



OHM Newsletter

Office of Hazardous Materials

DEPARTMENT OF TRANSPORTATION / OFFICE OF THE SECRETARY / WASHINGTON, D.C. 20590

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NOTICES AND AMENDMENTS PUBLISHED DURING JULY

16323
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HM-80; Notice No. 72-8 (37 F. R. 14239 - 7/18/72). This Notice supersedes Notice No. 71-7 in Docket No. HM-80, in order to propose that specification packaging be required except when the material (phosphorus pentasulfide) will be fused into one solid mass for transportation. Comment period closes August 22, 1972.

HM-96; Notice No. 72-9 (37 F. R. 14728 - 7/22/72). This Notice proposes to utilize the services of the Center for Disease Control, Atlanta, Georgia when reporting incidents involving the shipment of etiologic agents. Comment period closes September 26, 1972.

HM-94; Amendment Nos. 173-64, 178-25 (37 F. R. 14587 7/21/72). Proposals B through I, Miscellaneous, are covered in this Amendment. Effective date September 30, 1972, with immediate compliance authorized.

The closing date for filing comments in the following dockets fell during July:

HM-22;	Notice No. 72-6	--	July 11, 1972
HM-99;	Notice No. 72-3	--	July 11, 1972
HM-100;	Notice No. 72-4	--	July 18, 1972
HM-101;	Notice No. 72-5	--	July 25, 1972

Notice of Special Permits issued or denied during July 1972 (37 F. R. 15949 - 8/8/72)

INCIDENT REPORTS - SS 171.15, 171.16

A number of inquiries have been received concerning the requirements for submission of incident reports involving the operation of tank motor vehicles. Here are a few examples with our responses:

1. Q. How many gallons must the spill or the release consist of?

A. A carrier must report any unintentional release of hazardous materials. This does not include releases that are normal occurrences such as spills from hoses during normal disconnections. Included would be mechanical and human failures resulting in overflows, releases from broken delivery hoses, etc. There is no way to give a quantitative response to your question since each case must be evaluated on its facts.

2. Q. Who reports when a spill happens at a loading rack owned by another company?

A. Regardless of ownership, the carrier involved must report the spill.

3. Q. Does the tank include storage tanks (underground and above ground) or just the transport tank?

A. The requirement is a carrier responsibility and only spills involving carrier equipment or related to the activities of the carrier must be reported by the carrier. Therefore, if the storage tank spills because the carrier has overfilled the storage tank, the carrier must report. If there is a spill from a storage tank because of a malfunctioning of the storage tank unrelated to the activities of the carrier, the carrier does not have to report.

4. Q. Would the rupture of a hose be included in the reporting?

A. A rupture in a hose used to load or unload must be reported.

Incident Reports - SS 171.15, 171.16

5. Q. What is the procedure in the event that a tank trailer, laden with hazardous materials, is properly "spotted" at a consignee facility and leakage occurs (which may or may not involve death, injury or property damage), and no carrier representative is at the site? (This incident may not be reported to carrier officials within the 15-day reporting requirement time limit.)

A. The regulations require reporting "within 15 days of the date of discovery." The Department interprets this requirement as meaning discovery by the carrier, although obviously there is no need for a carrier representative to personally observe the leakage in order for him to be considered to have "discovered" the leakage. Thus, the 15-day period begins to run from the day the carrier becomes aware of the unintentional release.

6. Q. Many carriers "automatically" send employees, involved in a hazardous material incident, to the hospital. This is done whether or not personal injury is evident to avoid complications in various statewide workman's compensation agreements. In the event that the employee is found not to have suffered injury--does this constitute hospitalization? Are there any "guidelines" that might be used to determine hospitalization?

A. Section 171.15 requires an immediate telephonic report when, among other things, "a person receives injuries requiring his hospitalization." For the purposes of this section, hospitalization means formal admission to a hospital, as evidenced by the records of the hospital.

7. Q. With regard to DOT Form 5800.1, where on that report is the carrier to note that loss of hazardous product resulted from a collision?

A. The actual nature of the package failure which released the hazardous materials should be described in Item F. "Nature of Packaging Failure." The fact that the package failure may have been due to a collision should be carefully noted in Item H. "Remarks."

Incident Reports - §§ 171.15, 171.16 Cont.

8. Q. Am I required to enter the date of the last test or visual inspection of a cargo tank in Item 29B of DOT Form 5800.1?

A. Yes. Report the last visual inspection date for a cargo tank other than one constructed in accordance with specification MC 330 or MC 331. Report the last test date for those two specifications. If there has been no visual inspection or retesting performed since new construction, enter the original test date entered on the metal certification plate affixed to the tank.

STATUS OF REVISIONS TO IAEA REGULATIONS

Many of our readers will be interested in the present status of the expected revisions to the International Atomic Energy Agency's (IAEA) "Regulations for the Safe Transport of Radioactive Materials," Safety Series No. 6, 1967 edition.

Subsequent to the October 1971 Review Panel held by the IAEA, a final draft of the proposed revisions to Safety Series No. 6 was prepared by the Agency's Secretariat, after coordination with the panel members. It is now expected that this final draft will be considered for adoption by the IAEA Board of Governors at its September 1972 meeting. If approved for adoption it will be published either late in the year as a 1972 edition or early next year as a 1973 edition of Safety Series No. 6. It is not expected that any rule changes to 49 CFR, based on the IAEA revisions, will be proposed until after the IAEA has formally issued its revised regulations.

IAEA publications, such as Safety Series No. 6, may be purchased in the United States from: UNIPUB, Inc., Post Office Box 443, New York, New York 10016.

SHIPPIERS OF CALIFORNIUM-252

All shippers of Californium-252 are reminded of the recent rule change involving this radioactive material. As a result of Amendment 173-64 (Item J), Docket HM-94, published on July 21, 1972 (37 F.R. 14587), the Type A package limit for Californium-252 in "special form" (§ 173.389(g)), has been reduced from 20 curies (which is the Type A package limit for all other radionuclides in "special form") to 2 curies.

INCIDENT REPORTS FILED DURING THE PAST 18 MONTHS

The following table shows the modal breakdown of the hazardous materials incident reports received January 1971 through June 1972:

REPORTS SUBMITTED: NO. OF CARRIERS	MODE	NO. OF REPORTS SUBMITTED: 1/1/71 - 6/30/72
10	Air Carriers	21
289	For-hire Highway Carriers	3,037
78	Private Highway Carriers	460
37	Rail Carriers	516
14	Water Carriers	18

Less than 50 per cent of these reports were complete. Contact with some of the reporters has revealed that the needed data was no longer readily available. The lack of specific information on hazardous materials incident reports submitted by carriers is seriously hampering our efforts to determine which materials are causing the most significant problems and which containers are failing and why.

Of the above reports, approximately:

50 per cent involved flammable liquids,
28 per cent involved corrosive liquids,
8 per cent involved oxidizing materials,

and the remaining 14 per cent were divided among the other classifications.

To assist reporters in preparing these reports, the instruction guide has been revised and expanded to include sample entries. It includes a brief discussion of each section of the report form. Upon receipt of your request, a copy will be forwarded to you.

COLORED CHARTS ILLUSTRATING WARNING LABELS AND RAIL PLACARDS AVAILABLE FROM THE OFFICE OF HAZARDOUS MATERIALS

The Office of Hazardous Materials has prepared a series of colored charts, to be used as a guide, for carriers, shippers, and manufacturers as well as law enforcement and firefighting personnel.

Colored Charts Illustrating Warning Labels and Rail Placards Available from the Office of Hazardous Materials Cont.

Single copies are available free of charge by writing to:

U. S. Department of Transportation
Office of Hazardous Materials
Operations Division, TSA-24
400 Sixth Street, S. W.
Washington, D. C. 20590

When requesting copies, please identify the charts as follows:

CHART 1 - "DOT HAZARDOUS MATERIALS WARNING LABELS"

(This chart illustrates the present DOT labeling system (in color) for air and surface shipments of hazardous materials. It includes general guidelines on the use of each label.)

CHART 2 - "UNITED NATIONS HAZARDOUS MATERIALS LABELS"

(This chart illustrates the United Nations' labeling system (in color) and includes an explanation of the hazard class numbers. This chart is to assist carrier personnel in identifying foreign shipments of hazardous materials.)

CHART 3 - "HAZARDOUS MATERIALS PLACARDS FOR RAIL"

(This chart illustrates the present DOT placarding system (in color) and includes an explanation on the use of these placards for rail shipments.)

AVAILABILITY OF OHM SPONSORED RESEARCH REPORT

A new report on a research contract sponsored by this Office is available. It may be purchased from the:

National Technical Information Service
U. S. Department of Commerce
Springfield, Virginia 22151

at \$3.00 a copy or 95 cents for microfiche. The following title must be used when ordering:

"An Evaluation of Organic Peroxide Hazard Classification Systems and Test Methods"
Report No. TSA-20-72-1
Contract DOT AS-10055
Access No. AD-742770
By: Naval Ordnance Laboratory

SEMINARS -- TRANSPORTATION OF HAZARDOUS MATERIALS BY AIR

The Office of Hazardous Materials and the Federal Aviation Administration will co-sponsor two one-day seminars in the Los Angeles area, and two one-day seminars in the San Francisco area during the month of September. The tentative dates and contacts are as follows:

Los Angeles area: September 7 and 8, 1972

Contact: Mr. Leon J. Janky
FAA Western Region WE-261
P.O. Box 92007, World Way Postal Center
Los Angeles, California 90009
PHONE: (213) 670-7223

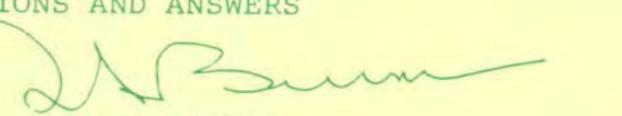
San Francisco area: September 13 and 14, 1972

Contact: Mr. Harold B. Strawn
FAA Air Carriers District Office 3
P.O. Box 4126
Burlingame, California 94010
PHONE: (415) 692-2441

NOTE: Persons interested in attending either of these seminars should contact Mr. Janky or Mr. Strawn immediately.

These seminars are designed to aid air carriers, air freight forwarders, shippers and other interested personnel on a "How to Use the Regulations" approach rather than discussing the detailed requirements of the regulations. The principal subject areas to be discussed are as follows:

CLASSIFICATION AND PROPER SHIPPING NAMES
SHIPPING CONTAINERS AND PACKAGING
MARKING AND LABELING REQUIREMENTS
CERTIFICATION AND DOCUMENTATION
SHIPPER VS CARRIER RESPONSIBILITIES
HAZARDOUS MATERIALS INCIDENT REPORTING SYSTEM
RADIOACTIVE MATERIALS, OTHER HAZARDOUS MATERIALS
IATA AND TARIFF 6-D
PANEL - QUESTIONS AND ANSWERS


W. J. Burns
Director
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