



OHM Newsletter

Office of Hazardous Materials

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

VOL. IV Number 30

March 1974

NOTICES AND AMENDMENTS PUBLISHED DURING JANUARY

HM-103; Notice No. 73-10 (39 F.R. 3164 - 1/24/74). This notice of proposed rule making proposes to adopt a hazard information system and to make miscellaneous changes to the documentation, marking, labeling, and placarding requirements. Comment period closes May 28, 1974.

HM-112; Notice No. 73-9 (39 F.R. 3022 - 1/24/74). This notice of proposed rule making proposes to consolidate the air, water, and surface transportation Hazardous Materials Regulations into one volume (Title 49, Parts 100 - 189). Comment period closes May 28, 1974.

HM-113; Notice No. 73-11 (39 F.R. 1059 - 1/4/74). This notice of proposed rule making pertains to shipments of anhydrous ammonia in MC 330 and MC 331 cargo tanks. Comment period closes April 9, 1974.

HM-102; Amendment Nos. 172-23, 173-78, 174-19, 177-29 (39 F.R. 2768 - 1/24/74). These amendments specify a new definition for the class of materials identified as "Flammable liquid"; create and define a new class of materials identified as "Combustible liquid"; modify the definition for Pyrophoric liquids within the flammable liquid class; and set forth the requirements for the materials that are covered by the new definitions. The effective date is January 1, 1975, with immediate compliance authorized.

Notice of Special Permits issued or denied during January 1974 (39 F.R. 4936 - 2/8/74).

NOTICES AND AMENDMENTS PUBLISHED DURING FEBRUARY

HM-90; Notice No. 74-2 (39 F.R. 7432 - 2/26/74). This notice of proposed rule making proposes to prohibit bottom outlet devices on DOT Class 114A tank car tanks used for the transportation of liquefied flammable compressed gases. Comment period closes May 28, 1974.

HM-114; Notice No. 74-1 (39 F.R. 4968 - 2/6/74). This notice of proposed rule making proposes to amend the requirements for selection, preparation, inspection, certification and loading of railroad cars used to transport Class A explosives. Comment period closes March 31, 1974.

Notice of Special Permits issued or denied during February 1974 (39 F.R. - 3/12/74).

FOR YOUR GUIDANCE IN KEEPING YOUR CFR UP-TO-DATE

Amendments to the Code of Federal Regulations, Title 49, Parts 100 - 199, Revised October 1, 1973, published from October 1 through December 31, 1973, are as follows:

HM-86; Amendment Nos. 173-76, 177-28, 178-26 (38 F.R. 27595). Cargo Tank Use and Testing, Compressed Gases in Portable and Cargo Tanks, and Specification MC 331.

HM-57; Amendment Nos. 171-14, 172-14, 172-20, 173-61, 173-74, 174-14, 175-7, 177-21, 178-26 (38 F.R. 28292). Extends the effective date of amendments in this docket only as they pertain to liquid materials that are corrosive only to aluminum.

HM-57; Amendment Nos. 172-22, 173-77, 178-30 (38 F.R. 35467 - 12/28/73). Classification and Packaging of Corrosive Materials.



HAZARDOUS MATERIALS REGULATIONS BOARD

The members of the Hazardous Materials Regulations Board as they met on December 31, 1973 to approve the issuance of Notice 73-9, Docket HM-112 and Notice 73-10, Docket HM-103.

In addition to serving on the Hazardous Materials Regulations Board, these members also serve (reading l. to r.) as follows: Mr. Stephen L. Grossman, Assistant General Counsel for Regulations, Office of the Secretary; Dr. Robert A. Kaye, Director, Bureau of Motor Carrier Safety, Federal Highway Administration; Mr. James F. Rudolph, Director, Flight Standards Service, Federal Aviation Administration; Mr. W. J. Burns, Chairman of the Board and Director of the Office of Hazardous Materials; Mr. Mac E. Rogers, Associate Administrator, Office of Safety, Federal Railroad Administration; Rear Admiral William F. Rea III, Chief, Office of Merchant Marine Safety, United States Coast Guard; Mr. Alan I. Roberts, Secretary to the Board and Chief of the Regulations Division, Office of Hazardous Materials.

A FINE OF \$1,800 IMPOSED FOR
VIOLATION OF HAZARDOUS MATERIALS REGULATIONS

The Federal Highway Administration's Bureau of Motor Carrier Safety advises that in the United States District Court in Portland, Maine that a shipper and a private carrier entered pleas of guilty on 18 counts of knowingly offering for transportation shipments of hazardous materials without the required description and classification on the shipping papers. A fine of \$100.00 was imposed for each count.

A \$350.00 SMOKE

The Federal Highway Administration's Bureau of Motor Carrier Safety announced that on January 22, 1974, a truck driver was fined \$250.00 for smoking on a motor vehicle containing explosives. The defendant pleaded guilty to a one-count indictment charging a violation of Title 49, Code of Federal Regulations, Section 397.13. Federal Judge Thomas J. MacBride imposed the fine.

STATUS OF REGULATORY REVISIONS - RADIOACTIVE MATERIALS

A number of persons have inquired about the status of proposed or anticipated proposed changes to the DOT Hazardous Materials Regulations for transport of radioactive materials. A frequent question is whether the United States will adopt regulatory revisions based on the 1973 Revised International Atomic Energy Agency (IAEA) "Regulations for the Safe Transport of Radioactive Materials," and if so, when. It is currently anticipated that a notice of proposed rule making will be issued within approximately three months, proposing a comprehensive revision of 49 CFR to adopt certain changes to achieve substantial conformity of USA and IAEA standards. The substance of the miscellaneous changes as proposed in Docket No. HM-111, Notice 73-7 (see pages 3 and 4 of the November/December 1973 OHM Newsletter) will be incorporated into that notice. The final amendments in Docket HM-111 are currently under staff consideration, based on comments received. Final amendments are expected to be issued within approximately two months.

4

Status of Regulatory Revisions - Radioactive Materials Cont.

Also, it is presently anticipated that the final amendments incorporating the 1973 IAEA Standards, based on the notice will be incorporated into the final amendments resulting from Dockets HM-103 (HI System) and HM-112 (Consolidation of Regulations).

FORUM ON HAZARDOUS MATERIALS

COSTHA, The Council for Safe Transportation of Hazardous Articles, is hosting a Forum on Dockets HM-103 and HM-112 Notices of Proposed Rule Making.

This Forum is to explain and discuss the proposed Hazard Information System and the Consolidation of the Hazardous Materials Regulations.

The Forum will be held on Wednesday, March 27, 1974, at the Drake Hotel, Chicago, Illinois.

This Forum is open to everyone who wishes to attend. Call: (212) 986-1000 for information regarding registration and fee.

ATTENTION - TANK TRUCK OPERATORS

Several recent hazardous materials incident reports have detailed spills of hazardous materials from tank trucks in which a properly operating internal safety valve would have prevented the spill. In one instance (an MC 307 tank), the reporter stated "the safety valve in the tank would not hold the product in the tank."

Section 178.342-5(a) of the Hazardous Materials Regulations requires valves inside the tank "...operated so as to assure against the accidental escape of contents...." Other reports involved MC 306 tanks for which section 178.341-5(a) has the same requirement.

In one case investigated by the Bureau of Motor Carrier Safety, deterioration along the edge of the plunger disc was found, and the carrier was requested to initiate an immediate inspection program to examine all of its cargo tanks' emergency valves and their component parts for proper operation.

5

Attention - Tank Truck Operators Cont.

All tank truck operators are reminded of the need for close and complete inspection to prevent future incidents of this nature. While the regulations may require inspection only at periodical intervals, the carrier must be certain his equipment meets the specification requirements at all times. Failure of component parts, such as indicated above, may be an indication that such equipment does not meet the specification requirement.

PUBLICATION AVAILABLE

The Office of Hazardous Materials has received a copy of a booklet entitled "Compendium of Regulations-Shippments of Radioactive Materials over Toll Roads, Bridges & Tunnels." This booklet was compiled by the International Bridge, Tunnel & Turnpike Association, Inc. It represents a historic first effort at a compilation of the various restrictions by bridge, turnpike, and tunnel authorities over shipments of radioactive materials. We are certain that it will be of particular value to both shippers and carriers.

This Office has been advised that single copies may be obtained from:

International Bridge, Tunnel & Turnpike Association, Inc.
Suite 307
1225 Connecticut Avenue, N. W.
Washington, D. C. 20036

SEMINARS - TRANSPORTATION OF HAZARDOUS MATERIALS

The Department of Transportation's Office of Hazardous Materials, the Federal Aviation Administration, and the Federal Highway Administration will conduct three one-day seminars during the last week of March 1974.

These seminars will be conducted to assist air and surface carriers, freight forwarders, shippers, container manufacturers, packaging, firefighting and law enforcement personnel, Federal, state and local agencies, and other interested personnel to understand the DOT Hazardous Materials Regulations.

Seminars - Transportation of Hazardous Materials Cont.

The packaging program is not limited to air transportation but includes a basic review of the DOT general requirements for the packaging of hazardous materials for transportation. Extensive handout material, displays, and demonstrations will be included as well as detailed discussion concerning those packages most frequently involved in transportation incidents.

These seminars will be held at the following locations:

<u>LOCATION AND DATE</u>	<u>SEMINAR</u>
<u>Portland, Oregon</u>	
March 26, 1974	Transportation of Hazardous Materials
<u>Seattle, Washington</u>	
March 27, 1974	Transportation of Hazardous Materials
March 28, 1974	Hazardous Materials Packaging

If you have any questions, please contact the coordinators listed below:

Mr. John Frederick
DOT/FAA Northwest Region
Flight Standards Division
ANW-200, FAA Building
Boeing Field
9010 E. Marginal Way South
Seattle, Washington 98108
TELEPHONE: (206) 767-2590

Mr. J. R. Shelton
FHWA, Region X
Room 412 Mohawk Building
222 S. W. Morrison Street
Portland, Oregon 97204
TELEPHONE: (503) 221-2093

SAN FRANCISCO SEMINAR

The San Francisco Air Cargo Association and the Office of Hazardous Materials will conduct two one-day seminars at the Airport Marina Hotel on May 22 and May 23, 1974. The first day will be conducted by air carrier, freight forwarder and DOT personnel covering the general requirements for the preparation

San Francisco Seminar Cont.

and transportation of hazardous materials by air. The second day will be one of a series of Hazardous Materials Packaging Seminars previously announced.

A fee of \$15.00 per day will be charged for these seminars. This fee covers lunch, coffee, and handout material.

Make checks payable to "Air Cargo Association" and forward to the registration contact listed below.

Pre-registration for these seminars is necessary as attendance will be limited.

Seminar will be held at:

<u>LOCATION AND DATE</u>	<u>SEMINAR</u>
Airport Marina Hotel San Francisco, California	
May 22, 1974	Transportation of Hazardous Materials by Air
May 23, 1974	Transportation of Hazardous Materials

If you have any questions, please contact:

Ms Sandy Marr
c/o United Airlines Cargo Terminal
San Francisco Airport
San Francisco, California 94128
TELEPHONE: (415) 876-3302

Additional details concerning any of these seminars may be obtained from the Office of Hazardous Materials, Department of Transportation, Washington, D. C. 20590.
TELEPHONE: (202) 426-2301

DENVER SEMINAR

The Office of Hazardous Materials and the Federal Aviation Administration will co-sponsor two one-day seminars on the following dates:

<u>LOCATION AND DATE</u>	<u>SEMINAR</u>
Denver Colorado	
June 19, 1974	Transportation of Hazardous Materials
June 20, 1974	Hazardous Materials Packaging

If you have any questions, please contact:

Mr. Andrew O. Davis
DOT/FAA Park Hill Station
Post Office Box 7213
Denver, Colorado 80207
TELEPHONE: (303) 837-4459


W. J. Burns
Director
Office of Hazardous Materials

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

OFFICE OF THE SECRETARY

Washington, D.C. 20590

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