Approval Requirements for Moving Nonconforming Packages by Rail



You have asked for an FRA approval to move a specification rail car (or other bulk package moving by rail) that may or may not contain a hazardous material, when that package no longer conforms to the Hazardous Materials Regulations. In order to assist us in evaluating and processing your request, the information blocks in the attached request guide should be completed fully and accurately. The collection of this information is authorized under 49 CFR § 171.6 and OMB Control Nos. 2137-0557 and 2137-0559. Although filling out the guide is not required under Federal law, it will help provide all the information necessary for FRA to accurately evaluate and process your Approval request. Failure to provide all the information requested may result in processing delays. If you have any comments on the guide, please provide them to the address below. If FRA needs additional information to process your application, we will contact you.

FRA has the enforcement authority and responsibility to ensure the safe transportation of hazardous materials. Nothing in any approval granted as a result of this application limits the Federal Railroad Administration from pursuing enforcement, including the collection of civil penalties, for any violations that predate the approval.

With respect to the movement of tank cars overdue for periodic inspection and test, 49 CFR § 173.31(a)(3) authorizes the movement of such a car if it was loaded while still in date. The regulation forbids the *"filling"* and subsequent *"offering"* of a tank car overdue for periodic inspection. A car loaded in date, or a residue car, may be moved to any facility, including a consignee, a repair ship, or a cleaning facility, without FRA approval.

A copy of the Movement Approval must be forwarded to the tank car owner (if different than the grantee).

A Root Cause Analysis, if requested, must contain at least the following information:

- A detailed statement of the problem;
- Factor(s) contributing to the problem, including photographs and drawings
- The cause of the factor(s), if a cause can be determined;
- Steps taken to prevent future occurrence.

The grantee must notify the tank car facility, to which the defective car is sent, of the requirements for a Root Cause Analysis prior to arrival of the car to ensure that the defective condition is adequately investigated. The Root Cause Analysis report, if so required in Section 9 of an issued Approval, should be e-mailed to the <u>HMASSIST@dot.gov</u> e-mail address or, if by mail, to HM Staff member Susan Starks, General Engineer Hazmat Packaging, at the USPS mailing address below. While Approval requests can be mailed or faxed in, it is recommended that an applicant submit the application to the e-mail address listed below.

Submit your request for approval to <u>HMASSIST@dot.gov</u> or, if by mail or fax to:

Federal Railroad Administration Office of Safety Assurance and Compliance Hazardous Materials Division 1200 New Jersey Avenue, SE, RRS-12 Washington, DC 20590 FAX: 202-493-6478

Current FRA Movement Approval Request Contact List:

Karl Alexy, Staff Director 202-493-6245 Kevin Blackwell, HM Specialist 202-493-6315 Lisa Matsinger, HM Specialist 202-493-0324 Erich Rudolph, HM Specialist 202-493-6248 Kurt Eichenlaub, HM Specialist 202-493-6050 Donald Isler, HM Specialist 202-557-1543 Susan Starks, General Engineer Hazmat Packaging 202-493-6306 Vacant, General Engineer Hazmat Packaging HMASSIST@dot.gov HMASSIST@dot.gov HMASSIST@dot.gov HMASSIST@dot.gov HMASSIST@dot.gov HMASSIST@dot.gov HMASSIST@dot.gov HMASSIST@dot.gov



Information Necessary to Obtain Federal Railroad Administration Movement Approval Approval Number

[Co	ollection of this information is authorize		RA) 137-0557 and 2137-0559.]
Date of Application:	(Month)	(Day)	(Year) <u>20</u>
Mailing Address:	(State))
· · · · /		t E-mail address:	
Reporting Mark & Number DOT tank car/bulk package	Typ specification (if other, specify):	e of Rail Car/Bulk Package	
Complete Hazardous Materi DOT Proper Shipping name DOT Hazard class:	als Description: Is the packaging UN/NA Identification No forward with this Application a cop	Loaded , Residue , or C. umber: P.C of the original shipping p	Ieaned and Empty G. Number:
Present location point of cor Planned destination of this r Planned destination point of Planned rail route: Approximate total mileage of If more than 30 days will be	State act: (Name) cility or carrier): ntact: (Name) nove: (facility): contact: (Name)	Phone Num City: Phone Num City: Phone Num City: Phone Num	ber: State: ber: miles
***** NOTE: If car load is documentation and any oth	ef sought? 49 Code of Federal Reg overweight, provide a copy of the s er information used to determine th cumentation, the measures you are t	cale weight ticket, if availd he actual weight of the car.	****

Submit your request for approval to: <u>HMASSIST@dot.gov</u>, or if by mail to the Federal Railroad Administration, Office of Safety Assurance and Compliance, Hazardous Materials Division, 1200 New Jersey Avenue, SE, RRS-12, Washington, DC 20590, or by fax at (202) 493-6478 or 6309. Should you have any questions, please call the Hazardous Materials Division at the numbers provided on the cover sheet for assistance. *Be sure to submit above requested attachments*! INCOMPLETE OR INACCURATE INFORMATION WILL RESULT IN DELAYING PROCESSING!