



OHM Newsletter

Office of Hazardous Materials Operations

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

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NOTICES AND AMENDMENTS PUBLISHED DURING FEBRUARY

- HM-159; Advance Notice of Proposed Rulemaking (43 FR 7449 - 2/23/78). This advance notice requests public comment on the proposal to add the names of materials to the Hazardous Materials Table (49 CFR 172.101) that are known to be too hazardous to be permitted in commercial transportation. Closing date for filing comments: June 22, 1978.
- HM-38; Amdt. 179-21 (43 FR 7436 - 2/23/78), Certain Couplers for use on Tank Cars built after January 1, 1971; Approval. This rule expands the list of approved couplers since a large number of existing tank cars are now equipped with AAR approved E shelf and F shelf couplers which currently are not approved by the FRA Administrator. Effective date: February 23, 1978.
- HM-157; Amdt. 177-39 (43 FR 4858 - 2/6/78), Incorporation of the Federal Motor Carrier Safety Regulations by Reference. This amendment incorporates by reference the Federal Motor Carrier Safety Regulations under the authority of the Hazardous Materials Transportation Act (HMTA), 49 U.S.C. 1801, et seq. This amendment is intended to authorize the use of civil penalty and other enforcement tools provided by the Hazardous Materials Transportation Act. Effective date: February 6, 1978.
- HM-158; Amdt. 173-113 (43 FR 6786 - 2/16/78), Empty Canadian Tank Cars. This amendment allows empty Canadian tank cars to be returned from the United States to Canada if transported in conformity with Canadian Transport Commission regulations. Effective date: February 16, 1978.

NOTICES AND AMENDMENTS PUBLISHED DURING MARCH

- HM-160; Notice 78-3 (43 FR 8562 - 3/2/78). These proposed amendments would require certain kinds of asbestos to be shipped by all modes in non-specification, rigid, airtight packagings, such as metal or fiber drums; or in bags when shipped in closed freight containers, motor vehicles, or rail cars, that are loaded by the consignor and unloaded by the consignee. Closing date for filing comments: May 2, 1978.

Notices and Amendments Published During March Cont.

PRECAUTIONARY NOTICE TO SHIPPERS AND CARRIERS (43 FR 11638 - 3/20/78). Information developed by the OHMIO as the result of inspections of certain 3T cylinders indicate that some 3T cylinders currently in service may have wall thicknesses below the minimum prescribed in §178.45 of the Hazardous Materials Regulations for the service pressures marked on the cylinders.

HM-99; Amdt. 173-115 (43 FR 13382 - 3/30/78), Transportation of Methane in Specification DOT 3AX, 3AAX, and 3T cylinders. This amendment is necessary to clarify an existing requirement which authorizes the use of Specification DOT 3AX, 3AAX, and 3T cylinders for the distribution of certain non-liquefied gases. Effective date: March 30, 1978.

HM-150; Amdt. Nos. 171-38, 172-41 (43 FR 10917 - 3/16/78), Radioactive Materials Imported into the United States. These amendments permit packages of Type A and low specific activity radioactive materials which have been prepared in accordance with the quantity limitations of the most recent International Atomic Energy Agency (IAEA) Standards to be imported into the United States. They also permit such IAEA quantity limitations since differences between the two requirements are small and importation of Type A and low specific activity materials would be unnecessarily hindered without these amendments. Effective date: March 16, 1978.

CHECK YOUR PLACARDS

In the few months the new placarding requirements have been in effect, we have already noted instances of placards affixed to or maintained on motor vehicles contrary to the provisions of Section 173.516.

Some illustrations:

Placards affixed behind ladders on the rear of cargo tanks.

Placards wrapped around bumpers.

Placards installed behind cabs of trucks (not truck tractors) on tanks and van bodies in a manner that they are not visible from the front.

Placards obscured by dirt, oil, and etc.

WHAT'S IN YOUR BAGGAGE?

Recently a chemical company forfeited a penalty of \$15,000 because one of its employees checked as baggage for transportation aboard a passenger-carrying aircraft a package containing nitric acid. (See OHM Newsletter of February 1978).

Readers are reminded of the article entitled "Whats In Your Baggage?" in the April 1975 OHM Newsletter which stated in part that "Manufacturers and distributors of hazardous materials should make certain that all employees who travel on their behalf are aware of the fact that the Department's Hazardous Materials Regulations apply to the carriage of hazardous materials in baggage aboard aircraft. ... Do you know what your employees are carrying in their baggage on your behalf?"

Specific exceptions to the Department's regulations pertaining to the transportation of hazardous materials aboard aircraft are found in §175.10 of the Hazardous Materials Regulations. All other hazardous materials must be offered for transportation aboard aircraft and carried in accordance with 49 CFR Parts 107, 171, 172, 173, 175, and 178. QUESTION: Have you issued specific instructions to your employees concerning the prohibitions and requirements of the regulations?

REGULATIONS - QUESTIONS AND ANSWERS

Following is a list of questions and answers which has been developed concerning the Department's Hazardous Materials Regulations in order to assist the general public in understanding and complying with these regulations:

Q. In §173.6(b)(3) there is a requirement to test packagings to an internal absolute pressure of 26 pounds per square inch. Why?

A. The atmospheric pressure at 40,000 feet is 3.35 pounds per square inch absolute or approximately 4 pounds per square inch absolute. The atmospheric pressure at sea level is 14.7 pounds per square inch absolute or approximately 15 pounds per square inch absolute. When a packaging is loaded at sea level and then transported by aircraft to an altitude of 40,000 feet, an increase in pressure of 11 pounds per square inch gauge is exerted against the inside surface of the packaging. Therefore, in order to evaluate at sea level the capability of a packaging to withstand this 11 pounds differential pressure, an internal pressure of not less than 26 pounds per square inch gauge (15 psia at sea level plus 11 psig differential at 40,000 feet) must be used to test the packaging.

Q. What are the placarding or labeling requirements for a freight container having a capacity of less than 640 cubic feet?

Regulations - Questions and Answers Cont.

- A. Section 172.512(b) contains the requirements for affixing labels or placards to such a freight container. For air transportation, the freight container must have affixed one placard unless it is labeled on two sides or two ends. If the freight container contains radioactive material requiring the RADIOACTIVE YELLOW-III label then it must be placarded with one RADIOACTIVE placard and labeled in accordance with §172.406(e). For other than air transportation, a freight container having a capacity of less than 640 cubic feet must be labeled (§172.406(e)(3)) unless placarded in accordance with §172.512(b).
- Q. May non-hazardous materials and hazardous materials classed as ORM-D be packed and shipped in the same outside packaging?
- A. Yes, non-hazardous materials and hazardous materials classed as ORM-D may be packed and shipped in the same outside package provided the mixture of the contents would not cause the package to be prohibited from being offered for transportation according to the provisions in §173.21. When offered for transportation, the package must meet all of the prescribed requirements for ORM-D classed materials.
- Q. May a package, containing a material classed as an ORM-D and packaged to meet the provisions of §173.1200, be marked as required for an air shipment even though the package may never be shipped by aircraft?
- A. Yes, such a package may be marked as required for an air shipment provided that it has also been packaged in accordance with the provisions of 49 CFR 173.6.
- Q. Must an additional description of "Limited Quantities" appear on a shipping paper in order to identify the exception from specification packaging requirements for a flammable liquid material having a flash point of 73°F. or higher and not meeting the definition of another hazard class?
- A. No, it is not required that an additional description appear on a shipping paper to identify the packaging specification exception for such a material. However, a marking of the flash point or flash point range on the outside package is required to convey this exception when a specification packaging would be required if the flash point were lower than 73°F.

SYNOPSIS OF SELECTED INCIDENT REPORTS

The following descriptions of hazardous material incidents are provided to illustrate various causes of incidents and injuries as reported by carriers during November and December 1977:

Date & Location
of Incident
(HMI Number)

Synopsis of Carrier's Report

- | | |
|---|---|
| 11/9/77
Pensacola,
Florida
(7110988) | <u>Anhydrous Ammonia</u> . The puncture of tank cars and release of product resulted in one fatality and fifteen injuries. |
| 11/29/77
Baltimore,
Maryland
(7120010) | <u>Chlorine</u> . Switch engine picking up four cars unknowingly also coupled to chlorine tank car which was being unloaded. Pulled off connections. Seventeen persons were treated at hospital for inhalation and exposure to chlorine. |
| 11/22/77
Houston,
Texas
(7120589) | <u>Sulfuric Acid</u> . Driver neglected to close valves on cargo tank. As he started from stop sign, product evidently surged, flowing through the top unloading line and creating a siphoning action. No injuries occurred but product on the roadway caused paint damage to approximately ten cars. |
| 12/13/77
Denver,
Colorado
(7120966) | <u>Calcium Hypochlorite</u> . Residue on trailer floor combined with moisture from lemon juice and ignited. The fire was extinguished with truck terminal extinguishers and the local fire department was called. Firefighters arrived and applied water, and the oxidizer re-ignited. One fireman suffered burns to his eyes when he attempted to apply water to this product. He was taken to hospital, treated, and released. Fumes forced evacuation of the terminal. |
| 12/12/77
El Dorado,
Arkansas
(7121103) | <u>Sulfuric Acid</u> . Rear valve on trailer opened accidentally. Approximately 480 gallons of acid spilled from trailer onto highway causing the following automobiles to become involved in a minor collision, which resulted in one injury. |
| 12/2/77
Chamblee,
Georgia
(7121117) | <u>Nitric Acid and other hazardous materials</u> . While loading trailer, driver detected smoke in area of packages from earlier pickups. He moved the unit from dock to parking lot. Fire department arrived as trailer and contents were aflame and put out the fire. Most of trailer and contents were destroyed in fire. Two firemen were treated and released after coming into contact with unknown vapors. |

EXAMPLES OF DOT PENALTY ACTIONS CONCERNING
THE HAZARDOUS MATERIALS REGULATIONS

<u>Company</u>	<u>Offense</u>	<u>Penalty/ Initiating Agency</u>
Adec Company (Shipper by air)	Shipped hazardous materials that were improperly packaged, described, marked, and labeled.	\$ 200.00 (FAA)
American Airlines (Air carrier)	Transporting flammable liquid in an inaccessible cargo area; improper securing of cargo, which fell over and leaked in flight.	750.00 (FAA)
W. A. Cleary Corporation (Shipper)	Shipping hazardous materials in containers not meeting the marked specification; improper marking and description.	2,000.00 (MTB)
Great Northern Airlines (Air carrier)	Accepting and transporting a self-propelled vehicle with fuel in the fuel tank.	200.00 (FAA)
Magna Corporation (Shipper)	Failure to periodically retest portable tanks within required time period, to mark the appropriate periodic test dates on each tank, to retain required records, to properly mark proper shipping name, and to apply proper labels for a material having dual hazards.	9,000.00 (MTB)
Ommna Cartridge Corporation (Shipper by air)	Shipped small arms ammunition without proper packaging, marking, or certification.	750.00 (FAA)
Photonic's Company, Inc. (Shipper by air)	Shipping hazardous materials which were improperly marked, described, and packaged.	500.00 (FAA)
Prentiss Drug & Chemical (Shipper)	Shipping flammable liquid in non-specification containers; improper marking and description of hazardous materials.	750.00 (MTB)
Weather Control, Inc. (Shipper)	Refilling non-refillable specification 39 cylinders.	Compliance Order (MTB)

INTERMODAL HAZARDOUS MATERIALS TRANSPORTATION
AWARENESS SEMINAR AND WORKSHOP
NEW ORLEANS, LOUISIANA (May 17-18, 1978)

A 2-day seminar will be held on May 17-18, 1978 at:

The Rivergate
Port of New Orleans Exhibition Center
No. 4 Canal Street
New Orleans, Louisiana 70130

This seminar is being conducted to improve the awareness of the Department's Hazardous Materials Regulations which are applicable to shippers, carriers, freight forwarders, container manufacturers, testers, and vendors. The program will be conducted on an awareness basis and is not intended to take the place of in-depth training necessary to comply with the regulations. Training requirements and compliance procedures will be stressed throughout the session.

The seminar fee of \$30.00 covers lunches, coffee breaks, and handout material, including a copy of the regulations. Checks must be made payable to "U.S. Department of Transportation." No refunds will be made unless this Office receives the request prior to May 10, 1978.

Those wishing to attend should complete the following form and mail it, with your check, to:

Office of Hazardous Materials Operations (Seminar)
U.S. Department of Transportation
Washington, D. C. 20590
(Phone: (202) 426-2301)

Space will be assigned as registrations are received. Those desiring hotel accommodations must make their arrangements directly with the hotel of their choice.

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I wish to attend the Hazardous Materials Seminar at the Rivergate, Port of New Orleans Exhibition Center, in New Orleans, Louisiana, on May 17-18, 1978. Check for Seminar is enclosed.

Name _____ Company or Organization _____
Address _____
(Street) (City) (State) (Zip Code)

Confirmations will be made only upon request.

The Secretary of Transportation has determined the 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.



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