

sacrificial devices to be consistent with existing regulations applicable to sacrificial devices. We agree and made that change in this final rule.

NPGA also suggested that we add stainless steel to the materials that are authorized for new or replacement primary valves or fittings. In addition, NPGA asks that we clarify that these metals are to comprise the body of the valve and not internal components such as shutoff disks, springs, etc. We agree that stainless steel should be added and will clarify that the requirement is for the body of the valve and does not apply to internal components.

D. Internal Visual Inspections of Insulated Tanks

The HMR provide an exception for insulated MC 330 and MC 331 cargo tanks from the requirement to undergo an internal visual inspection in conjunction with the annual external visual inspection. The exception was included in the HMR to facilitate inspection of insulated MC 330 and MC 331 cargo tanks that did not have manholes or inspection openings, making it impossible to enter the cargo tank to perform an internal visual inspection. Because insulation precludes a visual inspection of the exterior of the cargo tank, and there is no means to inspect the interior of the tank we determined that the only way to verify the structural integrity of the cargo tank was to subject it to a hydrostatic or pneumatic pressure test at one-year intervals.

The exception applies to insulated MC 330 and MC 331 cargo tanks, irrespective of whether the cargo tank is equipped with a manhole or inspection opening. However, many of these cargo tanks are, in fact, equipped with manholes or inspection openings. We believe that operators should be permitted the option of verifying the structural integrity of these cargo tanks with an internal visual inspection rather than a more costly pressure test. Therefore, we proposed to permit the owner of an insulated cargo tank that is equipped with manholes or inspection openings to perform either an internal visual inspection in conjunction with the external visual inspection or a hydrostatic or pneumatic pressure-test of the cargo tank. As appropriate, these tanks would continue to be required to undergo a complete internal visual inspection and pressure test at the intervals specified in § 180.407(c).

In its comments, CGA requests that we permit MC 330 and MC 331 cargo tanks in carbon dioxide or nitrous oxide service and all MC 338 cargo tanks to be hydrostatically or pneumatically tested

in place of an internal visual inspection, even if there is access to the inside of the tank. We disagree with this suggestion because an internal visual inspection provides a higher level of safety. However, we agree with CGA that in § 180.407(d)(2)(i), language should be added to clarify how the exception from an external inspection requirement should be applied. In this final rule, we are adding language to clarify that those items on the cargo tank that can be externally inspected must be inspected and noted in a written report.

E. Leakage Tests for Cargo Tanks in Anhydrous Ammonia Service

The Fertilizer Institute (TFI) filed a petition (P-1255) requesting that we allow anhydrous ammonia cargo tanks to be included in the exception for MC 330 and MC 331 cargo tanks in liquefied petroleum gas (LPG) service that permits them to be leakage tested at not less than 414 kPa (60 psig) in § 180.407(h). TFI stated that, because changes in ambient temperatures result in substantial changes in the normal operating pressure for cargo tanks in anhydrous ammonia service, a cargo tank in anhydrous ammonia service would need to be leakage tested on the hottest day of each year to ensure that it is not operated at pressures exceeding the leakage test pressure. TFI stated that this causes "extreme hardship" for companies transporting anhydrous ammonia in cargo tanks. TFI further stated that anhydrous ammonia is a compressed gas with properties that are similar to those of LPG.

RSPA recognized the difficulty described by TFI and, on August 23, 1996, granted an exemption, DOT E-11551, to allow cargo tanks in anhydrous ammonia service to be leakage tested at a lower pressure. However, due to differences in the vapor pressures of LPG and anhydrous ammonia, the exemption permits leakage testing of cargo tanks in dedicated anhydrous ammonia service at not less than 483 kPa (70 psig), rather than 414 kPa (60 psig) as is currently permitted for LPG.

In the NPRM we proposed to incorporate the provisions of DOT E-11551 into the HMR. Farmland Industries, Inc. and TFI, the only commenters addressing this issue, both support this proposal. It is adopted without change in this final rule.

V. Section-by-Section Review

Part 107

In this final rule, we are revising the title of Subpart F to clarify that the registration requirements apply to cargo

tank facilities that test, inspect, and repair cargo tanks, and to manufacturers, assemblers, and Design Certifying Engineers.

Section 107.502

This final rule revises the definition of "assembly" to include the installation of linings or coatings to the inside wall of a cargo tank wall and the installation of equipment or components during the manufacturing process that are necessary to conform to the specification requirements. This definition clarifies that the term "assembler" is not limited to a person who mounts cargo tanks on motor vehicle suspension parts, but also includes a person who installs equipment or components during the manufacturing process.

In addition, RSPA is changing the address to which persons submit cargo tank registration statements in accordance with 49 CFR Part 107, subpart F. Persons subject to the cargo tank registration requirements in this part will now submit these statements to the Federal Motor Carrier Safety Administration's Hazardous Material Division.

Section 107.503

In this final rule, we are adopting a requirement for information on the registration statement for cargo tank manufacturing, assembling, and repair facilities to indicate whether a facility is conducting tests and inspections at a location other than the address listed in the registration form. The purpose of this provision is to identify registered facilities that are using mobile inspection/testing equipment.

Part 171

Section 171.7

This final rule incorporates by reference the June 1, 1998 edition of Truck Trailer Manufacturers Association (TTMA) RP No. 61-98 "Performance of Manhole and/or Fill Opening Assemblies on MC 306, DOT 406, Non-ASME MC 312 and Non-ASME DOT 412 Cargo Tanks;" the July 1, 1997 edition of TTMA RP No. 81-97 "Performance of Spring Loaded Pressure Relief Valves on MC 306, MC 307, MC 312, DOT 406, DOT 407, and DOT 412 Tanks;" and the June 1, 1998 edition of TTMA TB No. 107, "Procedure for Testing In-Service Unmarked, and/or Uncertified MC 306 and Non-ASME MC 312 Type Cargo Tank Manhole Covers." In addition, this final rule incorporates by reference the American Petroleum Institute Recommended Practice 1604 "Closure of Underground Petroleum