

(c) When such tanks or equipment are not in compliance with the requirements of this subchapter, the Committee may recommend service trials to determine the merits of a change in specifications. Such service trials may be conducted only if the builder or shipper applies for and obtains a special permit.

[29 FR 18995, Dec. 29, 1964. Redesignated at 32 FR 5606, Apr. 5, 1967 and amended by Amdt. 179-41, 52 FR 36672, Sept. 30, 1987; 63 FR 52850, Oct. 1, 1998; 68 FR 48571, Aug. 14, 2003; 70 FR 73166, Dec. 9, 2005]

#### **§ 179.4 Changes in specifications for tank cars.**

(a) Proposed changes in or additions to specifications for tanks must be submitted to the Executive Director—Tank Car Safety, AAR, for consideration by its Tank Car Committee. An application for construction of tanks to any new specification may be submitted with proposed specification. Construction should not be started until the specification has been approved or a special permit has been issued. When proposing a new specification, the applicant shall furnish information to justify a new specification. This data should include the properties of the lading and the method of loading and unloading.

(b) The Tank Car Committee will review the proposed specifications at its earliest convenience and report its recommendations through the Executive Director—Tank Car Safety to the Department. The recommendation will be considered by the Department in determining appropriate action.

[29 FR 18995, Dec. 29, 1964. Redesignated at 32 FR 5606, Apr. 5, 1967 and amended by Amdt. 179-41, 52 FR 36672, Sept. 30, 1987; 63 FR 52850, Oct. 1, 1998; 70 FR 73166, Dec. 9, 2005]

#### **§ 179.5 Certificate of construction.**

(a) Before a tank car is placed in service, the party assembling the completed car shall furnish a Certificate of Construction, Form AAR 4-2 to the owner and the Executive Director—Tank Car Safety, AAR, certifying that the tank, equipment, and car fully conforms to all requirements of the specification.

(b) When cars or tanks are covered in one application and are identical in all

details are built in series, one certificate will suffice for each series when submitted to the Executive Director—Tank Car Safety, AAR.

(c) If the owner elects to furnish service equipment, the owner shall furnish the Executive Director—Tank Car Safety, AAR, a report in prescribed form, certifying that the service equipment complies with all the requirements of the specifications.

(d) When cars or tanks which are covered on one application and are identical in all details are built in series, one certificate shall suffice for each series when submitted to the Executive Director—Tank Car Safety, AAR. One copy of the Certificate of Construction must be furnished to the Executive Director—Tank Car Safety, AAR for each car number of consecutively numbered group or groups covered by the original application.

[Amdt. 179-10, 36 FR 21344, Nov. 6, 1971, as amended at 63 FR 52850, Oct. 1, 1998; 68 FR 48571, Aug. 14, 2003]

#### **§ 179.6 Repairs and alterations.**

For procedure to be followed in making repairs or alterations, see appendix R of the AAR Specifications for Tank Cars (IBR, see § 171.7 of this subchapter).

[68 FR 75759, Dec. 31, 2003]

#### **§ 179.7 Quality assurance program.**

(a) At a minimum, each tank car facility shall have a quality assurance program, approved by AAR, that—

(1) Ensures the finished product conforms to the requirements of the applicable specification and regulations of this subchapter;

(2) Has the means to detect any non-conformity in the manufacturing, repair, inspection, testing, and qualification or maintenance program of the tank car; and

(3) Prevents non-conformities from recurring.

(b) At a minimum, the quality assurance program must have the following elements

(1) Statement of authority and responsibility for those persons in charge of the quality assurance program.