DOT Adopts NPGA Special Permits Into HMR

The DOT's Pipeline and Hazardous Materials Safety Administration (PHMSA) published a Final Rule (HM-245) in the February 1, 2011 Federal Register incorporating several cargo tank-related special permits into the Hazardous Materials Regulations (HMR). NPGA is extremely pleased to announce that among the special permits adopted are two that NPGA members have held for many years. Specifically, PHMSA adopted the farm cart special permit (SP-11209) and the 5% special permit (SP-13341). In taking this action, PHMSA recognized the excellent safety records of both special permits. This was the culmination of many years of effort by NPGA through the great assistance of our membership.

The provisions of both special permits were included directly into the HMR, and no changes were made to the requirements. The significance of this action is that there is no longer a need to renew these special permits every two or four years nor is there a need for NPGA to maintain a member listing for PHMSA's purposes.

Companies who wish to take advantage of this action must now comply with the requirements as specified in the HMR. The provisions of the farm cart special permit are contained in 49 CFR 173.5, while the 5% special permit provisions are located in 49 CFR 173.315. PHMSA has established an effective date of March 3, 2011. However, immediate voluntary compliance is permitted beginning on the date of publication, February 1, 2011.

As printed in NPGA Reports, February 3rd, 2011