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Hazardous Materials/Transportation: U.S. Pipeline and Hazardous Materials Safety Administration Addresses Tank Car Inspection Question

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The United States Pipeline and Hazardous Materials Safety Administration ("PHMSA") addressed in a December 9th letter the application of the Hazardous Materials Regulations ("HMR") to a question regarding tank car inspection requirements.

PHMSA was responding to a July 6, 2015 question posed by A.I.D, Inc. ("AID").

AID asked whether § 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" for defects prior to offering the tank car for transportation.

PHMSA responded that the HMR does 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, the agency does note that:

... § 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.

As to the coupling gear, PHMSA notes that paragraph (d)(1)(viii) of § 173.31 specifically requires an offeror to examine, among other things, tank car's coupler vertical restraint system for conditions that make the tank car unsafe for transportation.

[A copy of the PHMSA letter can be downloaded here.](#)