

(3) Cargo tank manufacturer (CT mfr.).  
(4) Cargo tank date of manufacture (CT date of mfr.), month and year.

(5) Maximum weight of lading (Max. Payload), in pounds

(6) Maximum loading rate in gallons per minute (Max. Load rate, GPM), at maximum unloading pressure \_\_\_\_ psig.

(7) Maximum unloading rate in gallons per minute (Max. Unload rate, GPM), at maximum unloading pressure \_\_\_\_ psig.

(8) Lining materials (Lining), if applicable.

(9) Heating system design pressure (Heating sys. press.), in psig, if applicable.

(10) Heating system design temperature (Heating sys. temp.), in °F, if applicable.

(11) Cargo tank serial number, assigned by cargo tank manufacturer (CT serial), if applicable.

The specification plate on MC 338 cargo tanks would contain the following information:

(1) Cargo tank motor vehicle manufacturer (CTMV mfr.).

(2) Cargo tank motor vehicle certification date (CTMV cert. date).

(3) Cargo tank manufacturer (CT mfr.).

(4) Cargo tank date of manufacture (CT date of mfr.), month and year.

(5) Maximum weight of lading (Max. Payload), in pounds

(6) Maximum loading rate in gallons per minute (Max. Load rate, GPM), at maximum unloading pressure \_\_\_\_ psig.

(7) Maximum unloading rate in gallons per minute (Max. Unload rate, GPM), at maximum unloading pressure \_\_\_\_ psig.

(8) Lining materials (Lining), if applicable.

(9) "Insulated for Oxygen Service" or "Not Authorized for Oxygen Service," as appropriate.

(10) Marked rated holding time for at least one cryogenic liquid, in hours, and the name of that cryogenic liquid (MRHT \_\_\_\_ hrs, name of cryogenic liquid). MRHT marking for additional cryogenic liquids may be displayed on or adjacent to the specification plate.

(11) Cargo tank serial number, assigned by the cargo tank manufacturer (CT serial), if applicable.

This requirement would apply to new construction and changes on these CTMVs.

**Shortages.** For MC 331 CTMVs, we proposed to require certificates for a CTMV that is manufactured in two or more stages. We proposed that each manufacturer who performs a manufacturing function on the incomplete CTMV must provide the succeeding manufacturer with a certificate that states the function that

was performed and must also provide certificates received from previous manufacturers, Registered Inspectors, and Design Certifying Engineers. Further, we proposed to clarify the roles of the original manufacturer of a cargo tank and the assembler of a CTMV in documenting on the certificate those areas of the specification that are not met or specification shortages, including valves, piping, and fittings. The person who installs the components that bring the CTMV into full compliance with the specification would be required to stamp the certification date on the specification plate and issue a Certificate of Compliance. We are adopting the proposals without change in this final rule.

#### *B. Remote Shutoffs*

On December 28, 1988, in Ashland, Virginia, a pipe fitting on an MC 331 cargo tank transporting sulfur dioxide failed during a delivery operation. The driver of the CTMV suffered a fatal injury while attempting to close the cargo tank's internal valve. The CTMV was not equipped with a remote mechanical means to close the internal valve. As a result of its investigation, NTSB recommended that RSPA require MC 330, MC 331, and MC 338 CTMVs to be equipped with on-truck remote mechanical means to close the internal valve (NTSB # H-90-91).

In a final rule published November 3, 1994 (HM-183C; 50 FR 55162), we adopted a requirement for MC 331 and MC 338 CTMVs constructed after January 1, 1995, to be equipped with on-truck remote shutoff devices. For CTMVs constructed prior to January 1, 1995, we required each MC 330 and MC 331 CTMV used to transport flammable gas; flammable liquid; hydrogen chloride, refrigerated liquid; or anhydrous ammonia, and each MC 338 CTMV used to transport flammable ladings to be retrofitted with an on-truck remote shutoff device. These requirements are found in § 178.338-11. The NPRM proposed two revisions to these requirements, as discussed below.

**On-truck remote mechanical shut-off.** In the NPRM, we proposed to require all MC 330, MC 331, and MC 338 CTMVs to be retrofitted with an on-truck remote mechanical shutoff device that meets the requirements for the applicable specification. Under the proposal, the retrofit would be accomplished within three years from the effective date of a final rule. Under this proposal, CTMVs used to transport only argon, carbon dioxide, helium, krypton, neon, nitrogen, or xenon or mixtures thereof are excepted from the requirement for on-truck remote shutoff. The

Compressed Gas Association (CGA) requested that we maintain the original grandfather clause excepting cargo tank motor vehicles certified before January 1, 1995, unless intended for use to transport flammable ladings. We agree with the NTSB recommendation setting out the safety concerns for the proposed retrofit, and therefore, adopt the proposal in this final rule.

**Thermal activation self-closing stop valve.** The NPRM proposed to require MC 338 CTMVs to be equipped with a means of thermal activation for closing the internal self-closing stop valve. On June 4, 1998 (63 FR 30572), RSPA established a negotiated rulemaking committee under Docket RSPA-97-2718 (HM 225A). During the negotiated rulemaking process, the committee discussed the safety benefits of fusible elements, which provide a heat-activated means for closing a valve. Fusible elements melt when subjected to sufficiently high temperatures, thereby closing the valve to which they are affixed. The HMR currently require installation of on-truck remote closures with a means of thermal activation on MC 331 cargo tanks. Consistent with the committee's recommendation, we proposed that internal self-closing stop valves be equipped with a means of thermal activation on all MC 338 cargo tanks. This requirement would not apply to tanks transporting only argon, carbon dioxide, helium, krypton, neon, nitrogen, or xenon. Commenters did not address this proposal. It is adopted without change in this final rule.

#### *C. Inlet and Outlet Fittings on MC 331 Cargo Tanks*

Currently, § 178.337-9 of the HMR requires the use of malleable metals for the construction of valves and fittings on MC 331 cargo tanks. NPGA petitioned for a change to § 178.337-9 to require liquid filling and vapor equalization fittings on MC 331 cargo tanks to be constructed of malleable steel or ductile iron only (P-0935). In its petition, NPGA stated that this change would help to prevent the occurrence of piping failures when fittings made of soft metals, such as brass or copper, are struck by an outside force. We agreed, and proposed to require new or replacement primary valves and fittings used in liquid filling or vapor equalization on MC 331 cargo tanks to be constructed of malleable steel or ductile iron. This proposal is consistent with the National Fire Protection Association (NFPA) Standard 58 and is currently the standard industry practice.

We received two comments on this proposal from NPGA. NPGA asked for an exception from this requirement for