

Approval Requirements for Moving Nonconforming Packages by Rail



You have asked for an FRA approval to move a rail car (or other bulk package moving by rail) containing a hazardous material when that package no longer conforms to the Hazardous Materials Regulations. In order to process your application, you should answer the questions in the attached guide. The collection of this information is authorized under 49 CFR § 171.6 and OMB Control Nos. 2137-0557 and 2137-0059. Although filling out the guide is not required under Federal law, it will help provide all the information necessary for FRA to process your application. Please read the questions and answer carefully and completely. 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 shop, or a cleaning facility, without FRA approval.

Submit your request for approval to:

Federal Railroad Administration
Office of Safety Assurance and Compliance
Hazardous Materials Division
1120 Vermont Avenue, NW, Mail Stop 25
Washington, DC 2090
FAX: 202-493-6478

FRA Contact List:

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|------------------------------------|--------------|--|
| William Schoonover, Staff Director | 202-493-6229 | william.schoonover@fra.dot.gov |
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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.]

Form with multiple sections for data entry: Date of Application, Company Name, Mailing Address, Company Contact, Car Reporting Marks & Number, Complete Hazardous Materials Description, Origin shipper point of contact, and explanatory text for delays and safety measures.

Submit your request for approval to : Federal Railroad Administration, Office of Safety Assurance and Compliance, Hazardous Materials Division, 1120 Vermont Avenue, NW, Mail Stop 25, Washington, DC 20590, or send a facsimile to (202) 493-6478. Should you have any questions, please call the Hazardous Materials Division at (202) 493- 6244, for assistance. Be sure to submit above requested attachments !

INCOMPLETE INFORMATION MAY RESULT IN DELAYED PROCESSING!