



OHM Newsletter

Office of Hazardous Materials Operations

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

VOL. VII Number 58

January/February 1977

NOTICES AND AMENDMENTS PUBLISHED DURING DECEMBER

HM-141; Advance Notice of Proposed Rule Making (41 FR 52891 - 12/2/76). This Notice extends the date for filing comments from November 30, 1976 to February 1, 1977.

HM-145; Advance Notice of Proposed Rule Making (41 FR 53824 - 12/9/76). In issuing this Advance Notice, the Materials Transportation Bureau is giving notice that it is considering whether new or additional transportation controls are necessary for classes of materials presenting certain hazards to humans and to the environment and which are not generally subject to the existing Hazardous Materials Regulations. Closing date for filing comments is March 14, 1977.

HM-146; Notice 76-13 (41 FR 54958 - 12/16/76). This Notice of Proposed Rule Making proposes to amend the Hazardous Materials Regulations as they pertain to shipments of certain nonflammable, nonpoisonous compressed gases by extending the service life of DOT 3HT specification cylinders from 15 to 24 years. The closing date for filing comments is March 22, 1977.

HM-103/ Amendment Nos. 171-32B, 172-29B, 173-94B, 174-26B,
112 175-1B, 176-1B (41 FR 57018 - 12/30/76), Hazardous Materials Regulations and Miscellaneous Amendments. These amendments are a result of further comments, suggestions, and petitions for reconsideration.

HM-128; Amendment No. 175-3 (41 FR 54942 - 12/16/76), Approval of Bulk Tanks for Transportation By Air. The purpose of this amendment is to require air carriers to obtain FAA Regional Office approval for the use of bulk tanks, associated piping, and the installation thereof, in the air carriage of flammable and combustible liquids. Effective date: January 1, 1977.

Notices and Amendments Published During December Cont.

HM-139; Amendment No. 173-102 (41 FR 55876 - 12/23/76), Conversion of Individual Exemptions to Regulations of General Applicability. The purpose of this amendment is to incorporate in the Hazardous Materials Regulations a number of changes based on data and analysis supplied in selected exemption applications, or from existing special permits and exemptions. Effective date: December 23, 1976.

NOTICES AND AMENDMENTS PUBLISHED DURING JANUARY

HM-139; Notice No. 77-1 (42 FR 5708 - 1/31/77). This Notice of Proposed Rule Making proposes to incorporate in the Hazardous Materials Regulations changes based on data and analysis supplied in selected exemption applications or on existing exemptions. Closing date for filing comments is February 23, 1977.

HM-144; Notice No. 76-12 (42 FR 2709 - 1/13/77). This Notice extends the closing date for filing comments from January 13, 1977 to March 14, 1977.

HM-134; Amendment Nos. 173-100, 178-40 (42 FR 2688 - 1/13/77). This publication makes corrections to Docket HM-134 published September 9, 1976 (41 FR 38175).

HM-147; Amendment No. 173-103 (42 FR 5059 - 1/27/77), Carbon Dioxide Transported Aboard Aircraft. The purpose of this amendment is to except from the coverage of the Hazardous Materials Regulations carbon dioxide in solid form, when used as a refrigerant to preserve materials for medical diagnostic or treatment purposes.

REVISIONS TO HAZARDOUS MATERIALS TABLE (§ 172.101)

In Part VIII of the Federal Register of December 30, 1976 (41 FR 57018), numerous revisions were made under Docket HM-103/112 to the Hazardous Materials Table, Section 172.101. These revisions were not discussed in detail in the preamble to this docket publication. Since the complete table was reprinted in the publication of December 30, it becomes difficult to identify these

Revisions to Hazardous Materials Table (§ 172.101) Cont.

revisions. To provide assistance to those persons interested in those revisions made to Section 172.101, this article will identify the hazardous materials description and the corresponding column number(s) where a revision has been made. In order to determine the nature of the revision, it will be necessary to compare the descriptions in this article that appear in the September 27 Federal Register with the corresponding descriptions found in the December 30 Federal Register:

<u>Hazardous Materials Descriptions</u>	<u>Column(s)</u>
Accumulators, pressurized	6(b)
Acetaldehyde ammonia	6(a), 6(b)
Aldrin mixture, liquid, with 60% or less aldrin	6
Alkaline liquid, n.o.s.	1
Ammonium permanganate	5(a)
Amyl trichlorosilane	7(b)
Aniline oil drum, empty <u>See</u> 173.347(d)	2
Argon, liquid pressurized	1
Arsenic trioxide, solid	7(b)
Box toe gum	5(b), 6(a), 6(b)
Bromobenzene	5(b), 6(a) 6(b)
Chemical ammunition, nonexplosive (<u>containing an irritating material</u>)	5(b)
Chloroacetic acid, liquid <u>or</u> solution	2
Formaldehyde, formalin solution (<u>in containers of 110 gallons or less</u>)	2, 3
Gallium metal liquid (HM-137)	New entry
Gallium metal, solid (HM-137)	New entry
Insulation tape (<u>varnished cloth type</u>)	2
Liquefied nonflammable gas (<u>charged with nitrogen, carbon dioxide, or air</u>)	6(a), 6(b)
Magnetized material	6(a), 6(b)
Malathion	6(a), 6(b)
Manganese dioxide	6(a), 6(b)
Mercaptain mixture, aliphatic (<u>in containers over 110 gallons</u>)	5(b)

Hazardous Materials Descriptions	Column(s)
Methyl amyl ketone	5(b), 6(a), 6(b)
Methyl bromide and nonflammable, non- liquefied compressed gas mixture, liquid (including up to 2% chloropicrin)	2
Monochloroacetic acid, liquid <u>or</u> solution	2
Monochloroacetone, stablized <u>or</u> inhibited	New entry
Nitrogen, pressurized liquid	2
Nitrogen tetroxide - nitric oxide mixture, <u>containing up to 33.2% by weight nitric oxide</u>	Deleted
Organic phosphate compound mixture, dry	2
Organic phosphate compound mixture, liquid	2, 5(a)
Organic phosphate, liquid	1, 2
Organic phosphate, mixed with compressed gas	2
Organic phosphorus compound, liquid	2
Organic phosphorus compound, solid, <u>or</u> organic phosphate compound dry, n.o.s.	2
Organic phosphorus compound mixture, liquid	2
Organic phosphorus compound mixture, dry	2
Organic phosphate compound <u>or</u> organic phosphorus compound, mixed with compressed gas	New entry
Organic phosphate compound, liquid	New entry
Organic phosphate, solid or dry	New entry
Organic phosphate mixture, liquid	New entry
Organic phosphate mixture, solid or dry	New entry
Potassium hydrate. <u>See</u> Potassium hydroxide	2
Refrigerating machine	6(a), 6(b)
Refrigerating machine	6(a), 6(b)
Refrigerating machine	6(a), 6(b)
Sodium dichloro-s-triazinetriene (dry <u>containing more than 39% available chlorine</u>)	2
Sodium hydrate. <u>See</u> Sodium hydroxide	2
Sodium hydrogen sulfite, solid	5(b)
Spent Oxide. <u>See</u> Oxide, spent	Deleted
Tetrachloroethylene <u>or</u> Perchloroethylene	2

Hazardous Materials Descriptions	Column(s)
Tetramethyl methylene diamine	6(a), 6(b)
Trichloro-s-triazinetriene (dry containing over 39% available chlorine)	2
(mono-(Trichloro) tetra-(monopotassium dichloro)-penta-s-triazinetriene, dry (containing over 39% available chlorine)	6(a), 6(b)
Yeast, active, in liquid or pressed form	6(a), 6(b)

ENFORCEMENT (This is the second in a series of open letters to readers interested in the transportation of hazardous materials from the Director of the Materials Transportation Bureau.)

Dear Reader:

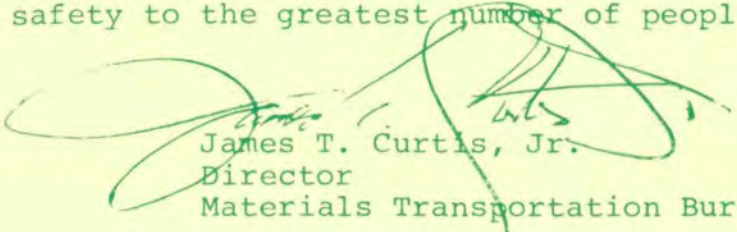
Numerous projects have been initiated and completed this past year by the staff of the Materials Transportation Bureau. One project stands out clearly as being one of the more complex and ambitious undertakings; namely, those regulations promulgated under Docket HM-103/112.

During the process of developing these consolidated regulations, many issues were identified. One of the more complex issues pertains to enforcement priorities. It is the purpose of this open letter to share with you my concerns and priorities for enforcement. It goes without saying that regulations promulgated by this Bureau will be enforced. Personnel involved in the enforcement activities come from this Bureau, and the modal operating administrations of the Department of Transportation. Several options for developing enforcement priorities have been discussed particularly in relationship to the regulations contained in Docket HM-103/112.

As many of you know, the hazardous materials transportation regulations are extremely design-specification oriented. As a result, there are specific tolerances expressed numerically throughout these regulations. It is not anticipated that in any immediate time frame the use of these design tolerances will be phased out; but at the conceptual stage, the use of performance oriented standards is being actively debated. As a result, there are some basic regulatory requirements which should be actively enforced such as those dealing with the strength characteristics of packagings such as boxes, drums, cylinders, or larger types. Enforcement of these regulations should continue to command a high priority. Regulations that

delineate types of hazards of materials being transported are recognized at an almost equal priority to the packaging standards. Recent notices in the Federal Register have been addressed to such matters as etiologic agents, blasting agents, environmental health affects materials and others which are in formative stages and, as such, are of interest in considering enforcement priorities of existing regulations. The forms of regulations such as classification criteria, placarding requirements, etc., have been and will continue to be a topic of continuing change. Other forms of regulations, such as those dealing with shipping paper requirements, color of labels and placards, and marking, may also be subject to changes in technology and therefore, a prudent enforcement program is to be encouraged.

The design tolerances so familiar throughout these regulations must be recognized in any enforcement priority assessment in such a manner as to be consistent with the Bureau's goal of providing the greatest safety to the greatest number of people.


James T. Curtis, Jr.
Director
Materials Transportation Bureau

REGULATIONS - QUESTIONS AND ANSWERS

- Q. May the certification statement in Section 172.204 (c) (1) authorized for a shipment of hazardous materials by air be used to certify a shipment of hazardous materials by highway?
- A. Yes. The shipping paper certification authorized in Section 172.204 for a shipment of hazardous materials by air may be used to certify a shipment of hazardous materials by highway whether or not the shipment may eventually be transported by air.
- Q. Must a shipping paper contain and a package be marked with the flash point of a material, classed as a flammable liquid, that is being offered for transportation?
- A. No. The flash point of a material classed as a flammable liquid is not required by 49 CFR to be shown on a shipping paper. However, the specific flash point or an indication that the flash point is 73°F. or higher must be marked on a package containing flammable liquids in order to obtain the exceptions provided in Section 173.118 (a) (3) and (b).

- Q. When does placarding become mandatory for tank cars containing a combustible liquid?
- A. All new requirements pertaining to placarding become mandatory on July 1, 1977. Therefore, a tank car containing a combustible liquid is not required to be placarded until July 1, 1977; however, compliance with the new requirements may be accomplished voluntarily before July 1, 1977.
- Q. Can the color of hazard warning labels and vehicle placards which are produced with printing inks be evaluated with either the Printing Ink Standard or the Opaque Coating Standard?
- A. Yes, either standard may be used for evaluating printing ink products.
- Q. Does the label color durability requirement mean that a label preprinted on a paper bag or fiber box must withstand 30 days of rain and snow?
- A. No. The average time that a package of hazardous material is in transportation approximates 30 days. Therefore, the labeling including its color must remain effective during transportation under the weather conditions the packaging could be expected to encounter.
- Q. Should a wet or a dry fadeometer test be used in evaluating the label and placard colors for resistance to fade caused by light?
- A. Either the wet or dry fadeometer test may be used and two standards for making such tests are the ASTM G 23-69 (reapproved 1975) (Carbon-arc Type) and the ASTM G 26-70 (Xenon-arc Type). Others of equal reliability may be used.
- Q. Are there special packaging requirements for packaging hazardous materials for shipment by air?
- A. Yes. In addition to the standard requirements for all hazardous material packages in Section 173.24, specific packaging requirements for shipment by air are prescribed in Section 173.6 (b).
- Q. Are there any restrictions on carrying small quantities of hazardous materials in passenger carry-on or checked baggage?

Regulations - Questions and Answers Cont.

- A. Yes. Hazardous materials authorized for carriage in crewmember or passenger baggage are prescribed in Section 175.10. Hazardous materials not authorized by this section are prohibited from carriage in crewmember or passenger baggage (including carry-on baggage) and persons that carry such materials are subject to Federal penalties.
- Q. Must magnetized materials in packages exceeding 50 pounds net weight be loaded on an aircraft in a location that is accessible to a crewmember in flight?
- A. No. The hazards involved in carrying magnetized materials in an aircraft are the possible affects of magnetic radiation on the aircraft instrumentation and need not be located in an area that is accessible to a crewmember in flight.
- Q. Must an air carrier keep a supply of replacement labels to replace lost or detached labels?
- A. Yes. Air carriers must keep an adequate supply of labels on hand and replace lost or detached labels in accordance with the information provided on the shipping papers. (See Section 175.40.)

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, 1981.

DEPARTMENT OF TRANSPORTATION
MATERIALS TRANSPORTATION BUREAU
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