



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

September 28, 2017

**THE PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION'S
NOTICE REGARDING THE USE OF MOBILE REFRIGERATION UNITS PLACED IN
USE PRIOR TO JUNE 1, 1991**

The U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) has been made aware of industry concerns regarding the use of mobile refrigeration units under 49 CFR 173.5b of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). The concerns arise from a Final Rule published on April 9, 2009, that codified language stating that mobile refrigeration units placed into service prior to June 1, 1991, would no longer be allowed in service after October 1, 2017. *See* 72 FR 18446, Docket No. PHMSA-2006-25910 (HM-218E).

On July 6, 2016, the International Institute of Ammonia Refrigeration (IAR) submitted a *Petition for Rulemaking* requesting that PHMSA initiate a rulemaking revising § 173.5b to allow the use of mobile refrigeration units placed into service prior to June 1, 1991, provided that the refrigerated units are tested to a service pressure of 250 pounds per square inch (psig).

In accordance with § 106.105, PHMSA is assessing IAR's petition to determine if it merits consideration in a future rulemaking. Until a final determination is made, PHMSA will not take enforcement action against a person who continues to use refrigeration units placed into service prior to June 1, 1991, if all portions of the system have a design pressure of 250 psig and are otherwise in compliance with the ASME Code and the provisions of § 173.5b. This action will facilitate the continued delivery of products being transported by the refrigeration units and prevent negative economic impacts.

Issued September 28, 2017, in Washington, DC.

A handwritten signature in blue ink that reads "William S. Schoonover".

William S. Schoonover
Associate Administrator for Hazardous Materials Safety
Pipeline and Hazardous Materials Safety Administration