to see if my thoughts about attendance when unloading tank cars is OK with the DOT. We currently unload one car of Nonylphenol (Alkylphenols, Liquid n.o.s.(phenol , nonyl) , 8 , UN3145 , PGHD). This tank car is monitored with a remote camera and has emergency shutdowns if needed. We are in compliance on this tank.

My questions is. We have another tank car of the same product next to the one that is monitored with the camera. Our process requires us to have the 2<sup>nd</sup> tank car ready to unload as soon as the first one goes empty. Currently while the first car (using the camera) is unloading we hook up the 2<sup>nd</sup> car to be ready to unload. The only thing not open on it is the emergency valve on the unloading line. (We can only open one of them at a time). The unloading is all done from the top, so the camera can see everything. We keep an operator at the rack so that the 2<sup>nd</sup> car can be monitored.

I am trying to find out if it would be OK to have our one camera switch about every 10 seconds from one car to the other and still be in compliance with DOT. These cars are about 10-12 feet part from each other and the camera is monitored by an inside operator who can shut down the transfer in a moment's notice.

If this were possible to do, it would free up one of our employees for other duties. I hope I am explaining it good enough for you. If not please call me at 409-948-5267.

Thank You Very much.

*Glenn Gillaspia*  
Glenn Gillaspia

1-800 248-6641 Glenn  
Pager