



Diesel Fuel, Heating Oil and Jet A Fuel Oil – Non-Spec Tank Grandfather Clause Expiring

CAGC INFORMATION ALERT

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The following information is not a definitive guide to government legislation and does not release users of this document from their responsibilities under applicable legislation.

Diesel fuel (UN 1202) is a dangerous good within the scope of the *Transportation of Dangerous Goods Act, 1992*, and the *Transportation of Dangerous Goods (TDG) Regulations*.

Since the August 2002 amendment, the TDG Regulations require that when diesel fuel is transported in a container greater than 450L capacity (a “large” container), that container must meet one of the safety standards prescribed in Part 5 of the TDG Regulations. This requirement continues to apply even if a large container of over the 450L capacity is under filled.

Along with the implementation of this new requirement; existing non-standardized tanks manufactured before 2003 were grandfathered for continued use for transport of diesel fuel - by road - until the end of 2009, providing the specific requirements under 5(b) of the CAN/CSA B621 Standard is met.

The grandfather provision for non-standardized diesel transport tanks expires at the end of 2009. As a result, starting January 1, 2010 all diesel fuel transport tanks of over 450L capacity will be required to meet one of the standards prescribed in Part 5 of the TDG Regulations. Non-standardized large containers will no longer be allowed for transport of diesel fuel after January 1, 2010.

The following standardized large container types are and will remain acceptable for diesel fuel transport beyond January 1, 2010:

- Railroad tank cars in accordance with the CAN/CGSB 43.147 standard;
- TC 406 and TC 306 tank trucks and trailers in accordance with the CAN/CSA B621 standard;
- UN code 31A and 31B standardized intermediate bulk containers (IBCs); including UN standardized ‘mobile’ IBC slip tanks, in accordance with the CAN/CGSB 43.146 standard. IBCs are limited to 3000L capacity but some of up to 5000L capacity have been approved by exception; and
- TC or DOT 57 portable tanks used in accordance with the CAN/CGSB 43.146 standard.

In addition, the Canadian Standards Association has recently published standards for two new large container types suitable for diesel fuel transport:

- TC 44 portable tanks are specified in the CSA B626-09 standard. TC 44 portable tanks may be rectangular or may be of round or oval cross section; and
- UN standardized portable tanks are specified in the CSA B625-08 standard. UN portable tanks are internationally accepted and may or may not be enclosed in an ISO tank container frame.

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Both the CSA B625 and CSA B626 are now available from CSA in English. Once the French editions are published, we will propose these new standards for adoption in the TDG Regulations. Until that time, persons wishing to manufacture or use UN portable tanks or TC 44 tanks in Canada must do so under the authority of a Permit for Equivalent Level of Safety issued under Chapter 14 of the TDG Regulations.

Diesel fuel may still continue to be transported in non-standardized small containers having a capacity of 450L or less. Please also note that none of the Transport Canada TDG safety standards requires the use of double-walled tanks for diesel fuel transport. The TDG safety standards detail design, manufacturing, periodic retesting, approval and use requirements for dangerous goods transport containers, but they do not require nor recommend the use of double-walled tanks.

For more on double-walled tanks please refer to the summer 2008 edition of the TDG Newsletter. <http://www.tc.gc.ca/tdg/newsletter/summer2008.pdf>