

*Section 178.337-8*

We are revising paragraph (a)(5)(iii) to remove an expired compliance date.

*Section 178.337-9*

In paragraph (b)(2), we proposed a revision to require the use of malleable steel or ductile iron in the construction of inlet and outlet fittings on MC 331 cargo tanks. The proposal is adopted in this final rule and we have added stainless steel. Sacrificial devices are excepted from this requirement.

For clarity, we are moving paragraph (b)(5), which addresses requirements for grouping piping and fittings, to § 178.337-10 as new paragraph (e). This change consolidates all of the requirements for accident damage protection into one section.

*Section 178.337-10*

This final rule revises the section heading from "Protection of fittings" to "Accident damage protection." In addition, we are re-designating chlorine tank requirements in current paragraph (c) as paragraph (d) and re-designating the rear-end tank protection requirements in current paragraph (d) as paragraph (c). Redesignated paragraph (c) has been revised to incorporate the requirements for MC 338 cargo tanks and authorize the DOT 400 series rear-end tank protection provisions as an alternative to existing requirements for MC 331 cargo tank motor vehicles.

In addition, this final rule re-designates § 178.337-9(b)(5) as new § 178.337-10(e) and moves requirements concerning shear sections in current " 178.337-12 to new § 178.337-10(f).

*Section 178.337-12*

This section is removed and reserved. The current requirements are designated as new paragraph (f) in § 178.337-10, thereby consolidating all accident damage protection requirements in one section.

*Section 178.337-13*

In this final rule, we are revising this section to be more consistent with the DOT 400-series requirements for cargo tank support and anchoring. In addition, we are modifying the requirement for mounting pads to be the same material as the cargo tank material of construction by allowing the pad material to be selected by the DCE. This is achieved by referencing requirements in § 178.337-3.

*Section 178.337-17*

This final rule revises paragraph (a) to require essential information marked on MC 331 CTMV metal identification

plates to be consistent with the requirements for DOT 400-series CTMVs. The information may be displayed on either a separate name and specification plate, or on a single plate that would serve as both the name and specification plate to allow for maximum flexibility. In addition, the specification plate may be attached to the chassis rail so that cargo tank motor vehicles assembled without welding will not require welding the specification plate onto the cargo tank. If this option is chosen, however, the cargo tank serial number, assigned by the cargo tank manufacturer, must appear on the specification plate. The same information that is required on 400 series tanks, in the same order, is required on MC 331 cargo tanks, in addition to information specific to MC 331 cargo tank motor vehicles. This requirement becomes effective one year from the date of publication of this final rule and is applicable to new construction only.

*Section 178.337-18*

We are re-designating paragraphs (a)(3) and (a)(4) as (a)(5) and (a)(6), respectively. We are adding new paragraphs (a)(3) and (a)(4) detailing requirements for certifying cargo tanks manufactured in stages by two or more manufacturers.

*Section 178.338-2*

We are revising paragraph (c) to except certain steel alloys from impact test requirements for consistency with exceptions allowed in the ASME Code. Section 178.338-1(c) states that each tank must be designed and constructed to the ASME Code. Therefore, because the HMR specify that these tanks should be constructed of materials authorized by the ASME Code, exceptions in the ASME Code from impact testing for certain steel alloys should also be recognized in the HMR.

*Section 178.338-3*

We are revising this section to incorporate more flexible, performance language consistent with structural integrity requirements permitted for DOT 400-series CTMVs. In addition, we are making an editorial change to paragraph (b) by breaking this paragraph into two paragraphs for clarity.

*Section 178.338-10*

This final rule revises the section heading to read "Accident damage protection" instead of "Collision damage protection." In addition, we are revising paragraph (c) to authorize the DOT 400-series cargo tank rear-end protection provisions as an alternative

to existing requirements for MC 338 cargo tank motor vehicles.

*Section 178.338-11*

In this final rule, we are revising paragraph (c) to require internal self-closing stop valves to be equipped with a means of thermal activation or other remote closure method. Additional editorial revisions are made for clarity.

*Section 178.338-13*

This section incorporates requirements for supports and anchoring that are consistent with requirements of the DOT 400-series cargo tanks. In addition, we are revising this section to permit material used for mounting pads to be selected by the Design Certifying Engineer. This is achieved by referencing requirements in § 178.337-3.

We are deleting current paragraph (a) and re-designating current paragraphs (b) and (c) as paragraphs (a) and (b), respectively. References to "Appendix G" in each of these paragraphs are revised to read: "( \* \* \* Appendix G of Section VIII, Division 1 of the ASME Code)."

*Section 178.338-18*

Paragraph (a) is revised to require essential information marked on MC 338 CTMV metal identification plates to be consistent with the requirements for DOT 400-series CTMVs so that this essential information is readily available to operators and enforcement officials. The information may be displayed on either a separate name and specification plate, or on a single plate that would serve as both the name and specification plates. In addition, the specification plate may be attached to the chassis rail so that cargo tank motor vehicles assembled without welding will not require welding the specification plate onto the cargo tank. If this option is chosen, however, the cargo tank serial number, assigned by the cargo tank manufacturer, must appear on the specification plate. The same information that is required on 400 series tanks, in the same order, will be required on MC 338 cargo tanks, plus information specific to MC 338 tanks. This requirement becomes effective one year from the date of publication of final rule and is applicable to new construction only.

*Section 178.345-1*

For consistency, we are revising paragraph (c) by removing the definitions and placing them in alphabetical order in § 178.320(a). In addition, we are removing paragraph (k) and moving the definition of "maximum