



National PROPANE GAS Association

4301 North Fairfax Drive, Suite 340 • Arlington, Virginia 22203 • 703/351-7500 • Fax 703/351-7505

DOT/RSPA/OHMS  
DOCKETS UNIT

95 NOV 16 AM 9:58

177758

RSPA-1995-12674-1

October 4, 1995

File: 285.07.21

Tbpt-1499

Mr. Alan I. Roberts, Associate Administrator  
Office of Hazardous Materials Safety  
Research & Special Programs Administration  
US Department of Transportation  
400 Seventh Street SW  
Washington, DC 20590-0001

Subject: *Unloading of LP-Gas Tank Cars*

Dear Mr. Roberts:

The National Propane Gas Association (NPGA) recommends amendment of §173.10(c) of the Hazardous Materials Regulations to allow unloading propane/LP-gas tank cars directly into cargo tank motor vehicles under certain conditions.

NPGA is the national trade association of the LP-gas (principally propane) industry with a membership of about 3,500, including 37 affiliated state and regional associations representing members in all 50 states. Although the single largest group of NPGA members are retail marketers of propane gas, the membership includes propane producers, transporters and wholesalers, as well as manufacturers and distributors of associated equipment, containers and appliances. Propane gas is used in over 18 million installations nationwide for home and commercial heating and cooking, in agriculture, in industrial processing, and as a clean air alternative engine fuel for both over-the-road vehicles and industrial lift trucks.

NPGA recommends revision of §173.10(c) by the addition of (c)(1) to read as follows.

173.10

\*\*\*

(c)

\*\*\*

(1) Under emergency conditions, including supply shortages, liquefied petroleum gas may be unloaded from tank cars on carrier's tracks directly into MC-330 or MC-331 cargo tank motor vehicles or into cargo tank motor vehicles operating in compliance with §173.315(k), provided all of the following conditions are met:

- (a) the transfer operation meets all requirements of ¶4-2.3.8 of the 1992 edition of NFPA 58.
- (b) Where approved by the carrier.

Presently, the Hazardous Materials Regulations prohibit unloading LP-gas tank cars from the carrier's tracks into any containers that cannot accommodate the total capacity of the tank car. This proposal would allow such transfer during such emergencies which do not represent an imminent hazard. Those which do represent an imminent hazard are already under control of the authority having jurisdiction, such as the on-scene commander at a derailment.

This proposed change will have no economic impact until an emergency condition might arise, such as local supply shortages during severe cold weather. When such situations occur, the primary benefit would be in providing emergency fuel service to the consuming public who will also be the primary recipient of any incidental economic benefit.

The Hazardous Materials Regulations presently reference the 1979 edition of NFPA 58 entitled *Standard for the Storage and Handling of Liquefied Petroleum Gas*, an American National Standard published by the National Fire Protection Association, Quincy Massachusetts. As an ANSI Standard, NFPA 58 is used as the basis of state LP-gas safety regulations by virtually every state and has been adopted by reference in the Hazardous Materials Regulations and the Federal Motor Carrier Safety Regulations. NPGA has a petition for rulemaking (No. P-1120) on file to update this reference to the 1989 edition. The current edition of the Standard is dated 1995. A copy of the 1992 edition of NFPA 58 is enclosed; the 1995 edition does contain any changes to ¶4-2.3.8, referenced above.

We would be glad to discuss this recommendation further at your convenience if there are any questions.

Sincerely,



W. H. Butterbaugh, CAE  
Director  
Regulatory Affairs

Enclosure

cc: Gerry Misel  
Wm. B. McHenry  
Mike Gorham  
Brian Clayton  
Al Linder  
D. N. Myers  
R. R. Roldan  
Bruce Swiecicki  
J. K. Burnham