

WET LINES AND OTHER POTENTIAL LEGISLATION



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WET LINES HISTORY

- 1978 – Office of Motor Carrier Safety allowed gasoline to be carried in wet lines
 - Cited economic and practicality concerns if prohibited
- 1985 – Research and Special Programs Administration (RSPA) published dockets 183 and 183A
 - Increased requirements for bottom accident protection
- 1988 – Internal memorandum discussing external piping
 - Declared it “unreasonable and illogical to allow the piping to be considered as an acceptable container for the transport of gasoline”
- 1989 – Final rule published – Wet lines are not appropriate packaging for hazardous materials
 - Not adopted



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MORE HISTORY

- 2004 Pipeline and Hazardous Material Safety Administration (PHMSA) published an NPRM prohibiting flammable liquids from being carried in external piping unless it was protected
- 2005 NTSB stated protection was inadequate and wet lines must be evacuated
- 2006 PHMSA withdraws NPRM
 - “further regulation would not produce the level of benefits ... originally expected and that the quantifiable benefits of proposed regulatory approaches would not justify the corresponding costs.”
- 2007 PHMSA advises NTSB they will develop an outreach program
 - Create best practice for bottom loading
 - Redefine wet lines incident data



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EVEN MORE HISTORY

- 2008 NTSB notified PHMSA their action is insufficient
- 2009 PHMSA advised the NTSB they are completing an in-depth review of incidents and evaluating possible solutions
- Jim Oberstar, Chairman of the Committee on Transportation and Infrastructure embarrassed PHMSA in front of Congress and initiated the newest rule making



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CURRENT STATUS

- 2009 Highway Transportation Reauthorization Bill (HR4016)
 - Still being delayed – not likely to pass in 2010
 - Too many other items on the Congressional agenda
- Pipeline and Hazardous Materials Safety Administration (PHMSA)
 - Expect to issue an NPRM (Notice of Proposed Rule Making) this summer
 - We expect to see this in the August / September time frame
 - Should mirror the 2004 NPRM with adjusted time tables
 - Significance? – a rule making does not have to pass the Congress the way a law does



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KEY COMPONENTS OF POTENTIAL RULE

- Flammable liquids prohibited from being carried in unprotected external piping
 - No method of removal mandated
 - No definition of “protected” or “unprotected”
- Truck tanks exempted
 - Truck frame is considered adequate protection
- New construction must have provisions 2 years after rule adoption
- Retrofit to be complete by December 31, 2025



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WHAT TO DO?

- Take this seriously!
- NTTC is very vocal in their opposition
- Respond immediately when you are contacted by your state associations!
- Stay up to speed with new developments
- Contact your representatives in Washington



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CURRENT SOLUTIONS

- Only one commercially available solution
 - Cargo Tank Concepts, LTD Wet Line Purging System
 - Uses compressed air to evacuate product from piping
 - Product is reintroduced to the barrel
 - No operator interaction required
- Cost?
 - Degas, installation labor, miscellaneous parts = about \$3500
 - Cost of system = ??
 - Could be \$2500 to \$5000



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QUESTIONS?



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CSA 2010

- Comprehensive Safety Analysis 2010
- Replacing SafeStat as a measure of driver safety
- Disregard the delays – prepare now!
- Have someone on your staff keeping up with this – it will affect you greatly
- Good info at FMCSA website



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INCREASE IN SIZE AND WEIGHT

- Current congress and administration is not going to pass laws allowing bigger trucks!
 - Anti Truck groups will not allow it to happen
 - Might happen at state levels / highways – not Federal
- 97000# bill
 - Not likely to pass
- Permanent freeze at current laws
 - Slightly more likely to pass
- 8000# allowance
 - Has some support nationwide
 - Not completely drafted
- Can current tanker fleets support the extra weight
 - Limited room in a petroleum trailer



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COMBUSTIBLE STATUS

- US law
 - Flash point below 100 degrees F is Flammable
 - Flash point between 100 and 200 degrees F is Combustible
- International law
 - Flash point below 140 degrees F is Flammable
 - No Combustible category
- Confusion at ports when flash point is between 100 and 140
- ANPRM suggesting adoption of the international law for the US
 - Diesel has a flash point about 138 degrees F
 - Would be considered a flammable



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CARGO TANK ROLLOVERS

- New video from DOT
 - Geared toward drivers
 - NTTC helped produce
 - Eagle Transport equipment used
- NTTC petitioned to make Roll Stability standard on all trucks pulling cargo tanks
- NHTSA said no thanks – already working on standardization bill for entire truck fleet



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CONTACT INFORMATION

- Brian Cooke
 - bcooke@mccollumtanks.com
 - 336-708-1500
- Ron Jurek
 - rjurek@heiltrailer.com
 - 423-580-4884



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