

# **SPECIAL Report**



NATIONAL ROOFING CONTRACTORS ASSOCIATION

November 15, 1991

This special report addresses a new regulation promulgated by the Department of Transportation (DOT) which covers elevated temperature materials. This new regulation applies to the transportation of liquid materials at temperatures at or above 212°F (100°C), solid materials at or above 464°F (240°C), or liquid materials with flash points at or above 100°F (37.8°C). The intended effects of these regulatory changes are to communicate the hazards of these elevated temperature materials by means of marking, shipping papers, and placarding; and to prescribe packaging requirements.

The following timetables apply to roofing contractors who transport heated asphalt or coal tar in kettles or tankers in gross quantities (the bitumen plus container) greater than 1,000 pounds, or with capacities of more than 118 gallons at temperatures at or above 212°F.

**By March 30, 1992...**

All of the Federal Motor Carrier Safety Regulations and Hazardous Materials Regulations will apply to the vehicles and drivers of those vehicles that transport heated asphalt or coal tar.

This means:

Drivers must be drug tested;

Drivers must obtain a commercial drivers license (CDL);

The kettle or tanker must be marked with stickers that say "HOT" in black or white Gothic lettering on a contrasting background;

The kettle or tanker must be placarded with Class 9 placards; and

The word "HOT" must precede asphalt or coal tar in the description section of shipping papers.

**By March 30, 1993...**

The kettle or tanker must be marked with the manufacturer's name, date of manufacture, nominal capacity, design temperature range, and maximum product weight;

Any external loading or unloading valves and closures must be retrofitted with devices that protect them from impact damage resulting from collision or overturn; and

Manufacturers must only produce kettles and tankers that meet all of the regulation's design requirements.

**Roofing contractors using equipment purchased before October 1, 1993 may use this equipment for up to 20 years from its date of manufacture as long as:  
by March 30, 1995,**

The kettle or tanker is marked with the manufacturer's name, date of manufacture, nominal capacity, design temperature range, and maximum product weight; any external loading or unloading valves and closures have been retrofitted with devices that protect them from impact damage resulting from collision or overturn; and the kettle or tanker meets the requirements for closures. Closures must be substantially leak tight so that no more than slight dripping or trickling is allowed. Closures must be designed and constructed to withstand twice the weight of the load, at all operating temperatures, without substantial damage.

#### **Future Activity**

NRCA has filed a petition for reconsideration of this rule with the Department of Transportation. We are especially concerned about the additional safety hazards created by making kettles and tankers "leak tight," and we object to the burden placed on roofing contractors, who will have to ensure that drivers have commercial drivers licenses. We intend to continue our efforts to work with DOT to come to a satisfactory resolution of these and other issues.

Your continuing support is important in these efforts. We will keep you informed of new developments as they occur.