

**Fifty-fifth Legislative Assembly, State of North Dakota, begun in the  
Capitol in the City of Bismarck, on Monday, the sixth day of January,  
one thousand nine hundred and ninety-seven**

HOUSE BILL NO. 1215  
(Representatives Kempenich, DeKrey, Skarphol, Thorpe)  
(Senators Solberg, Wanzek)

AN ACT to create and enact four new sections to chapter 19-20.2 of the North Dakota Century Code, relating to the use and testing of anhydrous ammonia storage containers and the bulk delivery of anhydrous ammonia; and to amend and reenact sections 19-20.2-01 and 19-20.2-08.2 of the North Dakota Century Code, relating to safety requirements for the handling and storage of anhydrous ammonia.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 19-20.2-01 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**19-20.2-01. Anhydrous ammonia safety rules.** The commissioner of agriculture shall adopt rules necessary to implement this chapter and adopt the 1989 American national standard safety requirements for the storage and handling of anhydrous ammonia, except sections 2.5, 5.2.1, 5.2.2.1, and 5.2.2.2. Sections 2.5, 5.2.1, 5.2.2.1, and 5.2.2.2 of the 1989 American national standard safety requirements are adopted as follows:

1. (2.5) Refers to paragraphs U-68, U-69, U-200, or U-201 of section VIII of the boiler and pressure vessel code of the American society of mechanical engineers, 1949 edition, or to section VIII division I of the boiler and pressure vessel code of the American society of mechanical engineers, 1950 edition, through the current edition including addenda and applicable code case interpretations.

Where referenced in this standard only section VIII division I of the American society of mechanical engineers code applies except that paragraphs UG-125 through UG-135 and paragraph UW-2 do not apply.

2. (5.2.1) Containers used with systems covered in sections 6, 9, 11, and 12 must be made of steel or other material compatible with ammonia and tested in accordance with the current American society of mechanical engineers code. An exception to the American society of mechanical engineers code requirements is that construction under table UW-12 at a basic joint efficiency of under eighty percent is not authorized.
3. (5.2.2.1) For new ~~tanks~~ containers installed or purchased after January 1, 1996, the entire container must be post-weld heat treated after completion of all welds in or to the shells and heads. The method employed must be as prescribed in the American society of mechanical engineers code. It is recommended that post-weld heat treatment be performed in a furnace of a size sufficient to accommodate the entire container. Welded attachments to pads may be made after post-weld heat treatment. An implement of husbandry does not require post-weld heat treatment if the implement is fabricated with hot formed heads or with cold formed heads that have been stress relieved.
4. (5.2.2.2) Steels used in fabricating pressure containing parts of a container may not exceed a specified tensile strength of ~~seventy five~~ seventy thousand pounds per square inch [~~517440~~ 482636 kilopascals], as noted in the American society of mechanical engineers code, section II, part D, except that this does not apply to sections 8, 9, and 10. ~~Allowances for tensile strength of up to twenty thousand pounds per square inch [137900 kilopascals] above those given in the American society of mechanical engineers code, section II, part D, are permitted.~~ An implement of husbandry may be fabricated from steel

having a specified tensile strength of seventy-five thousand pounds per square inch [517110 kilopascals].

**SECTION 2.** A new section to chapter 19-20.2 of the North Dakota Century Code is created and enacted as follows:

**Reinstalled and secondhand anhydrous ammonia storage containers - Requirement.**

1. Before anhydrous ammonia may be stored in a reinstalled or secondhand container, including a nurse tank, the person intending to store the anhydrous ammonia shall furnish the chief boiler inspector with:
  - a. Evidence that the container is registered with the national board of boiler and pressure vessel inspectors; or
  - b. The manufacturer's data report for the container.
2. Subsection 1 is not applicable to the owner of an anhydrous ammonia storage container installed in this state before November 1, 1987, unless the storage container is reinstalled at another location.

**SECTION 3. AMENDMENT.** Section 19-20.2-08.2 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**19-20.2-08.2. Prohibitions.** The following action is prohibited:

1. Filling a nurse tank directly from a rail car.
2. Filling or using a nurse tank that has an outdated hose.
3. Filling or using a nurse tank that has outdated relief valves.
4. Towing more than two nurse tanks on a public road.
5. Filling department of transportation transport containers not ~~currently certified by~~ meeting the requirements of the department of transportation.
6. Filling anhydrous ammonia storage ~~tanks~~ containers not meeting the requirements of this chapter.

**SECTION 4.** A new section to chapter 19-20.2 of the North Dakota Century Code is created and enacted as follows:

**Anhydrous ammonia - Bulk delivery.** Upon obtaining a commercial driver's license with an endorsement for hazardous materials, a person may transport anhydrous ammonia in a bulk delivery vehicle and may fill, from the bulk delivery vehicle, nurse tanks with anhydrous ammonia.

**SECTION 5.** A new section to chapter 19-20.2 of the North Dakota Century Code is created and enacted as follows:

**Hydrostatic test procedures.** Any hydrostatic test conducted under section 19-20.2-05 must comply with the requirements of the national board inspection code (ANSI-NB 23) and be conducted in a manner approved by the chief boiler inspector.

**SECTION 6.** A new section to chapter 19-20.2 of the North Dakota Century Code is created and enacted as follows:

**Wet fluorescent magnetic particle test procedures.** Any wet fluorescent magnetic particle test of a pressure vessel weld conducted under section 19-20.2-05 must comply with the requirements of the society for nondestructive testing SNT-TC-1A standard and must be conducted by a person certified as a level II technician by the society.

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1215.

House Vote:      Yeas    89      Nays    5      Absent    3

Senate Vote:    Yeas    30      Nays    17      Absent    2

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 1997.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 1997.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 1997,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State