



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

DEC 09 2016

Mr. Donald Brittingham
A.I.D., Inc.
208 143rd Street
Ocean City, MD 21842

Reference No. 15-0139

Dear Mr. Brittingham:

This letter is in response to your July 6, 2015, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you asked if 49 CFR § 173.31 requires shippers of tank cars containing hazardous materials or the residue of a hazardous material to inspect the tank car's "running gear components (wheels, axles, brake system components, bolsters, side frames, etc.)" and all other tank car fittings like "sill steps [and] grab irons couplers"^a for defects prior to offering the tank car for transportation.

Generally, the HMR do not require an offeror of a tank car to inspect the tank car's running gear components or safety appliances (as identified by 49 CFR Part 231) for defects prior to offering the tank car into transportation. However, § 173.31 prohibits the offering of a tank car unless it meets the applicable specification and packaging requirements of the HMR, and paragraph (d) of § 173.31 sets forth the minimum requirements for an offeror's external visual inspection of a tank car being offered into transportation. Regarding the coupling gear, paragraph (d)(1)(viii) of § 173.31 specifically requires an offeror to examine, among other things, a tank car's coupler vertical restraint system for conditions that make the tank car unsafe for transportation.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

^a We understand your reference to "grab iron couplers" to refer to grab irons and coupling gear.

Nichels
173.31
Tank Cars
15-0189

Goodall, Shante CTR (PHMSA)

From: Geller, Shelby CTR (PHMSA)
Sent: Tuesday, July 07, 2015 12:23 PM
To: Hazmat Interps
Subject: FW: Request formal letter of interpretation

Hi Shante and Alice,

Below is a request for a formal letter of interpretation. Mr. Brittingham spoke with myself.

Mr. Brittingham's address is:

A.I.D., Inc.
208 143rd Street
Ocean City, MD 21842

Thanks,
Shelby

From: Donald brittingham [<mailto:aidtrain@comcast.net>]
Sent: Monday, July 06, 2015 4:22 PM
To: INFOCNTR (PHMSA)
Cc: hhenry@mchsi.com
Subject: Request formal letter of interpretation

Does part 173.31 "Use of Tank Cars" specifically (d) "Examination Before Shipping" require the shipper of tank cars containing hazardous materials or when empty the residue of hazardous materials to inspect the tank cars running gear components (wheels, axles, brake system components, bolsters, side frames, etc.) and all other tank car fittings like sill steps, grab irons couplers for defects that might make the tank car unsafe for transportation?

Thank You
Donald Brittingham
A.I.D., Inc.
302-743-2935