

Manufacturing Chemists Association

Minutes of Meeting

of the

TRANSPORTATION EQUIPMENT COMMITTEE

Shenango Inn
Sharon, Pennsylvania

April 24-26, 1972

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D. M. Long, chairman, presided and opened the meeting at 9:00 a.m. April, 8:30 a.m. April 25 and 8:00 a.m. April 26. The following members and guests were present:

MEMBERS:

D. M. Long, Chairman	Pennwalt Corporation
W. H. Butterbaugh, Secretary	MCA Staff
M. M. Anderson	Union Carbide Corporation
W. Van V. Bacon	FMC Corporation
J. T. Curtis, Jr.	U. S. Steel Corporation
C. S. Edmonds, Jr.	Diamond Shamrock Chemical Co.
J. C. Graves	Celanese Corporation
H. T. Hale	Monsanto Company
E. G. Hansen	E. I. du Pont de Nemours & Co.
F. J. Heller	Phillips Petroleum Company
J. R. Hopkins	The Dow Chemical Company
W. B. Jones	PPG Industries, Inc.
(for W. L. Hammond)	
G. B. Knox	Hercules Incorporated
J. W. Kvech	Rohm and Haas Company
(for E. L. Magee)	
M. T. Miller	Canadian Industries Limited
R. E. Phillips	Ethyl Corporation
C. J. Schoustra	Olin Corporation
W. E. Schwarz	International Minerals &
(for R. R. Roch)	Chemical Corporation
G. A. Thompson	Shell Chemical Company
R. E. Wilson	Stauffer Chemical Company

GUESTS:

J. E. Allen
 C. A. Angle
 W. R. Atwood
 W. F. Black

 S. F. Burke
 R. C. Collins
 G. Croasmun (4/25 only)
 T. Loehr (4/25 only)
 R. C. Fitzgerald
 V. H. Goodwin
 L. J. Healy (4/25 only)
 W. C. Kent
 W. T. Skolnicki (4/25 only)

Tenneco Chemicals
 PPG Industries, Inc.
 Texas Gulf Inc.
 Federal Railroad Administration
 DOT
 Air Products & Chemicals Inc.
 Allied Chemical Corporation
 U. S. Steel Corporation
 U. S. Steel Corporation
 Mobil Oil Corporation
 Enjay Chemical Company
 BASF Wyandotte Corporation
 Jefferson Chemical Company
 U. S. Steel Corporation

1.

ASSOCIATE MEMBERS:

G. W. Rousseau

Office of Hazardous Materials,
 DOT

2.

TECHNICAL ADVISORS:

G. E. Fitzgerald

 S. H. Moyes

Shippers Car Line Division
 ACF Industries, Inc.
 General American Transportation
 Corporation

MEMBERS ABSENT:

A. D. Annand
 S. L. Watts, Vice Chairman
 C. P. Woehrle

Cities Service Company
 Hooker Chemical Corporation
 American Cyanamid Company

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Note: Subjects were not necessarily discussed in the
 order in which they appear in these minutes.

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The Committee recessed on the afternoon of April 25 for a
 tour of the tank car construction and repair shops of General
 American Transportation Corporation, Sharon, Pennsylvania.

1. Approval of Minutes - October 25-27, 1971 Meeting

The minutes of the October 25-27, 1971 meeting of the Committee were approved as distributed, subject to the following corrections.

Page TEC-1086, Docket TE-R-101.4, add E. G. Hansen to the membership of the task group authorized under this docket.

Page TEC-1096, Docket TE-T-276.1, title of this docket should read "Proposed DOT Specification 341 - Cargo Tanks."

The Secretary was requested to make an attendant change in the index of the Committee's docket system.

2. TE-C-149 "Report of Rail Subcommittee - J. R. Hopkins, Chairman

(a) TE-R-101.4 "Combination Safety Relief Valves"

Mr. Hopkins reviewed the Subcommittee's discussion of the report of the task group's February 3, 1972 meeting and presented the Subcommittee's recommended response to AAR, attached to the Secretary's March 31, 1972 letter to the Committee.

Several members noted in review of the proposed response that methyl isocyanate had been omitted from the commodities listed for which combination safety relief devices are preferred. The Secretary was requested to include "methyl isocyanate, frangible disc, 45 psi burst pressure and shipper specification" as entries appropriate in the proposed response to the AAR.

After discussion, the proposed response to AAR was approved and recommended to the Secretary for handling as appropriate. Mr. Heller was recorded as being opposed to approval of the proposed response.

The Committee accepted the Subcommittee's recommendation that the task group be discharged and the docket be closed.

(removed from agenda)

(b) TE-R-101.10 "Safety Valve Retest - Carbon Bisulfide"

Mr. Hopkins reported that the Subcommittee recommended in its March 15, 1972 meeting that this docket be closed. Appropriate wording presenting recommended practices for inspection of safety relief valves in the subject service will be developed when review of the Chemical Safety Data Sheet on Carbon Disulfide is initiated in the Safety and Fire Protection Committee.

After discussion, the Subcommittee's recommendation was accepted.

(removed from agenda)

(c) TE-R-101.11 "Inter-Association Review Committee on Safety Relief Devices"

Mr. Hopkins reviewed the discussion and recommendations developed at the February 4, 1972 meeting of the task group requested to review the Heller/Hankinson paper distributed to the Committee by the Secretary's January 10, 1972 letter. Mr. Hopkins also reviewed MCA's February 25, 1972 letter to J. W. Ingram, Federal Railroad Administration, commenting on the Cornell Aeronautical Laboratory Report, the Heller/Hankinson paper and studies on tank car safety currently in progress, and Mr. Ingram's March 13, 1972 response. The Secretary was requested to distribute the MCA letter and the FRA response to the Committee for its information.

The task group which developed the recommended letter to FRA was dismissed, but the docket was continued on the agenda for the purposes of following activity in testing and flow capacity determinations studies for safety relief devices.

(continued on agenda)

(d) TE-R-101.12 "Bottom Unloading Valves for Tank Cars"
TE-R-133.4 "Bottom Unloading - Superphosphoric Acid"

The January 24, 1972 request received from R. E. Reber, AAR, for MCA's consideration of the four inch Everlasting valve for bottom unloading connections for 111A100W1 tank cars and MCA's recommendations regarding the bottom unloading of superphosphoric acid from tank cars and the recommendations of the Subcommittee regarding these requests was reviewed by the Committee. After discussion,

the Committee concurred in the Subcommittee's recommendation that though the AAR request was presented as two separate projects, for all intents and purposes the requests should be treated as a single action.

Mr. Hopkins presented the Subcommittee's recommendations distributed to the Committee by the Secretary's March 31, 1972 letter. After discussion, the Committee approved modification of the Subcommittee proposal to include a recommendation that the valve handle must be locked and the valve operating mechanism must not be subject to tampering while the tank car is in transit, and referred the recommended response to the Secretary for handling as appropriate.

It was recognized that this action also included action on the Docket TE-R-133.4.

(removed from agenda)

(e) TE-R-125 "Revision to AAR Interchange Rules"

Mr. Hopkins discussed recent review of the suggested letter being developed to transmit to AAR the Committee's recommendations for revision of the AAR Interchange Rules. The purpose of the recommended revisions is to more appropriately assign responsibility between owner and carrier for repair of damage to tank cars.

Mr. Hopkins also reviewed a letter from a Committee member advising of additional assignments under the AAR Interchange Rules that should be more properly assigned to carriers responsibility rather than to owners responsibility as at present. After brief discussion, the Committee concurred that the member's letter should be reviewed further and requested the Secretary to refer the member's letter to the Subcommittee for review and consideration.

(continued on agenda)

(f) TE-R-126 "AAR Arbitration Committee"

Mr. Moyes discussed his written report. The Secretary was requested to distribute Mr. Moyes' report to the Committee for its information.

(continued on agenda)

(g) TE-R-130.0-1 "Tank Car Unloading"

Mr. Long reviewed the background of the recommendations developed and approved at an earlier meeting by the Committee under the subject docket and the December 9, 1971 action of the Policy Advisory Subcommittee referring these recommendations back to the Subcommittee for additional consideration.

Mr. Hopkins reported that after much discussion, the Subcommittee concurred in its March 15, 1972 meeting with the Policy Advisory Subcommittee's conclusions. Although the subject recommended revisions to §174.561 did provide conformity between the provisions of the Regulations and current safety practices of member companies, these revisions contained a number of provisions in the present Regulations that pertained to tank cars apparently no longer in service and did not recognize recent significant developments in tank car design. The Subcommittee requested a task group of D. M. Long, S. L. Watts and G. E. Fitzgerald to review the subject recommended revisions to the Regulations and develop necessary revisions to resolve these criticisms.

The task group met March 28, 1972 and developed a revised draft using the previous recommendations of the Committee as a basic working paper. Copies of the task group's draft were distributed at the Committee meeting for review and comment. The members were requested to transmit any comments to the Secretary for consideration by the task group.

The Secretary reviewed the February 22, 1972 letter received from R. L. Mitchell, Jr., The Chlorine Institute, advising that the Institute had a review of §174.561 in progress and that he understood that MCA had a similar review under consideration. Mr. Mitchell requested consideration of a joint inter-association task group between The Chlorine Institute, MCA and CGA for review of discussions in the respective associations regarding the recommendations to revise §174.561.

Mr. Hopkins reported that the Subcommittee had concurred in the suggestions presented by Mr. Mitchell but noted that such a meeting should be deferred, if possible, pending consideration of the MCA task group report by the Transportation Equipment Committee. After discussion,

the Committee concurred in the Subcommittee's recommendations regarding the proposed ad hoc inter-association task group and recommended that the American Petroleum Institute be included in the task group since they are also interested in the provisions of the subject Regulations. Mr. Long and Mr. Watts were requested to represent MCA in this inter-association task group.

As a means of promoting activity in this inter-association task group, the Secretary was requested to make the task group draft available to The Chlorine Institute, the Compressed Gas Association and such other appropriate trade organizations as may become interested in this activity with the understanding that the draft was only a working paper, and was not to be regarded as a recommendation of the Association. Concurrently, the Secretary was requested to proceed with progression of the task group draft in MCA, as follows:

- (1) When the draft is released by the task group, it should be presented to the Rail Subcommittee for review and comment.
- (2) After task group consideration of the Subcommittee's comments, the Secretary was requested to distribute the draft simultaneously to the Transportation Equipment and Transportation and Distribution Committees for review and comment.

Formal approval of the draft by Committee vote or letter ballot was deferred pending consideration of reports of the meetings with the inter-association task group. The task group was requested to consider the comments received from the MCA committees, as well as any discussions of this draft at the inter-association task group, and develop appropriate recommendations for consideration at the September 13, 1972 meeting of the Rail Subcommittee.

(continued on agenda)

(h) TE-R-133.5 "Bottom Unloading of Tank Cars"

Mr. Hopkins reviewed the discussion at the March 15, 1972 meeting of the Subcommittee regarding the revised definitions for corrosive liquids and solids reported to be in development in the Office of Hazardous Materials

(these definitions were subsequently published in the March 23 Federal Register in DOT Docket HM-57; Amdts. 171-14 et al). These amendments did not appear to include provisions for transportation of liquids which formerly were not classified as hazardous materials but which would be classified as "corrosive" by these amendments, although appropriate provisions were reported to be included in the amendments for solid (dry) commodities classified as "corrosive."

The Subcommittee recommended that the parent Committee be surveyed to determine member company experience in shipping these liquid commodities. A task group of J. C. Graves, M. M. Anderson and G. E. Fitzgerald was requested to review this rule making as soon as it was published and develop a recommended questionnaire for presentation to the Secretary for consideration and handling in survey of the parent Committee.

The Subcommittee also recognized that a number of these liquid commodities were commonly handled through bottom connections on both tank cars and tank trucks and requested the task group to include determinations of this experience in the survey. The task group was also requested to review the compilation of replies received by the Secretary to the survey and develop suggested revisions to the Hazardous Materials Regulations to provide appropriate regulatory provisions for shipment of these liquid corrosives.

The task group met on April 7, 1972 to develop a questionnaire to determine bulk shipping containers used for transporting commodities not previously considered hazardous that are now classified as corrosive liquids under the amendments published in DOT Docket HM-57 and experience in handling these commodities through bottom connections on these containers. The task group developed a recommended questionnaire which was presented to the Secretary for handling as appropriate.

Because of extreme interest in the Association expressed by member companies not represented on this Committee, the Secretary concluded rather than a survey limited to committee members or even those companies on the general mailing list of the committee, the proper level of survey should be to the member companies of the Association. Consequently, on April 21, 1972, the Secretary transmitted the questionnaire to the Transportation

Contacts of the member companies of the Association, simultaneously providing copies to the members of the Transportation Equipment and Transportation and Distribution Committees. Responses will be tabulated by the Secretary, preserving the identification of the companies participating and distribute this compilation to the task group for its consideration in the development of the suggested regulatory provisions for use of these containers in the respective services. The task group's recommendations will be recommended to the Secretary for handling with DOT as appropriate. Report of the task group's activities will be presented at the next meeting of the Rail Subcommittee.

Secretary's Note: Later in the meeting, the Committee also recommended that similar recommendations be developed in the Truck and Portable Tank Subcommittee from a survey of the member companies (see TE-T-336). In the interests of expediency, the final survey was broadened to include portable tanks, tank cars and tank trucks. Subsequent to the meeting, Mr. Long appointed C. A. Angle and W. T. Skolnicki to the TE-R-133.5 task group to coordinate the development of the suggestions regarding HM-57 with the considerations in Docket TE-T-336.

(continued on agenda)

(i) TE-R-230.0 "Sodium Chlorate in Tank Cars"

Mr. Hopkins reported the Subcommittee's review of a letter received from a member company requesting consideration of a project to clarify provisions in §173.163 (a)(6) regarding the transportation of wet sodium chlorate in tank cars. The Subcommittee noted that while some solutions of some chlorates containing large amounts of water may be classified as oxidizing materials under the present provisions of the Regulations, there were other such solutions that, as such, were not classified as hazardous commodities. It was also noted, however, that spills of these latter solutions, when dry, may very well present a safety hazard since one would now have the oxidizing material in its (dry) hazardous state. The Subcommittee concurred that suitable operating precautions should be developed to advise against the occurrence of spills and to provide recommendations for handling exposures should these spills occur.

The Committee concurred in the Subcommittee's conclusions and recommendations. Consequently, a task group of S. L. Watts (chairman), D. M. Long, M. T. Miller and C. J. Schoustra was requested to consider this general problem and to develop suitable operating recommendations for report at the next meeting of the Subcommittee. The Secretary retitled this docket as "Chlorates in Tank Cars" to reflect this change in emphasis.

(continued on agenda)

(j) TE-R-264.1 "Hydrofluoric Acid in Tank Cars"

Mr. Hopkins reported that the task group reviewing bolting materials for hydrofluoric acid service was requested to develop recommendations for review and consideration at the next meeting of the Subcommittee.

(continued on agenda)

(k) TE-R-296.0 "Revisions to Parts 173 and 179 - Hazardous Materials Regulations"

Mr. Phillips reported that the task group appointed under the subject docket at the October 25-27, 1971 meeting of the Committee was requested to act in an advisory capacity to G. W. Rousseau, Office of Hazardous Materials, DOT. The purpose of the task group was to develop suggested revisions to the Hazardous Materials Regulations to incorporate the provisions of certain outstanding special permits into the Regulations as well as to suggest cancellation of certain obsolete provisions of the Regulations as they pertain to the transportation of chemicals for Mr. Rousseau's consideration. As the task group was acting in an advisory capacity to Mr. Rousseau and not in behalf of the Association, recommendations developed by the task group were handled directly with Mr. Rousseau.

Mr. Phillips reported that the task group report had been completed and presented to Mr. Rousseau for consideration. Mr. Phillips also noted that the task group's review had developed several subjects that they recommended for consideration by the Transportation Equipment Committee as presented in his February 24, 1972 letter to the Secretary.

Mr. Hopkins reported the Subcommittee had recommended the docket be re-opened for consideration of the recommendations presented in Mr. Phillips' letter. However, discussion in the Committee resolved the concerns expressed by the task group. Consequently, no action was now believed necessary in response to Mr. Phillips' letter and the docket was closed.

(removed from agenda)

3. TE-C-151 "Report of Truck and Portable Tank Subcommittee - J. T. Curtis, Jr., Chairman

(a) TE-T-163 "Tank Truck Manuals"

Mr. Curtis reported that the Subcommittee reviewed the task group's third draft of proposed recommended practices for the loading and unloading of flammable liquids tank trucks at its March 22, 1972 meeting. The Subcommittee recommended several changes to the task group for consideration of a development of a fourth draft. The fourth draft, when completed and released by the task group, will be presented to the Subcommittee by letter ballot for approval for presentation to this Committee.

(continued on agenda)

(b) TE-T-176.0 "Hydrofluoric Acid in Cargo Tanks"

Mr. Curtis reported that recommendations previously approved by the Committee under this docket have been modified to include grandfather clauses in certain instances and will be submitted to DOT in the near future as recommended revisions to the Regulations.

(removed from agenda)

(c) TE-T-208.4 "Loading and Unloading of Tank Trucks"

It was reported at the Subcommittee meeting that the Secretary had reviewed amendments published under HM-65 with DOT as requested. It appears the requirement in the subject amendments for electrical continuity between the cargo tank and the receiving tank originated in the API response to HM-65. DOT provided a copy of the API recommendations to the Secretary, which were transmitted to J. T. Curtis on January 18, 1972.

The Subcommittee recommended that the Secretary be requested to discuss this requirement with API to determine (1) their position concerning the intent behind this requirement and (2) if they would support a proposed amendment in the Regulations which would classify the subject and require only that the unloading line in the cargo tank be at the same potential. Mr. Anderson has been requested to assist the Secretary as needed to progress this subject to an early conclusion since HM-65 is already in effect. Report of the Subcommittee's action was accepted.

(continued on agenda)

(d) TE-T-213 "Tank Truck Technical Council"

Mr. Curtis reviewed the following report presented at the March 22 meeting of the Subcommittee.

- (1) Subcommittee members were requested to submit to the Secretary, with copies to Messrs. Long, Watts and Curtis, any items which should be added to the Council's agenda. The Secretary will then submit appropriate items to A. F. Dyer, Council Chairman, Phillips Petroleum Company.
- (2) Mr. B. H. Lord's March 7, 1972 letter to Council members concerning uniform flammable liquids definitions was reviewed. It was concluded that the Committee should take no action, particularly in view of the pending DOT issuance of a regulatory amendment concerning the subject.
- (3) A March 9 letter from W. H. Johnson, National LP-Gas Association, recommending recognition of a periodic visual inspection of cargo tanks in LP-gas service in lieu of the present five-year hydrostatic retest was discussed. It was the consensus that the ramifications of such a proposal were of sufficient interest that the Subcommittee should review the proposal. The Secretary was requested to open a docket for this review and distribute Mr. Johnson's letter to the Subcommittee.

The Secretary re-opened Docket TE-T-164.2 "MC 331 Cargo Tank Retests" for discussion of the NLPGA request.

(continued on agenda)

(e) TE-C-247 "T&D Research and Development Subcommittee"

Mr. Skolnicki reported that TC Manuals 11 through 18 have been issued. All manuals of this series will be publicized in several trade journals. The remaining project before this Subcommittee of direct interest to the Transportation Equipment Committee is development of the Loss and Damage Report which is currently under way.

(continued on agenda)

(f) TE-T-248 "Canadian Regulations - Truck Shipments of Hazardous Chemicals"

The Canadian Transport Commission (CTC) Regulations, which would provide uniform regulations of hazardous materials throughout the Canadian provinces, were reported to be in the developmental stage. Although the proposed Canadian Regulations are under extensive review, it is probable that there will be no significant differences between these Regulations and the DOT Hazardous Materials Regulations.

After discussion, the Committee recommended that Ross Maitland of the Canadian Transport Commission be invited to the October 1972 meeting of the Committee in Montreal, Quebec, Canada. The Committee also recommended that representatives of the Canadian Chemical Producers Association (CCPA) be invited to this meeting.

(continued on agenda)

(g) TE-T-276.1 "Proposed MC 341 Tank Trailer"

After discussion, the Committee endorsed the Subcommittee's recommendation that a letter or other appropriate contact be made with W. J. Burns, OHM, DOT, requesting early action in progressing the CGA petition proposing the MC 341 cargo tank.

(continued on agenda)

(h) TE-P-327.0 "Intermodal Container Standards"

The status of the U.S. Coast Guard's proposed specifications and regulations were discussed. It was reported that the U.S. position paper on the specification, developed by Subcommittee I of the Chemical Transportation

Industry Advisory Committee of the U.S. Coast Guard, did not receive favorable reaction at the recent IMCO meeting. The Subcommittee presently is developing a revised proposal.

(continued on agenda)

(i) TE-P-327.1 "Proposed Portable Bin Specification - 56 Series"

In light of HM-68 which was distributed to all TEC members February 11, 1972, no further action is required and the Subcommittee has recommended that this docket be closed.

(removed from agenda)

(j) TE-T-336 "Bottom Unloading of Corrosive Liquids Cargo Tanks"

The Subcommittee accepted the task group's recommendations that (1) top and bottom outlets for MC 312 cargo tanks should be permissible in §178.343-5, provided the damage protection requirements of §178.340-8 are met, and (2) prohibition of bottom outlets for certain chemicals should be on a specific commodity basis.

The Subcommittee further recommends that where it is determined bottom outlets should not be permitted, this should be covered in §178.340 and wherever reference is made to MC 310 and MC 311 cargo tanks grandfather clauses should be inserted to allow for their continued use if they meet MC 312 bottom outlet requirements.

After discussion, the Committee concurred in the Subcommittee's recommendation and requested a task group of C. A. Angle (chairman), W. T. Skolnicki and S. L. Watts to (1) develop proposed revisions to the Hazardous Materials Regulations to implement these recommendations and (2) develop recommendations for shipment in cargo tanks those chemicals which will be classified as corrosive by the amendments promulgated in HM-57.

(continued on agenda)

(k) Motor Carrier Accident Reports (MC-36; Notice 72-1)

Mr. Curtis reviewed Subcommittee discussion of the reporting requirements included in the subject notice and distributed to the Committee by the Secretary's February 1, 1972 letter. It was indicated that the

American Trucking Association and the National Tank Truck Carriers, Inc. were developing responses to taking exception to these added requirements because of unnecessary duplication as many states already require such reports.

Individual companies responding directly to DOT were urged to provide MCA with copies to their responses so that MCA may also respond if there is sufficient interest.

- (1) Mr. Curtis reported that Recommended Practice 36-71 "Nomenclature and Terminology of Tank Trailers and Containers," a basic glossary of terms and standard nomenclature for the truck industry, has been published by and is available from the Truck Trailer Manufacturers Association at a cost of \$2.00 per copy.

4. TE-C-350 "Report of Marine Transportation Subcommittee -
M. M. Anderson, Chairman

Mr. Anderson reported that the Subcommittee had met January 25, 1972 and considered only Dockets TE-M-104.3 and TE-M-112. Because of the time required in the meeting to conduct review of the Coast Guard's proposed oil pollution regulations in the latter docket, the Subcommittee was not able to consider the remaining items on its agenda. Consideration of these subjects was deferred to a second meeting of the Subcommittee tentatively planned for Spring, 1972 for review of Coast Guard proposals for manned vessels (Subchapter O) and proposed revisions to the present compatibility guide. These proposals have not yet been released; consequently there is no report for the following dockets.

TE-M-104.1 - Federal Legislation - Licensing of Personnel
TE-M-104.2 - Safety of Ports, Harbors, Waterfront Areas,
and Navigable Waters of the United States
TE-M-105.0 - 46 CFR (Parts 150-153 - Subchapter O)
TE-M-105.5 - 46 CFR (Part 150 - General)
TE-M-105.6 - 46 CFR (Part 151 - Barges)
TE-M-105.7 - 46 CFR (Part 152 - Portable Tanks)
TE-M-105.8 - 46 CFR (Part 153 - Manned Vessels)
TE-M-109 - Specification for Portable Containers
TE-M-110 - Port Security
TE-M-111 - Compatibility Guide - Adjacent Bulk Loadings
CGFR 71-160 Proposed Oil Pollution Prevention Regulations

(a) TE-M-104.3 "Federal Legislation - Amendments to Federal
Water Quality Act of 1970"

The Subcommittee discussed provisions of Senate 2770 and H.R. 11896 in their January 25, 1972 meeting.

Senate 2770 provides for maximum penalty for non-removable discharge or spill of hazardous polluting substances not to exceed \$5,000 per barrel. As originally proposed in H.R. 11896, a penalty of \$100 per gross ton of vehicle or not to exceed \$14,000 would be imposed. It is since understood that the House bill as reported by the Public Works Committee would be amended to provide a maximum penalty of \$50,000. However, copies of H.R. 11896, as finally prepared by the Committee, were not available at the time of the Subcommittee meeting and the extent of the penalty is not precisely known. After discussion, the Committee approved a recommendation that MCA should undertake appropriate action with legislative bodies to support a maximum penalty provision for \$50,000 for non-removable discharge or spill of hazardous polluting substances.

(continued on agenda)

(b) TE-M-112 "Proposed Oil Pollution Control Regulations
(CGFR 71-160 and CGFR 71-161)"

The subject regulations regarding vessels and oil transfer facilities were published in the December 24, 1971 Federal Register. The proposed regulations concern tank cleaning and ballasts; bilges, leaks and fueling spills; vessel casualties; and terminal facility or oil transfer operations. While the proposed regulations pertain to pollution prevention measures for oil, the proposal provides the basic framework and requirements for regulatory proposals for chemicals and other hazardous substances.

On September 29, 1971, the Secretary sent copies of the proposed regulations to the members of the Transportation and Distribution and Transportation Equipment Committees. Responses received up to the time of the Subcommittee meeting indicated little objection or real basis for protesting the proposed regulations. After discussion, the Subcommittee recommended certain revisions and comments to clarify certain of the provisions of these proposals to avoid misunderstanding and to maintain appropriate review provisions.

The recommendations of the Subcommittee formed the substance of comments MCA presented to the Commandant of the Coast Guard on February 15, 1972 in response to the two proposed rule makings.

5. TE-C-209 "Tank Car and Hopper Car Mileage Compensation"

The Secretary presented the following report: Hopper cars are being handled by LOSAC, a shipper committee. MCA is not participating in this group, although several member companies are participating on their own.

The MCA complaint for updating of base classification values for rail cars has been docketed as ICC 35537. Statements and arguments on behalf of MCA are due May 23, 1972. However, since some information requested from the AAR UMLER tapes has not been received by MCA's Transportation Counsel, a thirty-day extension will probably be requested.

One of the expert witnesses appearing for MCA will be J. R. Hopkins. His statement will deal with elements of car construction necessary for safety and other considerations that tend to cause tank cars in chemical service to be of high value. Mr. Hopkins' testimony pertains to that part of MCA's case where it is contended that the present \$25,000 top limit for base classification value (BCV) is impractical and where MCA has asked that the top BCV be increased to a more appropriate and realistic figure, probably equivalent to the value the railroads use in the per diem fleet.

MCA is seeking increase of the BCV by Commission order; tanks would be grouped by mileage compensation and, to avoid continuing litigation to increase the BCV in keeping with inflation, a trending factor to automatically adjust BCV with inflation will be proposed.

(continued on agenda)

6. TE-C-211 "Packaging and Transportation Liaison Group"

Mr. Long advised that there had been no recent meetings of this group, composed of the officers of the Transportation and Distribution, Transportation Equipment and Chemical Packaging Committees.

The Secretary reported that the Transportation and Distribution Committee was in the process of carrying forth a reorganization of its various subcommittees and other

committee units. It is anticipated that this reorganization will be completed by the next meeting of this Committee at which time the Secretary was requested to review the organization and scope of the various units of the Transportation and Distribution Committee.

(continued on agenda)

7. TE-C-324 "DOT - Hazardous Materials Regulations"

There was brief discussion on the following DOT notices and amendments: HM-57; HM-100; and HM-101.

Mr. Long invited Mr. Rousseau to comment on any projects or matters before DOT that would be of interest to the Committee.

The amendments recently published under HM-57 are the first of a series of proposals and amendments that will constitute a substantial overhaul of the present regulations. In addition to an amendment revising the definition for toxic materials, proposals which will be released in the relatively near future include revisions to the definitions of flammable liquids, establish a definition of combustible liquids, and publication of the DOT Hazard Information (HI) system as part of the regulations with proposed revisions to the provisions for placarding and labelling of containers to implement the HI system. Re-codification of the Hazardous Materials Regulations to incorporate the respective provisions of the Coast Guard and the FAA for the shipment of hazardous materials in packages and bulk containers will be published as a separate proposal. Ultimately, there will be one set of regulations governing the transportation of hazardous materials in packages, portable tanks, tank trucks and tank cars regardless of the mode utilized.

8. TE-R-128 "AAR Committee on Tank Cars"

Mr. Long discussed highlights of the March 1 and 2, 1972 meeting of the AAR Committee on Tank Cars.

It appears that there have been several reports of stiff DOT 111A tank cars developing varying degrees of buckling and wrinkling in the bottom of the tank car tank. A detailed investigation of historical records of this class of cars has been initiated.

AAR has sent a letter to its members and to private car owners cautioning against improper application of ACI brackets and advising that shops should not make weld repairs to tanks unless the shop is certified to perform that work.

It was reported at the AAR meeting that several DOT 103W tank cars in caustic service have developed cracked centersills in the tank anchor area. This problem is being investigated by the concerned car builders and shippers.

Several members indicated their companies have had similar experience in cracking of centersills in the tank anchor area. Members were requested to send available experience to Mr. Long for his consideration and report to the AAR Subcommittee on Specifications.

Mr. Long advised that the MCA recommendations to AAR on definitions on rebuilt tank cars have been referred to the Committee on Tank Cars for review; this review has been assigned to the Subcommittee on Operations. A task group of Mr. Long, Bruce McDonald (Southern Pacific) and Bill Allen (Union Tank Car) has been requested to review this recommendation for report to that Subcommittee. Mr. Long has received a letter from Mr. McDonald requesting a review of the MCA position. Mr. Long has requested assistance from several of the members of the Committee for review of Mr. McDonald's letter and development of the response.

Mr. Long reported R. M. Graziano, Director and Chief Inspector of the AAR Bureau of Explosives, has been appointed a non-voting member of the AAR Committee on Tank Cars and W. J. McIlhenny, Sun Oil Company, has been appointed API's representative on the Committee.

The next meeting of the Subcommittee on Specifications has been scheduled for May 8-11, 1972 in Jacksonville, Florida.

The Secretary was requested to advise the Committee of arrangements and agenda of AAR Committee on Tank Cars' and Subcommittee on Specifications' meetings. Distribution of the attachments to the agenda for the Subcommittee on Specifications' meeting was not considered necessary since interested members can obtain them from AAR.

9. TE-C-337 "Tank Car Research Committee"

Mr. Anderson reviewed the April 19, 1972 conference between shippers and the representatives of the RPI-AAR Tank Car Safety Research and Test Project. The purpose of the conference was to review progress to date in the RPI-AAR Project and to elicit comments on preliminary recommendations based on information developed up to the time of the conference.

After discussion, the Secretary was requested to obtain copies of the Technical Progress Report No. 23 and "Project Background Organization Objectives, Scope, Plan and Progress" both papers dated April 19, 1972 and published by the Railroad Tank Car Safety Research and Test Project, for distribution to members of the Committee not present at the conference. The members of the Committee were requested to review these reports as soon as possible and comment to the Secretary so that a consensus of the Committee may be developed for transmittal to the RPI-AAR Project Review Committee for their consideration.

10. TE-C-338 "OSHA Standards"

- (a) The Secretary reported that an inter-committee task group of representatives of each of the technical committees having activities which included one aspect or another of the OSHA standards had been established to coordinate MCA's consideration of recommended revisions to existing or proposed OSHA standards. Each committee has one member and an alternate on the task group and is responsible for review of the OSHA standards as they pertain to that committee's particular area of interest. Recommended revisions to the standards developed within MCA will be reviewed by the inter-committee task group prior to presentation to the Department of Labor; similarly, responses to proposed revisions to the standards published in the formal rule making process will be coordinated by the task group in order to respond to the statutory limit imposed on such proceedings. Mr. Watts is the present representative of this Committee on the task group with Mr. Long as his alternate.

11.

Mr. Long reviewed recent activities of the task group. Of particular note was the report that there will not be a general requirement by OSHA for use of materials safety data sheets and that the inter-committee task group will consider suggested modifications to the MCA Chemical Safety Data Sheet format to satisfy OSHA requirements.

12.

The Committee requested Mr. Watts to continue as its representative to the inter-committee task group with Mr. Long as his alternate and referred further consideration of this activity to the Policy Advisory Subcommittee for discussion at its next meeting.

- (b) The Truck and Portable Tank Subcommittee recommended in their March 22, 1972 meeting that MCA consider petitioning OSHA for recognition as a consensus standards sponsoring organization and requested the Secretary to review this recommendation in MCA staff for report at the April 24, 1972 meeting.

The Secretary advised that it would not be appropriate for MCA to petition for recognition as a consensus standards sponsoring organization because although the recommendations of the Association represented a consensus of its members, this consensus was limited only to the member companies of the Association and did not represent the opinion or recommendations of any other organization or industry. As a consequence, MCA did not meet the qualifications for consensus standards sponsoring organizations envisioned in the Occupational Safety and Health Act.

11. Proposed Rules of Organization and Procedure

The Committee reviewed proposed revisions to its Rules of Organization and Procedure distributed by the Secretary's February 16, 1972 letter and subsequent modifications, primarily of an editorial nature, suggested for the Committee's consideration by MCA staff.

After discussion of proposed size limitation of the Committee, rotation policy, qualifications for membership on subcommittees, task groups and other committee units and certain administrative matters, the Committee requested the Secretary to review its recommended changes to the February 16, 1972 draft and referred further discussion of these Rules to the next meeting of the Policy Advisory Subcommittee.

12. New Business

- (a) The Committee reviewed member experience in bottom loading and unloading of flammable liquids from tank cars. In view of changes in the definitions of flammable liquids and the establishment of a classification "combustible liquids" under consideration in DOT, the Committee concluded that consideration should be given to the development of appropriate provisions for shipment of commodities not now classified as hazardous but which would be classified as either flammable or combustible by definitions under development in the Department of Transportation. The Committee requested a task group of F. J. Heller (chairman), J. C. Graves, E. G. Hansen, G. A. Thompson

and G. E. Fitzgerald to develop suitable recommendations for revision of the Hazardous Materials Regulations to provide for shipment of these commodities in tank cars, once the proposed definitions are published by DOT in the Federal Register. The Secretary assigned Docket TE-R-133.6 "Bottom Loading and Unloading of Flammable Liquids Tank Cars" to this review.

- (b) The Rail Subcommittee has recommended that a general docket item "Long Range Planning" be instituted for its use and record of new projects and studies considered for recommendation as projects of the Committee. Docket TE-R-337 "Long Range Planning" was assigned to this review.
- (c) The Rail Subcommittee has requested a task group of R. E. Phillips, M. M. Anderson, J. W. Kvech, E. G. Hansen and J. R. Hopkins (chairman) to review (1) what is being done in MCA regarding disposal of in-plant waste and (2) disposal of material resulting from transportation accidents and what can or should be done in these areas by the Transportation Equipment Committee consistent with its areas of interest. The Secretary has assigned Docket TE-C-340 "Waste Chemical Disposal" to this review.
- (d) The Committee discussed New Jersey Senate Bill 255 which would restrict the loading and unloading of caustic materials by means of high pressure. A member advised those present of the name and address of the chairman of the committee in the New Jersey Senate to which this bill has been assigned for their consideration in presenting comment on the proposed legislation and other appropriate action.

The members discussed possible means whereby they could be advised of state legislature bills germane to the areas of interest to the Committee. The Secretary commented that the State Legislative Bulletin is published regularly as a means of keeping member companies informed of pertinent legislation that has been introduced.

It was recognized that the Association is not organized or staffed to become extensively involved in state legislation activities. Views of affected member companies are presented directly to the legislature as appropriate or through other resources or contacts available in the various states.

The Secretary was requested to add the members of the Committee to the distribution of the State Legislative Bulletin and to open a standing docket for discussion of state legislation of interest to the Committee.

The Secretary assigned Docket TE-C-339 "State Legislation" for administrative purposes and Committee reports.

- (e) Mr. Curtis reviewed the discussions at the March 22, 1972 meeting of the Truck and Portable Tank Subcommittee of a member's comment that the Hazardous Materials Regulations did not include in §173.33 provisions for the conditions requiring bulk heads in tank trucks, although such requirements are contained in §178.340-7(c). The Subcommittee discussed the need for an addition to §173.33(b) referencing §178.340-7(c) or duplicating that wording, but referred the subject to the parent Committee for further consideration.

After discussion, the Committee requested the Subcommittee to develop appropriate recommendations to resolve this difficulty for consideration at the next meeting of the Committee. A task group of M. M. Anderson (chairman) and J. T. Curtis was requested to develop recommendations for consideration at the next meeting of the Truck and Portable Tank Subcommittee. The Secretary assigned Docket TE-T-288.1 "Provisions for Bulkheads" to this review.

- (f) The Secretary reported that four MCA publications in the purview of the Committee are due for triennial review. After discussion, the Committee requested the Secretary to re-open the following dockets and the Rail Subcommittee to review these publications at its next meeting.

TE-R-131 - TC-1 "Unloading Acids From Tank Cars"
TE-R-132 - TC-3 "Unloading Liquid Caustic From
Tank Cars"
TE-R-133.1 - TC-4 "Unloading Flammable Liquids
From Tank Cars"
TE-R-135 - TC-7 "Tank Car Approach Platforms"

- (g) The Secretary reported the recommendations of the Chemical Packaging Committee that an inter-committee task group be established to review the Commodity Data Form, distributed to the two Committees by the Secretary's March 31, 1972 letter, for possible expansion and revision of format.

The Committee reviewed the form and discussed several possible additions and revisions. Members were requested to submit comments to the Secretary for consideration. A task group of R. E. Phillips and E. G. Hansen was requested to meet with the CPC representatives and develop a report for consideration at the next meeting of the Committee. The Secretary assigned this review to Docket TE-C-137 "MCA Safety Data Sheets and Commodity Data Forms."

- (h) The Secretary reviewed the April 5, 1972 letter received from Lewis W. Gleekman, Editor, Corrosion Data Survey, regarding a possible cooperative effort between the National Association of Corrosion Engineers and MCA. Mr. Gleekman is interested in including in the fifth edition of the survey available data on those commodities that have been classified as corrosive by the amendments in HM-57 (discussed elsewhere in these minutes).

After discussion, the Committee concurred in the desirability of a joint project with NACE and referred further discussion to the Policy Advisory Subcommittee as to how the Committee should undertake this activity.

- (i) The Secretary reviewed a March 21, 1972 letter from J. D. Holmes, Vanguard Transportation, Inc., which transmitted an open copy of his March 21, 1972 letter to C. A. Sutherland, NTTC, and discussed in the Secretary's March 31, 1972 letter to the Committee.

Mr. Holmes indicated that there was a problem in his company resulting from incomplete unloading of tank trucks transporting chemicals and other products. The results under such circumstances would be the loss of usable product to the consignee and the presentation to the tank truck cleaning facility of a quantity of chemical for treatment or disposal beyond the design capability of the facility. Although Mr. Holmes advised that this problem, to his knowledge, had been encountered only in the operation of his company, he believed that the situation may be rather widespread in the shipment of chemicals by tank truck and suggested to Mr. Sutherland that perhaps a joint effort to review this problem should be initiated between API, NTTC and MCA.

After discussion, the Committee concurred that, to the knowledge of its respective members, there was no such general problem as described by Mr. Holmes, although there

might well be a localized problem in a few instances. It was thus concluded that further review by MCA of this request was not necessary.

The Secretary was requested to advise NTTC of this consensus. The Committee recognized that its membership represented only a part of the chemical industry and that this problem may be more prevalent in other areas. Consequently, the Secretary was also requested to advise NTTC that the foregoing consensus was based only on information immediately available to the Committee and that if NTTC review of this request developed additional information which indicated a somewhat different level of experience, the Association would be pleased to review the matter further.

- (j) The Secretary reviewed a request from a member company for consideration of development of proposed revisions to Part 173 to cross reference, where applicable, specification requirements in Part 179 for new construction of tank cars in certain services. After discussion, the Committee recommended that a docket be established to consider cross referencing of Part 179 into the commodity provisions of Part 173 as appropriate. R. E. Phillips was requested as a task group of one to develop appropriate recommendations to provide the suitable cross reference between Parts 173 and 179. The Secretary assigned Docket TE-R-296.7 "Cross References - Part 179 to Part 173" to this review.
- (k) Several members noted that certain provisions of Part 173 of the Hazardous Materials Regulations provide that a tank car or other container shall not be liquid-full at a given temperature which varies depending upon the class of tank car involved.

After discussion, the Committee concluded that while this manner of specifying an ultimate requirement for the loading or filling of these containers is an essential provision of the regulations, it would be more practicable and useful to reiterate these requirements in terms of filling or loading density expressed in percent of the water weight capacity of the particular tank. Since this problem pertains primarily to rail cars, initial review of this matter was referred to the Rail Subcommittee. The Secretary reopened Docket TE-R-306 "Tank Car Tank Outage" for this review.

13. CHEMTREC

The Secretary commented that the Chemical Transportation Emergency Information Center (CHEMTREC) has received over 3,000 incoming calls since its inception September 5, 1971. Some 330 calls have concerned incidents in transit and many calls have been received from emergency personnel, simply to confirm CHEMTREC's existence. Operating experience, to date, confirms the validity of the chosen approach - that is, providing emergency information from file and utilizing the expertise of the shipper involved to provide detailed information tailored to the particular circumstances of the incidents at hand.

Reaction to CHEMTREC has been good from carriers and emergency services alike. Member company follow-up has been an important factor in its achievement, and cooperation by member companies as well as many non-members has generally been excellent.

14. TE-C-137 "Chemical Safety Data Sheets"

The Secretary reported that since the last meeting of the Committee, the Safety and Fire Protection Committee has released a draft of proposed revisions to Chemical Safety Data Sheet SD-51 "Ethyl Acetate" for review and comment.

The following new or revised Safety Data Sheets have been published since the October 25-27, 1971 meeting of the Committee:

SD-37 - Phosphorus Trichloride
SD-56 - Vinyl Chloride
SD-97 - Diethylamine

At the October, 1971 meeting the Secretary reported that a draft of SD-98 "Allyl Chloride" and SD-99 "Isopropyl Alcohol" had been distributed for review and comment. At the present time, SD-98 has been completed and has received necessary approvals with the exception of the development of a label by the LAPI Committee, and SD-99 was in galley proof at the printers awaiting publication.

15. UL-567 "Pipe Connections for Flammable Liquids and LP-Gases"

The Secretary reviewed his February 10, 1972 letter to the Chemical Packaging, Engineering Advisory, and Transportation Equipment Committees requesting comments on UL-567 "Pipe Connections for Flammable Liquids and LP-Gases" for adoption

under the canvass method of ANSI for recognition as an ANSI standard. Although the response to the Secretary's letter was sufficient to establish a consensus response, MCA's ballot was returned to Underwriters' Laboratories marked "not voting" since closer review of the standard indicated that the connections covered by the standard were utilized only on gasoline and LP-gas motor fuel dispensing units. The MCA response noted, however, that if the intent of the standard was to cover other applications that our response would be different from "not voting," depending upon the application intended.

16. The Secretary reported that a literature search conducted by General American Transportation Corporation under a contract from the Department of Transportation to determine the exposures that a container encounters while in transportation movement has been released. It is titled "A Survey of Test Methods Currently Used for Simulating the Transportation Environment" and is available from the National Technical Information Service, U. S. Department of Commerce, Springfield, Virginia 22151. The report carries the publication number "PB 202728" and is priced at \$3.00 per printed copy or \$0.95 per microfiche copy.

17. TE-C-223 "Personnel"

(a) Committee Nominations

The Committee deferred consideration of the present nomination for appointment pending indication of interest in Committee activities on the part of the nominee.

- (b) The Committee recommended that G. W. Rousseau, Office of Hazardous Materials, DOT, be re-appointed an associate member of the Committee and deferred consideration of recommendation for appointment of R. M. Graziano, AAR Bureau of Explosives, and V. G. Grey, Truck Trailer Manufacturers Association, as associate members to the October 9-11, 1972 meeting of the Committee.

- (c) The Committee recommended that G. E. Fitzgerald, Shippers Car Line Division, ACF Industries, Inc., be re-appointed a technical advisor to the Committee and that E. A. Phillips, Union Tank Car Company, be appointed a technical advisor to the Committee.

18. The Committee expressed by resolution its appreciation of the efforts, activities, technical ability, competence, timely advice, and expert consultation of S. H. Moyes in his relationship to the Committee as a technical advisor. The Secretary was requested to send a letter to General American Transportation Corporation expressing MCA's appreciation for the assistance and advice provided by Mr. Moyes.
19. The Secretary reviewed tentative information for hospitality functions of the Committee in conjunction with the October 9-11, 1972 meeting of the Committee. After discussion, the Secretary was requested to review with the hotel suitable arrangements for a cash bar from 6 to 8 p.m. for Monday and Tuesday evenings for discussion at the Policy Advisory Subcommittee.
20. Future Meetings

The Secretary reviewed arrangements for meetings of the Committee as follows:

Rail Subcommittee - September 13, 1972, MCA Conference Room, Washington, D. C.

Truck and Portable Tank Subcommittee - September 20, 1972
MCA Conference Room, Washington, D.C.

Transportation Equipment Committee:

October 9-11, 1972
Le Chateau Champlain
Montreal, Quebec, Canada

April 9-11, 1973
Embassy Row Hotel
Washington, D. C.

This meeting of the Committee adjourned at 11:30 a.m. April 26.

W. H. Butterbaugh
W. H. Butterbaugh, Secretary

Minutes Subject to Approval:

May 31, 1972

WHB:cm

cc: Mr. F. L. Byrom
Mr. R. D. Lambert