



DEPARTMENT OF TRANSPORTATION

MATERIALS TRANSPORTATION BUREAU

WASHINGTON, D.C. 20590

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[ 49 CFR Parts 171, 177 ]

[Docket No. HM-110; Notice No. 76-9]
VEHICLES CONTAINING HAZARDOUS MATERIALS

Repair and Maintenance

The Materials Transportation Bureau (MTB) is proposing to amend Title 49 of the Code of Federal Regulations by revising paragraph (d) (6) in § 171.7 and amending paragraphs (g) and (h) of § 177.854 that prescribe the conditions under which repair and maintenance may be performed on motor vehicles containing hazardous material.

In consideration of the foregoing, it is proposed to amend Parts 171 and 177 of Title 49 as follows:

1. In § 171.7 paragraph (d) (6) (i) would be added to read as follows:

§ 171.7 Matter incorporated by reference.

- (d) \* \* \*
(6) \* \* \*

(i) NFPA Pamphlet No. 70 is titled, "National Electrical Code," 1975 edition.

2. In § 177.854 paragraph (h) would be deleted; paragraph (g) would be revised to read as follows:

§ 177.854 Disabled vehicles and broken or leaking packages; repairs.

(g) Repair and maintenance to vehicles containing certain hazardous materials. (1) Except as authorized in paragraphs (g) (2) and (g) (3) of this section, no person may repair or perform maintenance on a motor vehicle containing a flammable liquid, combustible liquid, flammable gas, poisonous liquid, oxidizer, or explosive.

(2) Repair or maintenance on a vehicle containing any quantity of the hazardous material prescribed in paragraph (g) (1) of this section may be performed outside of a building if no heat, flame, or spark is used within 100 feet of the vehicle containing the hazardous materials.

(3) Repair or maintenance on a motor vehicle containing one or more of the hazardous materials prescribed in paragraph (g) (1) of this section may

be performed inside of a building if no heat, flame, or spark is used in the same enclosed area of the building and the following conditions are met:

(i) The vehicle's product containment system and fuel system must be closed, and there must be no leakage;

(ii) No repair or maintenance may be performed on the product containment system, the product handling system, or the vehicle's fuel containment system;

(iii) All electrical equipment and tools used in the vehicle repair and maintenance area must be in compliance with the requirements of the National Electrical Code, NFPA No. 70, Article 511, 1975 edition;

(iv) A means is provided and a person, who is qualified to operate the vehicle, is available to remove the vehicle at the first indication of any product leakage or any other emergency situation;

(v) If there is flame type (e.g., furnace, boiler, or gas-fired heater) heating system equipment in the building, it must be turned off (including its pilot light) before the vehicle may be placed in the building, unless: (A) The heating system is located in a separate room which is sealed off from the area in which the vehicle is repaired or maintained; and

(B) The heating system draws air for combustion from a source which assures it has not been exposed to vapors from hazardous materials.

(vi) The vehicle must be removed immediately from the building upon completion of repairs or maintenance.

(h) [Deleted].

The proposals contained herein are not expected to impose any significant additional costs on the public sector, and may result in some cost reduction. An inflation impact statement is not required.

Interested persons are invited to give their views on these proposals. Communications should identify the docket number and be submitted (five copies) to the Section of Dockets, Office of Hazardous Materials Operations, Department of Transportation, Washington, D.C., 20590. Communications received on or before January 10, 1977 will be considered before final action is taken on these proposals. All comments received will be available for examination by interested persons in the Section of Dockets, Office of Hazardous Materials Operations, Room 6500, Trans Point Building, 2100 Second Street, S.W., Washington, D.C. both before and after the closing date for comments.

(49 U.S.C. 1803, 1804, 1808; 49 CFR 1.53(e) and paragraph (a) (4) of App. A to Part 102.)

Issued in Washington, D.C. on October 5, 1976.

ALAN I. ROBERTS, Director, Office of

Hazardous Materials Operations.

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