



Illinois Fertilizer & Chemical Association

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September 7, 2010

MEMO TO: IFCA Members Who Own Ammonia Nurse Tanks

FROM: Jean Payne & Kevin Runkle, IFCA

RE: Inspection Reports for Nurse Tank Special Permit Program

Recently, IFCA met with USDOT Pipeline & Hazardous Materials Safety Administration (PHMSA) officials to get a better understanding of the addendum required to be added to inspection forms for the Nurse Tank Inspection Program (NTIP). To assist you with compliance, we have attached a copy of Special Permit SP-13554 and a copy of the Addendum.

USDOT Special Permit SP-13554 requires the testing of anhydrous ammonia nurse tanks with missing or illegible data plates in order for these tanks to remain in service. On page 3 of the Special Permit, under section 8 “Special Provisions” it states:

- a. *Each tank owner of a nurse tank operated under terms of this special permit must maintain a copy of the test inspection report prepared by the inspector. The test report must contain the results of the test and meet the requirements in 180.417(b) and be made available to a DOT representative upon request.*
- b. *A current copy of this special permit must be maintained at each facility where the nurse tank is tested and at each facility where the nurse tank is offered or reoffered for transportation.*

The industry was notified by PHMSA that many of the previous nurse tank inspection forms do not contain the provisions of 180.417(b) on the report. Attached are the requirements of 180.417(b). The items missing on many of the NTIP inspection forms are:

- Name of cargo tank manufacturer
- Cargo tank DOT or MC Specification Number
- MAWP (maximum allowable working pressure) of the cargo tank
- Indication of whether the cargo tank is lined, insulated or both
- Indication of special service of the cargo tank (e.g. transports material corrosive to the tank, dedicated service, etc.
- Location of defects found and method of repair

While many of these provisions above do not apply to nurse tanks with missing or illegible data plates, these items still have to be listed on the nurse tank inspection form that is utilized by the cargo tank inspector. USDOT made it very clear that the cargo tank inspector is responsible for having knowledge of the regulations, for performing the tank testing and completing the inspection reports, and thus must comply with the inspection report requirements, including the missing items on many NTIP forms. Tank owners must also have the necessary inspection reports on file for

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each tank in the NTIP program. The inspection reports on file with the company must meet the requirements found in 180.417(b). Thus, cargo tank inspectors and retailers should work together to complete the addendum for each nurse tank in the NTIP program. A copy of the addendum must be on file at each ag retail location with nurse tanks in the NTIP program.

Instructions for Completing the Addendum

Most importantly, if a nurse tank has legible data plates, it should not be operating under the special permit. If you had a tank tested by a cargo tank inspector and the cargo tank inspector used the NTIP form and applied the SP-13554 marking to the tank, REMOVE THE SP-13554 MARKING FROM THE TANK. These tests are beneficial for all nurse tanks, but nurse tanks with legible data plates should not be entered into the Special Permit program. The addendum only applies to tanks operating under the special permit. Upon removing the sticker, the requirements that follow (and the addendum) will not apply to the tank.

If your tanks do have missing or illegible data plates, and your tank was inspected by a cargo tank inspector under the Special Permit, please follow these instructions for completing the addendum:

1. Section 29 of the addendum: If your nurse tank data plate is completely gone, check this section N/A or draw a line through it. If a partially legible data plate displays the tank manufacturer, the date manufactured, the serial #, DOT specification number, or MAWP, please provide the cargo tank inspector with that information from the damaged data plate.
2. Section 30: If the nurse tanks are used exclusively for anhydrous ammonia (and they should be), you should check “Dedicated Service” and write “anhydrous ammonia” in the blank space.
3. Section 31: Most of the information on defects should be listed on the original NTIP inspection form. If there were no defects or damage, check that box. If defects or damage were discovered, the cargo tank inspector can make a notation on the addendum that the damage and defects are already noted in the original inspection form on file. Any additional information can be added to Section 31.
4. Section 32: Since no welded repairs are allowed on tanks with missing or illegible data plates, the cargo tank inspector does not need to sign the addendum. Many cargo tank inspectors are not repair facilities anyway so this section would not apply to them. You can write N/A in the section.
5. The owner of the tank must keep a copy of the addendum in their files to meet the requirements of the special permit. PHMSA is giving industry until February 3, 2011 to complete this task before issuing any monetary penalties discovered for these deficiencies in the inspection reports.
6. If the cargo tank inspector who performed the tests on your tanks is no longer in business, the owner of the tank should make a written note in the file of each nurse tank with the SP-13554 sticker that on a specified date, you attempted to contact the cargo tank inspector about the addendum, and determined that they are no longer in business.

Summary

It is the responsibility of the tank owner to keep the completed addendum on file for each nurse tank in the NTIP Program.

We recommend that nurse tank owners complete any applicable information in Sections 29 and 30 on the addendum for each tank in the Special Permit program and send the addendums by certified mail to the cargo tank inspector who performed the inspections, along with a letter from you requesting their assistance in reviewing and returning the addendums to you before February 3, 2011.

The special permit requires that the inspector complete all the required items listed in 180.417(b). Therefore, the tank owner must see to it that the cargo tank inspector completes the addendum for each nurse tank for which they inspected for compliance with Special Permit SP-13554. A tank owner's failure to comply with the additional recordkeeping items listed in the addendum can result in a penalty from USDOT. If the cargo tank inspector does not reply to your request to review the addendums, you will at least have proof (the certified mail receipt) that you sent the CT inspector the addendums and requested their cooperation in this matter.

Most importantly, if you own ammonia nurse tanks with missing or illegible data plates, they must comply with DOT-SP 13554. Tanks with missing or illegible data plates cannot be filled with ammonia or offered for transportation unless they are party to and have been tested in accordance with DOT- SP-13554.

Recently USDOT proposed a rule to make Special Permit SP-13554 a permanent provision in the regulations. The industry supports this proposal which will incorporate the requirements of this special permit program into Section 49 CFR 173.315(m) for anhydrous ammonia nurse tanks with missing or illegible data plates.

If you have questions about the Special Permit, the addendum, help in completing the addendum, etc, please contact Kevin Runkle or Jean Payne at (309) 827-2774 or kevinr@ifca.com