



DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS REGULATIONS BOARD
WASHINGTON, D.C. 20590

29197

[49 CFR Part 174]

[Docket No. HM-120; Notice No. 74-11]

FREIGHT CARS

Switching of Placarded "Dangerous"

The Hazardous Materials Regulations Board is considering amendment of § 174.589, of Title 49 Code of Federal Regulations, which prescribes the requirements for handling placarded freight cars carrying hazardous materials.

As a result of preliminary findings concerning the catastrophic tank car explosions at Decatur, Illinois, on July 19, 1974, and Wenatchee, Washington, on August 6, 1974, the Board believes that § 174.589 should be amended to prevent further occurrences. Although the National Transportation Safety Board has not yet completed its investigation of these accidents nor determined their probable cause, it appears that the Decatur accident may have occurred as a result of rough handling and that rough handling of freight cars placarded "Dangerous" during switching operations may have contributed to the Wenatchee accident.

The proposed changes in § 174.589 are described below:

Paragraph (c). It is proposed to expand the provisions of this section to include freight cars placarded "Dangerous." This would prohibit the uncoupling or cutting off of these cars while they are in motion, the striking of these cars by other cars moving under their own motion, and the coupling of these cars with more force than is necessary to complete the coupling but in no case at a speed of more than 4 m.p.h.

Paragraph (d). It is proposed to delete this paragraph as surplusage since all freight cars placarded "Dangerous" would be required to be handled in accordance with the provision of paragraph (c).

Pursuant to the provisions of section 102(2)(c) of the National Environmental Policy Act (42 USC 4321, et seq.), the Board has considered the requirements of that Act concerning Environmental Impact Statements and has determined that the amendments proposed in this notice would not have a significant impact on the quality of human environment within the meaning of that Act. Accordingly, an Environmental Impact Statement is not necessary and will not be issued with respect to the proposed amendments.

In consideration of the foregoing, it is proposed to amend 49 CFR Part 174 as follows:

In § 174.589, paragraph (c) would be revised; paragraph (d) would be deleted; paragraphs (e) through (n) would be redesignated paragraphs (d) through (m) respectively as follows:

§ 174.589 Handling cars.

(c) *Switching of Placarded Cars.* A car placarded "Dangerous", "Explosives", "Poison Gas", or "Flammable Poison Gas", or any flat car carrying a trailer placarded "Explosives", "Poison Gas", "Dangerous", or "Dangerous-Radioactive Material" shall not be cut off while in motion. No car moving under its own motion shall be allowed to strike any car placarded "Dangerous", "Explosives", "Poison Gas", or "Flammable Poison Gas", or any flat car carrying a trailer placarded "Explosives", "Poison Gas", "Dangerous", or "Dangerous-Radioactive Material" nor shall any such car be coupled into with more force than is necessary to complete the coupling but in no case at a speed of more than 4 m.p.h.

(1) When transporting a car placarded "Explosives" in terminals, yard, side tracks, or sidings such cars shall be separated from the engine by at least one nonplacarded car.

(2) Closed cars placarded "Explosives" shall have doors closed before they are moved.

(d) [Deleted]

Interested persons are invited to present their views on these proposals. Communications should identify the docket number and be submitted in triplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, Washington, D.C. 20590. Communications received on or before September 20, 1974, will be considered before final action is taken on these proposals. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, Room 6215, Trans Point Building, Second and V Streets, S.W., Washington, D.C. both before and after the closing date for comments. The proposals contained in this notice may be changed in light of the comments received. It is contemplated, due to the serious potential of danger in the handling of cars placarded "Dangerous", that a final rule in this proceeding may be effective in less than 30 days from the date of its publication in the FEDERAL REGISTER.

AUTHORITY: Transportation of Explosives Act (18 U.S.C. 831-835) section 6 of the Department of Transportation Act (49 U.S.C. 1635).

Issued in Washington, D.C., on August 9, 1974.

JOHN W. INGRAM,
Federal Railroad Administrator
Member, Hazardous Materials
Regulations Board.

[FR Doc. 74-18750 Filed 8-13-74; 8:46 am]