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 HMASSIST@dot.gov 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** **HMASSIST@dot.gov** **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 HMASSIST@dot.gov

Kevin Blackwell, HM Specialist 202-493-6315 HMASSIST@dot.gov

Lisa Matsinger, HM Specialist 202-493-0324 HMASSIST@dot.gov

Erich Rudolph, HM Specialist 202-493-6248 HMASSIST@dot.gov

Kurt Eichenlaub, HM Specialist 202-493-6050 HMASSIST@dot.gov

Donald Isler, HM Specialist 202-596-0254 HMASSIST@dot.gov

Lawrence “Mel” Massaro, HM Specialist 814-279-1771 HMASSIST@dot.gov

Phani Raj, General Engineer Hazmat Packaging, 202-493-6306 HMASSIST@dot.gov

Information Necessary to Obtain



Federal Railroad Administration Movement Approval

**Approval Number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 (Assigned by FRA )

[Collection of this information is authorized under OMB Control Nos. 2137-0557 and 2137-0559.]

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| --- |
| Date of Application: (Month)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Day) \_\_\_\_\_\_\_\_\_ (Year) 20 \_\_\_ |
| Company Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Mailing Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (City) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (State) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Zip)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Company Fax (facsimile) Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Company Contact: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Title / Position: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Contact Telephone Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Contact E-mail address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Reporting Mark & Number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Type of Rail Car/Bulk Package: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_DOT tank car/bulk package specification (if other, specify):\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Complete Hazardous Materials Description: Is the packaging Loaded □, Residue □, or Cleaned and Empty □DOT Proper Shipping name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_DOT Hazard class: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ UN/NA Identification Number: \_\_\_\_\_\_\_\_\_\_\_\_\_ P.G. Number:\_\_\_\_\_\_\_\_\_\_ ***\*\*\*\*\* NOTE: Attach or forward with this Application a copy of the original shipping paper \*\*\*\*\**** |
| Where did this shipment originate (Facility):\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_City: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Origin shipper point of contact: (Name)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Present location of car : (Facility or carrier): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ City:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State:\_\_\_\_\_\_\_Present location point of contact: (Name)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Planned destination of this move: (facility):\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ City:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State:\_\_\_\_\_\_\_Planned destination point of contact: (Name)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Planned rail route: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Approximate total mileage of this movement : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ miles |
| If more than 30 days will be required to complete movement sought under this approval, please explain: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  *Descriptive*: What is the defective condition? OTMA-1 □ OTMA-2\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| From what regulation is relief sought? 49 Code of Federal Regulations Section:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***\*\*\*\*\* NOTE: If car load is overweight, provide a copy of the scale weight ticket, if available, car loading documentation and any other information used to determine the actual weight of the car. \*\*\*\*\**** |
| Explain, with supporting documentation, the measures you are taking to ensure the safe movement of this car: |

Submit your request for approval to: HMASSIST@dot.gov , 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**!