

§ 230.9

NBIC. National Board Inspection Code published by the National Board of Boiler and Pressure Vessel Inspectors.

NDE. Non-destructive Examination.

NPS. Nominal Pipe Size.

Person. An entity of any type covered under 1 U.S.C. 1, including but not limited to the following: a railroad; a manager, supervisor, official, or other employee or agent of a railroad; any owner, manufacturer, lessor, or lessee of railroad equipment, track, or facilities; any independent contractor providing goods or services to a railroad; and any employee of such owner, manufacturer, lessor, lessee, or independent contractor.

Railroad. Any form of non-highway ground transportation that runs on rails or electromagnetic guideways and any entity providing such transportation, including commuter or other short-haul railroad passenger service in a metropolitan or suburban area and commuter railroad service that was operated by the Consolidated Rail Corporation on January 1, 1979; and high speed ground transportation systems that connect metropolitan areas, without regard to whether those systems use new technologies not associated with traditional railroads; but does not include rapid transit operations in an urban area that are not connected to the general railroad system of transportation.

Renewal. Replacement in kind with a newly manufactured or remanufactured (restored to original tolerances) component. Materials shall be suitable for the service intended.

Repair. Any work which results in a restoration in kind.

Serious injury. An injury that results in the amputation of any appendage, the loss of sight in an eye, the fracture of a bone, or the confinement in a hospital for a period of more than 24 consecutive hours.

Service day. Any calendar day that the boiler has steam pressure above atmospheric pressure with fire in the firebox. In the case of a fireless steam locomotive, any calendar day that the boiler has steam pressure above atmospheric pressure.

Stayed portion of the boiler. That portion of the boiler designed to require

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support to retain internal pressure by the addition of strength members, such as staybolts, braces, diagonal stays, tubes, etc.

Steam locomotive. A self-propelled unit of equipment powered by steam that is either designed or used for moving other equipment. This includes a self-propelled unit designed or used to carry freight and/or passenger traffic.

Unstayed portion of the boiler. That portion of the boiler designed to be self-supported in retaining internal pressure without additional strength members such as staybolts, braces, diagonal stays, tubes, etc.

Wastage. A reduction in the thickness of a mechanical component, such as a pipe or sheet.

§ 230.9 Information collection.

(a) [Reserved]

(b) The information collection requirements are found in the following sections: §§ 230.3, 230.12 through 230.21, 230.33, 230.34, 230.41, 230.46, 230.47, 230.75, 230.96, 230.98, and 230.116.

§ 230.10 [Reserved]

GENERAL INSPECTION REQUIREMENTS

§ 230.11 Repair of non-complying conditions.

The steam locomotive owner and/or operator shall repair any steam locomotive that fails to comply with the conditions of this part, and shall approve any such repairs made, before placing the locomotive back into service.

§ 230.12 Movement of non-complying steam locomotives.

(a) *General limitations on movement.* A steam locomotive with one or more non-complying conditions may be moved only as a lite steam locomotive or a steam locomotive in tow, except as provided in paragraph (b) of this section. Cars essential to the movement of the steam locomotive and tender(s), including tool cars and a bunk car, may accompany lite movements.

(b) *Conditions for movement.* Prior to movement, the steam locomotive owner and/or operator shall determine that it is safe to move the locomotive, determine the maximum speed and other restrictions necessary for safely

conducting the movement, and notify in writing the engineer in charge of the defective steam locomotive and, if towed, the engineer in charge of the towing locomotive consist, as well as all other crew members in the cabs, of the presence of the non-complying steam locomotive and the maximum speed and other movement restrictions. In addition, a tag bearing the words "non-complying locomotive" shall be securely attached to each defective steam locomotive and shall contain the following information:

- (1) The steam locomotive number;
- (2) The name of the inspecting entity;
- (3) The inspection location and date;
- (4) The nature of the defect;
- (5) Movement restrictions, if any;
- (6) The destination; and
- (7) The signature of the person making the determinations required by this paragraph (b).

(c) *Yard movements.* A non-complying steam locomotive may be moved live or dead within a yard at speeds not in excess of 10 miles per hour without meeting the requirements of paragraph (b) of this section if the movement is solely for the purpose of repair. The locomotive owner and/or operator is responsible for ensuring that the movement may be safely made.

(d) *Non-complying conditions developed en route.* The locomotive owner and/or operator may continue in use a steam locomotive that develops a non-complying condition en route until the next daily inspection or the nearest forward point where the repairs necessary to bring it into compliance can be made, whichever is earlier. Before continuing en route, the steam locomotive owner and/or operator shall determine that it is safe to move the steam locomotive, determine the maximum speed and other restrictions necessary for safely conducting the movement, and notify in writing the engineer in charge of the defective steam locomotive and, if towed, the engineer in charge of the towing steam locomotive consist, as well as all other crew members in the cabs, of the presence of the non-complying steam locomotive and the maximum speed and other movement restrictions.

(e) *Special notice for repair.* Nothing in this section authorizes the movement

of a steam locomotive subject to a Special Notice for Repair unless the movement is made in accordance with the restrictions contained in the Special Notice.

§ 230.13 Daily inspection.

(a) *General.* An individual competent to conduct the inspection shall inspect each steam locomotive and its tender each day that they are offered for use to determine that they are safe and suitable for service. The daily inspection shall be conducted to comply with all sections of this part, and a daily inspection report filed, by an individual competent to conduct the inspection. See appendices A and B of this part.

(b) *Pre-departure.* At the beginning of each day the steam locomotive is used, an individual competent to do so shall, together with the daily inspection required in paragraph (a) of this section, inspect the steam locomotive and its tender and appurtenances to ensure that they are safe and suitable for service, paying special attention to the following items:

- (1) Water glasses and gauge cocks;
- (2) Boiler feedwater delivery systems, such as injectors and feedwater pumps; and
- (3) Air compressors and governors, and the air brake system.

(c) *Inspection reports.* The results of the daily inspection shall be entered on an FRA Form No. 2 (See appendix C of this part) which shall contain, at a minimum, the name of the railroad, the initials and number of the steam locomotive, the place, date and time of the inspection, the signature of the employee making the inspection, a description of the non-complying conditions disclosed by the inspection, conditions found in non-compliance during the day and repaired and the signature of the person who repaired the non-conforming conditions. This report shall be filed even if no non-complying conditions are detected. A competent individual shall sign the report, certifying that all non-complying conditions were repaired before the steam locomotive is operated. This report shall be filed and retained for at least 92 days at the location designated by the steam locomotive owner and/or operator.