WHAT ARE "WETLINES"?

CARGO TANK LOADING/UNLOADING LINES CONTAINING FLAMMABLE LIQUIDS DURING TRANSPORTATION.
Why are there “Wetlines”?

- The petroleum industry switched from “top-loading” to “bottom loading” gasoline into cargo tanks in the 1970's to reduce emissions to meet new air quality regulations.

- The regulations are silent on how cargo tanks should be loaded and unloaded. One benefit of this practice has been reduction of need for drivers to go on top of cargo tanks at loading and delivery sites.

History

- Ban in 1990 Tank Truck Maintenance Rule
- 1997 Yonkers Accident & NTSB Report: “Prohibit the carrying of hazardous materials in external piping of cargo tanks”
- 2004 First Wetlines NPRM
- 2006 Wetlines NPRM Withdrawn
- 2009 NTSB: “Wetlines” on “Most Wanted” List and Congressional Pressure on PHMSA
- 2011 Wetlines NPRM Introduced
- 2012 HMTA calls for GAO Review

Today: Playing the Waiting Game

The Rule – NPRM 1/29/2011

- Prohibits transportation of flammable liquids in specification cargo tank wetlines unless the vehicle:
  - Has a bottom protection device able to withstand 155,000 lbs pressure (49 CFR 178.345-8(b)(1)) or
  - Has valve protection devices and/or sacrificial shear sections that will break under accident strain (49 CFR 178.337-10) & the vehicle has less than 1 L flammable liquid in each wetline.
  - Relies on product of one component supplier of a purging system for much of proposal
The Rule – Who’s Out? (And maybe IN)

- Trucks with < 1 L (.26 gallons or 33 ounces) flammable liquids in each wetline
- Straight trucks
- Combustible Liquids

Rule is targeted at gasoline tankers BUT as written would include any flammable liquid, including solvents and products hauled in chemical trailers

The Rule – Purging Systems Option

- Must purge the wetlines of flammable liquid such that > 1 L in each wetline
- May do so through the installation of an automatic system or a manual system
- Option strongly disputed by tank truck industry

Compliance

- New tanks: 2 years from effective date
- Retrofits: 12 years from effective date

DOT estimates 27,000 gasoline tankers in service with service life of at least 15 years

Industry has serious safety concerns about impact of retrofitting existing trailers.
Ramifications for Shippers

- Primary impact on shippers with private fleets
- Would impact loading of flammable liquids but not receiving
- Would increase amount of time required to load a cargo tank if purging option utilized
- Higher equipment and operations costs for carriers

Cost-Benefit

- PHMSA has found in the past that the costs are higher than the benefits. PHMSA economists were challenged to reach a different conclusion in the current NPRM using the same basic data as before.
- One approach was to increase the potential number of deaths per incident because of carpooling
- Industry refuted increased costs and would likely sue based on this data if rule becomes regulation

MAP-21 § 33015

- GAO Study to:
  - Review the safety of transporting flammable liquids in the external product piping of cargo tank motor vehicles
  - Accurately quantify the number of incidents involving the transportation of flammable liquids in external product piping
  - Identify various alternatives to loading, transporting, and unloading flammable liquids in such piping
  - Examine the costs and benefits of each alternative
  - Identify obstacles to implementing each alternative
MAP-21 § 33015

- (b) Regulations
  - PHMSA banned from issuing wetlines rule until the earlier of:
    - GAO Study is published
    - 2 years after enactment (July 2014)
    - Secretary finds an imminent hazard

GAO Report

- October 2012 – GAO Begins research
- NTTC, ATA, & TTMA meet with GAO jointly
- Other groups meeting with GAO:

GAO Report and Possible Outcomes

- Expect publication September 2013
- Contents unknown

Outcomes?
- Congress prohibits PHMSA from issuing final rule
- PHMSA issues rule as proposed in NPRM
- PHMSA limits ban to newly constructed trailers
- ?????????????????