



# 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 JANUARY

HM-80; Amendment Nos. 172-18, 173-68 (38 F. R. 1507 - 1/15/73). This Amendment identifies phosphorus pentasulfide by name as a flammable solid and prescribes packaging requirements for its transportation.

Notice of Special Permits issued or denied during December 1972 (38 F. R. - 2/9/73).

## SOLUTION TO STRESS CORROSION CRACKING?

The National Association of Corrosion Engineers' (NACE) special Task Group has recommended certain rule-making actions which they feel will lead to a solution of the problem of stress corrosion cracking of cargo tanks. In a petition filed with the Department's Hazardous Materials Regulations Board, the Task Group proposes certain measures to provide:

1. Immediate interim regulation changes to reduce the probability of stress corrosion cracking;
2. A means of detecting and controlling such stress corrosion cracking as may occur during the interim period, and
3. A means to establish the effectiveness of these recommendations until such time as further research is performed.

The Task Group is also developing a research program to provide additional technical information on which to base possible future rule changes should the interim rule changes prove to be inadequate or unnecessary.



## NON-COMPLIANCE WITH TERMS OF SPECIAL PERMITS

Our recent field surveys discovered several instances of shippers not complying with terms of special permits. Section 171.6(a) of the Hazardous Materials Regulations requires that, "Each holder of a special permit shall comply with all requirements of Parts 170-189 of this chapter except as specifically provided by the terms of the special permit."

Non-compliance with the terms of the special permit or applicable regulations may result in revocation of the special permit.

The areas of non-compliance most frequently noted were:

1. Copy of the complete special permit did not accompany the shipment when so required by the special permit. Despite the fact that a complete copy of any special permit is always furnished to shippers authorized to use the special permit, we found instances where only a portion of the concerned special permit accompanied the shipment.
2. Shipper failure to remove DOT Special Permit marking when reusing the container for non-hazardous commodities or hazardous commodities not covered by the special permit. This practice is NOT in accord with section 173.28(d) which states, "Containers previously used for the shipment of any hazardous material must have the old markings, ... thoroughly removed or obliterated before being used for the shipment of other articles."
3. Shipper employees responsible for tendering shipments to carriers informed our representative that they did not have a copy of the special permit, had not seen a copy of the special permit, and therefore were not aware of the special permit provisions. This would indicate that these companies are not complying with that portion of section 173.1(a) of the Hazardous Materials Regulations which reads: "...It is the duty of each such shipper to make the prescribed regulations effective and to thoroughly instruct employees in relation thereto."

## Non-compliance with Terms of Special Permits Cont.

Non-compliance with any of the provisions of special permits may adversely affect consideration of that company's request for other special permit authority.

## REQUEST FOR INFORMATIONAL DATA

Chemical manufacturers and shippers who publish property data sheets on chemicals are requested to forward a copy of each of their data sheets to this office. We have received some data on various materials and have found it useful.

These data sheets are helpful in assisting persons calling the office for information, generally about classification or secondary properties. In particular, they have proved helpful in resolving problems involving shipments which are being questioned by carrier personnel or by local fire, safety, or regulatory officials. In several instances, such data sheets have precluded needless frustration or delay of shipments or have prevented unsafe actions.

Data sheets should be addressed to Office of Hazardous Materials, Reference Section, Department of Transportation, Washington, D. C. 20590.

## NEW OHM PUBLICATION AVAILABLE

A new 37-page brochure entitled "A Review of the Department of Transportation's (DOT) Regulations for Transportation of Radioactive Materials" has been prepared by the Office of Hazardous Materials as a reference and guidance type document for training purposes. It provides a concise summary of the DOT Regulations governing the packaging and shipment of radioactive materials as well as guidance toward more correctly and easily applying these regulations in actual practice.

Requests for copies of this brochure should be directed to:

Office of Hazardous Materials  
Attention: Operations Division



#### HAZARDOUS MATERIALS INCIDENT REPORTS DOUBLED IN 1972

During 1972, 4,400 hazardous materials incidents reports were submitted compared to 2,200 during 1971. This indicates that more carriers are aware of the reporting requirements. However, out of the thousands of carriers of hazardous materials only 500 have submitted reports.

The following table compares, by mode of transport, the reports submitted during the 2-year period:

	<u>1971</u>		<u>1972</u>	
	<u>Reporting carriers</u>	<u>Reports submitted</u>	<u>Reporting carriers</u>	<u>Reports submitted</u>
Air carriers.....	3	5	12	32
For-hire highway carriers.....	233	1,633	323	3,613
Private highway carriers.....	54	258	58	352
Rail carriers....	28	346	35	337
Water carriers...	10	13	8	10

#### SHIPPERS AND CARRIERS ALERTED BY FHWA

During calendar year 1972, the Federal Highway Administration's Bureau of Motor Carrier Safety advised 563 shippers that their operations are subject to the Hazardous Materials Regulations of the Department. In the same time period, in-depth compliance investigations were conducted of 531 motor carriers and 238 shippers to determine their compliance with the Hazardous Materials Regulations. Ninety-two terminal inspections were also conducted.


In addition, the Bureau conducted 86 clinics and participated in 82 safety meetings in an effort to help acquaint drivers, motor carrier supervisory personnel, shippers and emergency response personnel with the Hazardous Materials Regulations. More than 8,700 inquiries regarding the regulations were also answered by the Bureau's staff.

#### MARK YOUR CALENDAR

The first National Symposium on the Transportation of Hazardous Materials will be held in Washington, D. C. Circle the following dates on your calendar:

May 30 - June 1, 1973

Details will be in the March Newsletter.

  
W. J. Burns  
Director  
Office of Hazardous Materials

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