

## § 173.247 Bulk packaging for certain elevated temperature materials.

When §172.101 of this subchapter specifies that a hazardous material be packaged under this section, only the following bulk packagings are authorized, subject to the requirements of subparts A and B of part 173 of this subchapter and the special provisions in column 7 of the §172.101 table. On or after October 1, 1993, authorized packagings must meet all requirements in paragraph (g) of this section, unless otherwise excepted.

(a) *Rail cars*: Class DOT 103, 104, 105, 109, 111, 112, 114, 115, or 120 tank car tanks; Class DOT 106, 110 multi-unit tank car tanks; AAR Class 203W, 206W, 211W tank car tanks; and non-DOT specification tank car tanks equivalent in structural design and accident damage resistance to specification packagings.

(b) *Cargo tanks*: Specification MC 300, MC 301, MC 302, MC 303, MC 304, MC 305, MC 306, MC 307, MC 310, MC 311, MC 312, MC 330, MC 331 cargo tank motor vehicles; DOT 406, DOT 407, DOT 412 cargo tank motor vehicles; and non-DOT specification cargo tank motor vehicles equivalent in structural design and accident damage resistance to specification packagings. A non-DOT specification cargo tank motor vehicle constructed of carbon steel which is in elevated temperature material service is excepted from §178.345–7(d)(5) of this subchapter.

(c) *Portable tanks*. DOT Specification 51, 56, 57 and 60 portable tanks; IM 101 and IM 102 portable tanks; UN portable tanks; marine portable tanks conforming to 46 CFR part 64; metal IBCs and non-specification portable tanks equivalent in structural design and accident damage resistance to specification packagings are authorized.

(d) *Crucibles*: Nonspecification crucibles designed and constructed such that the stress in the packaging does not exceed one fourth (0.25) of the ultimate strength of the packaging material at any temperature within the design temperature range. Stress is determined under a load equal to the sum of the static or working pressure in combination with the loads developed from accelerations and decelerations incident to normal transportation. For highway transportation, these forces are assumed to be “1.7g” vertical, “0.75g” longitudinal, and “0.4g” transverse, in reference to the axes of the transport vehicle. Each accelerative or decelerative load may be considered separately.

(e) *Kettles*: A kettle, for the purpose of this section, is a bulk packaging (portable tank or cargo tank) having a capacity not greater than 5678 L (1500 gallons) with an integral heating apparatus used for melting various bituminous products such as asphalt. Kettles used for the transport of asphalt or bitumen are subject to the following requirements:

(1) *Low stability kettles*. Kettles with a ratio of track-width to fully loaded center of gravity (CG) height less than 2.5 must meet all requirements of paragraph (g) of this section (track-width is the distance measured between the outer edge of the kettle tires; CG height is measured perpendicular from the road surface).

(2) *High stability kettles*. (i) Kettles with a total capacity of less than 2650 L (700 gallons) and a ratio of track-width to fully loaded CG height of 2.5 or more are excepted from all requirements of paragraph (g)(2) of this section and the rollover protection requirements of paragraph (g)(6) of this section, if closures meet the requirements of paragraph (e)(2)(iii) of this section.

(ii) Kettles with a total capacity of 2650 L (700 gallons) or more and a ratio of track-width to fully loaded CG height of 2.5 or more are excepted from the “substantially leak tight” requirements of paragraph (g)(2) of this section and the rollover protection requirements of paragraph (g)(6) of this section if closures meet the requirements of paragraph (e)(2)(iii) of this section.

(iii) Closures must be securely closed during transportation. Closures also must be designed to prevent opening and the expulsion of lading in a rollover accident.

(f) *Other bulk packagings*: Bulk packagings, other than those specified in paragraphs (a) through (e) of this section, which are used for the transport of elevated temperature materials, must conform to all requirements of paragraph (g) of this section on or after October 1, 1993.

(g) *General requirements*. Bulk packagings authorized or used for transport of elevated temperature materials must conform to the following requirements:

(1) *Pressure and vacuum control equipment.* When pressure or vacuum control equipment is required on a packaging authorized in this section, such equipment must be of a self-reclosing design, must prevent package rupture or collapse due to pressure, must prevent significant release of lading due to packaging overturn or splashing or surging during normal transport conditions, and may be external to the packaging.

(i) Pressure control equipment is not required if pressure in the packaging would increase less than 10 percent as a result of heating the lading from the lowest design operating temperature to a temperature likely to be encountered if the packaging were engulfed in a fire. When pressure control equipment is required, it must prevent rupture of the packaging from heating, including fire engulfment.

(ii) Vacuum control equipment is not required if the packaging is designed to withstand an external pressure of 100 kPa (14.5 psig) or if pressure in the packaging would decrease less than 10 percent as a result of the lading cooling from the highest design operating temperature to the lowest temperature incurred in transport. When vacuum control equipment is required, it must prevent collapse of the packaging from a cooling-induced pressure differential.

(iii) When the regulations require a reclosing pressure relief device, the lading must not render the devices inoperable (i.e. from clogging, freezing, or fouling). If the lading affects the proper operation of the device, the packaging must have:

(A) A safety relief device incorporating a frangible disc or a permanent opening, each having a maximum effective area of 22 cm<sup>2</sup> (3.4 in.<sup>2</sup>), for transportation by highway;

(B) For transportation of asphalt by highway, a safety relief device incorporating a frangible disc or a permanent opening, each having a maximum effective area of 48 cm<sup>2</sup> (7.4 in<sup>2</sup>); or

(C) For transportation by rail, a non-reclosing pressure relief device incorporating a rupture disc conforming to the requirements of §179.15 of this subchapter.

(iv) Reclosing pressure relief devices, rupture discs or permanent openings must not allow the release of lading during normal transportation conditions (i.e., due to splashing or surging).

(2) *Closures.* All openings, except permanent vent openings authorized in paragraph (g)(1)(iii) of this section, must be securely closed during transportation. Packagings must be substantially leak-tight so as not to allow any more than dripping or trickling of a non-continuous flow when overturned. Closures must be designed and constructed to withstand, without exceeding the yield strength of the packaging, twice the static loading produced by the lading in any packaging orientation and at all operating temperatures.

(3) *Strength.* Each packaging must be designed and constructed to withstand, without exceeding the yield strength of the packaging, twice the static loading produced by the lading in any orientation and at all operating temperatures.

(4) *Compatibility.* The packaging and lading must be compatible over the entire operating temperature range.

(5) *Markings.* In addition to any other markings required by this subchapter, each packaging must be durably marked in a place readily accessible for inspection in characters at least 4.8 mm (3/16 inch) with the manufacturer's name, date of manufacture, design temperature range, and maximum product weight (or "load limit" for tank cars) or volumetric capacity.

(6) *Accident damage protection.* For transportation by highway, external loading and unloading valves and closures must be protected from impact damage resulting from collision or overturn. Spraying equipment and the road oil application portion of a packaging are excepted from this requirement.

(7) *New construction.* Specification packagings that are being manufactured for the transport of elevated temperature materials must be authorized for current construction.

(h) *Exceptions* —(1) *General.* Packagings manufactured for elevated temperature materials service prior to October 1, 1993, which are not in full compliance with the requirements in paragraph (g) of this section, may continue in service if they meet the applicable

requirements of subparts A and B of this part and meet the closure requirements in paragraph (g)(2) of this section by March 30, 1995.

(2) *Kettles*. Kettles in service prior to October 1, 1993, which are used to transport asphalt or bitumen, are excepted from specific provisions of this section as follows:

(i) Kettles with a total capacity of less than 2650 L (700 gallons), which are not in full compliance with the requirements of paragraph (g) of this section, may continue in elevated temperature material service if they meet the applicable requirements of subparts A and B of this part and if, after March 30, 1995, closures are secured during transport to resist opening in an overturn.

(ii) Kettles with a total capacity of 2650 L (700 gallons) or more, which are not in full compliance with the requirements of paragraph (g) of this section, may continue in elevated temperature material service if they meet the applicable requirements of subparts A and B of this part and if, after March 30, 1995, closures are secured during transport to resist opening in an overturn and no opening exceeds 46 cm<sup>2</sup> (7.1 in<sup>2</sup>).

(3) *Molten metals and molten glass*. This section does not apply to packagings used for transportation of molten metals and molten glass by rail when movement is restricted to operating speeds less than 15 miles per hour. (See §172.203(g)(3) of this subchapter for shipping paper requirements.)

(4) *Solid elevated temperature materials*. A material which meets the definition of a solid elevated temperature material is excepted from all requirements of this subchapter except §172.325 of this subchapter.

[Amdt. 173–227, 58 FR 3349, Jan. 8, 1993, as amended by Amdt. 173–234, 58 FR 51532, Oct. 1, 1993; 173–237, 59 FR 28493, June 2, 1994; 62 FR 51560, Oct. 1, 1997; 63 FR 52849, Oct. 1, 1998; 65 FR 50461, Aug. 18, 2000; 66 FR 33436, June 21, 2001; 66 FR 45382, Aug. 28, 2001; 67 FR 61013, Sept. 27, 2002]