



OHM Newsletter

Office of Hazardous Materials Operations

DEPARTMENT OF TRANSPORTATION / MATERIALS TRANSPORTATION BUREAU / WASHINGTON, D.C. 20590

VOL. VI Number 49

January 1976

NOTICES AND AMENDMENTS PUBLISHED DURING DECEMBER

- HM-131; Notice 75-10 (40 FR 57688 - 12/11/75). This Notice of Proposed Rule Making proposes to amend Part 103 of 14 CFR to require aircraft operators to perform certain inspection and monitoring of radioactive material shipments. Closing date for filing comments is February 17, 1976.
- HM-102; Amdt. No. 174-19 (40 FR 57433 - 12/10/75), Placarding of Tank Cars Containing Combustible Liquids. This amendment to sections 174.541 and 174.584 as they pertain to the documentation and placarding of cars containing combustible liquids is changed from January 1, 1976 to January 1, 1977. Use of "Dangerous" placards on cars containing materials classed combustible is not authorized until January 1, 1977, or such earlier date as the Bureau may designate in connection with regulations to be issued under Dockets HM-103 and HM-112.
- HM-127; Amdt. No. 107-1 (40 FR 56442 - 12/3/75), Exemption Procedures. This amendment makes technical and clerical changes to HM-127 published on October 15, 1975 (40 FR 48466). Effective date is December 3, 1975.
- HM-128; Amdt. No. 103-27 (40 FR 58284 - 12/16/75), Carriage of Certain Hazardous Materials on Cargo-Only Aircraft as Only Means of Transportation. This amendment is to authorize certain materials, the air transportation of which is otherwise prohibited or restricted, to be transported by cargo-only aircraft subject to special handling and operational controls when other means of transport are not practicable. Effective date is December 11, 1975.
- HM-132; Amdt. No. 173-92 (40 FR 59598 - 12/29/75), Asphalts in Cargo Tanks. This amendment permits certain asphalts formulations, newly defined as flammable liquids, to be shipped in cargo tanks currently in service. Effective date is January 1, 1976.

Notices and Amendments Published During December Cont.

HM-133; Amendment to Part 146 of 46 CFR (40 FR 60030 - 12/31/75), Definitions for Flammable and Combustible Liquids. This amendment is to specify a new definition for the class of materials identified as "Flammable Liquid," the class identified as "Combustible Liquid," and set forth requirements for the materials that are covered by the new definitions as well as provide exemptions for certain materials covered by the new definitions. Effective date is March 31, 1976, with immediate compliance authorized.

FAA; No. 13668; Amdt. 103-26 (40 FR 57667 - 12/11/75), Carriage of Radioactive Material. This amendment to Part 103 of 14 CFR is to revoke the provisions relating to the monitoring (scanning) of packages containing radioactive materials that are to be transported aboard aircraft. Effective date is December 11, 1975.

REPORT OF CARGO TANK RETEST

The Federal Highway Administration's Bureau of Motor Carrier Safety (BMCS), advises that each year motor carriers are unnecessarily filing reports concerning the hydrostatic retesting of cargo tanks.

Specifications MC 330 and MC 331 cargo tanks must be hydrostatically tested every 5 years following procedures outlined in section 173.33(e) of the Hazardous Materials Regulations. All other cargo tanks must be hydrostatically tested only when one of the conditions specified in section 177.824(b) and (c) occur. Neither of the sections referenced above require the filing of test reports with the BMCS. Test reports must be retained by the owner or operator of the cargo tank as specified in section 177.814.

Recent amendments published in Docket No. HM-113 require that certain specification MC 330 and MC 331 cargo tanks be tested by the wet fluorescent magnetic particle method immediately prior to the hydrostatic test. This additional test must be performed on MC 330 and MC 331 cargo tanks that are (1) used in anhydrous ammonia service; (2) constructed of quenched and tempered (Q&T) steel, or non-Q&T steel without post weld heat treatment; and (3) equipped with manholes. Procedures for performing this test are

Report of Cargo Tank Retest Cont.

outlined in section 173.33(e)(10). A report of the wet fluorescent magnetic particle test must be filed with the BMCS in Washington, D. C. In addition, carriers must file a report with the BMCS each time a MC 330 or MC 331 cargo tank is placed in service or removed from service.

The BMCS suggests that all cargo tank operators review the retest requirements in sections 173.33 and 177.824, especially in light of the recent amendments in Docket No. HM-113. Copies of the amendment may be obtained free of charge from the Bureau of Motor Carrier Safety, Federal Highway Administration, Washington, D. C. 20590.

FREIGHT FORWARDERS NOT REPORTING HAZARDOUS MATERIALS SPILLS

Field inspections by DOT personnel have discovered spills of hazardous materials while such shipments were in the possession of freight forwarders. Only seven air freight forwarders have submitted incident reports in the five years the current reporting requirements have been in effect and no reports have been received from surface freight forwarders.

When hazardous materials shipments are in the possession of freight forwarders, such freight forwarders (both air and surface) are subject to all applicable hazardous materials regulations (including reporting of incidents as required by section 171.16). Freight forwarders are likewise subject to the prescribed penalties for non-compliance.

TRANSCRIPT AND REPORT AVAILABLE

Single copies of the following transcript and report are available from this Office free of charge:

Transportation of Hazardous Materials in Air Commerce
(Transcript of Conference held in Washington, D. C.
on October 2-3, 1974)

Report to the Deputy Secretary of the Task Force on
Hazardous Materials in Air Commerce
(Date of report: March 19, 1975)

TRAINING AIDS -- SPANISH EDITIONS

Four of our standard training aids have been translated into Spanish. They are:

1. Hazardous Materials Warning Labels (Chart 4).
2. Hazardous Materials Definitions.
3. Guide for Shippers of Hazardous Materials.
4. Indicators of Hazardous Materials Shipment Violations.

A limited number of copies of the above aids may be obtained free of charge from this Office.

SIZE OF OPENINGS IN DRUMS

Several questions have again been raised concerning limitations on the size of openings in drums. For example: § 173.119(4) of the Hazardous Materials Regulations specifies the use of Spec. 17C drums with openings not exceeding 2.3 inches in diameter. The 17C specification covers both a removable (open) head and a non-removable (closed) head configuration. A 2.3-inch limitation in Part 173 precludes use of a removable head drum, since removal of the head results in an opening exceeding the allowable size.

In other words, § 173.119(a)(4) requires that drums with non-removable (closed) heads must be used and that any opening of the drum must not exceed 2.3 inches in diameter.

INTERMODAL HAZARDOUS MATERIALS TRANSPORTATION SEMINARS AND WORKSHOPS IN THE NORTHWEST

Plans are being completed for intermodal hazardous material seminars and workshops to be held in the northwest section of the United States.

Two 2-day seminars and workshops which will follow the general format of previous seminars which were held in Chicago, Newark, San Francisco, and Los Angeles are scheduled for:

Portland, Oregon March 8 and 9, 1976
Seattle, Washington March 11 and 12, 1976

Intermodal Hazardous Materials Transportation Seminars and Workshops in the Northwest Cont.

Two 1-day seminar programs for Emergency Service Personnel have been scheduled for:

Portland, Oregon March 10, 1976
Seattle, Washington March 13, 1976

For additional information and registration forms, contact:

Mr. John Frederick
Hazardous Materials Coordinator
Air Carrier/General Aviation Branch
Flight Standards Division
9010 East Marginal Way, South
Seattle, Washington 98108
TELEPHONE: (206) 767-2590

The Secretary of Transportation has determined that publication of this periodical is necessary in the transaction of the public business required by law of this Department. Use of funds for printing this periodical has been approved by the Director of the Office of Management and Budget through November 30, 1976.

DEPARTMENT OF TRANSPORTATION
MATERIALS TRANSPORTATION BUREAU

Washington, D.C. 20590

Official Business

PENALTY FOR PRIVATE USE, \$300

POSTAGE AND FEES PAID
DEPARTMENT OF
TRANSPORTATION
DOT 518

FIRST CLASS

