

IFCA ALERT

December 22, 2008

Issues USDOT Issues Advisory Letter on Ammonia Nurse Tank Compliance

Last month, Mr. R. Ryan Posten who is the Director of the Office of Hazardous Materials Enforcement at USDOT visited IFCA and asked for our assistance to communicate USDOT's concerns about nurse tank compliance issues. USDOT officers conducted numerous inspections of ammonia facilities in the Midwest and found some bad/illegal welds on tanks, tanks with missing or illegible data plates that are not enrolled in the Nurse Tank Inspection Program (NTIP) and lack of proper marking and maintenance of the tanks. While it's important to note that the majority of non-compliance issues were discovered at ammonia facilities in Nebraska, Missouri, Iowa and Indiana, USDOT did also visit one Illinois facility and found some minor violations as well.

IFCA asked Mr. Posten to provide us with a letter outlining USDOT's concerns that we could share with our members. That letter is attached with this email and everyone who has anhydrous ammonia nurse tanks needs to read it. It is very specific to the issues at hand and also contains photographic examples of non-compliant nurse tanks. This letter can also be found on the IFCA website by going to www.ifca.com, clicking on "Regulations" and then on "Ammonia" or "DOT."

With this letter, USDOT is providing our industry with an opportunity to get our nurse tanks in compliance. Failure to comply with the issues outlined in this letter could result in a \$15,000 per incident per day fine. Willful disregard of the hazardous materials regulations pertaining to ammonia nurse tanks could lead to civil or criminal prosecution. Tanks that are missing their data plates and are not enrolled in the NTIP program are not considered to be a legal package for ammonia transportation. For information on how to enroll your tanks in the NTIP Program, just go to www.ifca.com and look for this information on our homepage or call us at 309.827.2774.

A list of R stamp welders and is also posted on the IFCA website under "Regulations" and "Ammonia" or "DOT." Only R stamp welders can legally repair anhydrous ammonia nurse tanks.

We will end this on a positive note by thanking all IFCA members who have stepped up and enrolled your tanks in the NTIP program. IFCA leads the country in the number of tanks inspected, and we estimate that 25% of the tanks in Illinois have been enrolled in this program. Way to go, everyone. USDOT is aware of your efforts and acknowledges your progress. Your stewardship efforts go a long way in assuring that we can continue to keep many ammonia tanks in service. Some IFCA members are even taking the extra step of having all of their nurse tanks inspected and pressure tested for peace of mind. Again, if you have questions please contact IFCA.