

Thermal Activated Closing Mechanism for Internal Valves on IM & UN Portable Tanks.

Geneva July 2003

During the TDG meeting in Geneva I had a lunch time meeting with Mr. F Wybenga (Deputy Associate Administrator for Hazardous Materials Safety.) to discuss the proposed implementation of the thermal activated closure for bottom discharge outlet valves.

The final rule outlined in Federal Register publication Vol 68, No 104 on May 30th 2003 was discussed. The following is my interpretation on how these regulations will affect various types of IM & UN Portable Tanks.

(A)

The regulation 49 CFR 178.275 (d) (3) requiring a thermal activated closing mechanism fitted to bottom internal valves shall apply with immediate effect to all new build portable tanks manufactured in the USA.

This rule applies for all new US manufactured portable tanks unloading whilst on a road vehicle with the motive unit attached for the following classes.

Class 3 PG I, II, & III with a flash point less than 38 c.

Class 5.1 PG I & II.

Class 6.1 PG I & II.

(B)

All existing US manufactured portable tanks shall be compelled to retrofit a thermal activated closing device by the 1st Oct 2004 for the unloading conditions described in (A) Use of the tanks before 1st Oct 2004 will necessitate the shipper and carrier verifying certain safety conditions are met at the consignees facility before and during the unloading in accordance with 177.834 (o).

After the 1st Oct 2004 the tanks will be deemed not approved to US/DOT regulations for transporting the above Hazardous liquids unless the thermal activated closing device is fitted.

(C)

Although new build portable tanks manufactured outside the USA are not compelled to comply with 178.275 (d) (3) it may be prudent to fit the thermal device during manufacture. Failure to do so before the 1st Oct 2004 will necessitate the shipper and carrier verifying certain safety conditions are met at the consignees facility before and during unloading in accordance with 177.834 (o).

After the 1st Oct 2004 the motive unit must be removed from the transport vehicle / tank before unloading commences.

It must be checked that the consignees facility is prepared to allow the motive unit to uncoupled and removed before unloading and reconnected after the discharge is complete. This fact must be checked before the tank is loaded.

Failure to adhere to this procedure would render the IM or UN portable tank not approved for the quoted classes under US/DOT regulations, which may necessitate a Tran's shipment to an approved tank.

(D)

Existing tanks manufactured outside the USA are not compelled to retrofit a thermal activated device. Failure to do so however will necessitate the following of procedures outlined in (C).

I can well imagine the logistical problems this regulation will cause after 1st Oct 2004 for tanks described in (C) & (D) categories.

Also certain facilities may deem removing the motive unit in small unloading bays an unacceptable risk which will then necessitate the tank compiling with 178.275 (d) (3).

(E)

The US/DOT has no plans for resubmitting for the thermal activated closure to be included in the UN Orange Book. Therefore it will not be included in ADR/RID or IMDG mandatory codes. The regulation will only apply to operations within the USA.

Jack Hopkins Technical Sec to ITCO.
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