



# 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 AUGUST

HM-120; Notice No. 74-11 (39 F.R. 29197 - 8/14/74).

This Notice of Proposed Rule Making proposes to amend § 174.589 which prescribes the requirements for handling placarded freight cars carrying hazardous materials. Comment period closes September 20, 1974.

HM-103; Notice No. 73-10 (39 F.R. 30941 - 8/27/74), Hazard Information System and Miscellaneous Proposals. The closing date for filing comments in this Notice of Proposed Rule Making has been extended from August 31, 1974 to October 3, 1974.

HM-112; Notice No. 73-9 (39 F.R. 30941 - 8/27/74), Consolidation of Hazardous Materials Regulations and Miscellaneous Proposals. The closing date for filing comments in this Notice of Proposed Rule Making has been extended from August 31, 1974 to October 3, 1974.

HM-22; Amendment No. 171-25 (39 F.R. 30135 - 8/27/74). This amendment updates the reference to the addenda to sections VIII (Division I) and IX of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code. The effective date is September 30, 1974, with immediate compliance authorized.

The closing date for filing comments in the following dockets falls during September:

HM-117 Specification 1M Glass Carboy September 30, 1974  
in Polystyrene Packaging and  
Cancellation of Certain Obsolete  
Specification Packagings

Closing date for Filing Comments Cont.

HM-118 Expandable Polystyrene Resin September 24, 1974  
and the Definition of a  
Flammable Solid

HM-120 Switching of Freight Cars September 20, 1974  
Placarded "DANGEROUS"

Notice of Special Permits issued or denied during August 1974  
(39 F.R. - 9/11/74).

HAZARDOUS MATERIALS SHIPMENTS  
INTERLINED WITH CONNECTING CARRIERS

An increasing number of hazardous materials incident reports submitted by motor carriers indicate that shipments, when accepted from other motor carriers, are not in compliance with the Hazardous Materials Regulations. Some reports indicate that required labels were not affixed when hazardous materials packages were interchanged. Others state that the documentation did not indicate that hazardous materials were involved. Still others indicate that the proper shipping name (§ 172.5) had not been included by the originating carrier.

One incident report indicated that a 55-gallon drum leaking a corrosive liquid was actually interchanged while leaking, transported to destination, refused by consignee because it was still leaking--transported back to originating carrier still in a leaking condition.

Motor carriers tendering hazardous materials shipments to other motor carriers are reminded that § 177.808(a) of the regulations reads:

"Shipments of hazardous materials offered by connecting transportation lines must comply with Parts 170-189 of this chapter."

All motor carriers, whether they are originating carriers, intermediate carriers, or delivering carriers, are reminded that the last sentence of paragraph (a) of § 177.801 reads:

Hazardous Materials Shipments  
INTERLINED with Connecting Carriers Cont.

"Shipments of explosives or other dangerous articles not in proper condition for transportation, or loaded or stayed as required, or certified as to proper packing, marking and description as required in Parts 170-189 of this chapter, must not be accepted for transportation or transported."

AUGUST SEMINAR ATTENDED BY MORE THAN 425

Over 425 air, motor, rail, and water carriers, shippers, freight forwarders, container manufacturers, Government personnel, and firefighting organizations attended the Hazardous Materials Seminar in Cleveland on July 24 - 25, 1974. The Seminar was held at the NASA Lewis Research Center. We appreciate NASA's splendid cooperation and are indebted to them for the following picture :



AEROSOL DISPLAY  
STEEL DRUM AND PAIL CLOSURES  
BEING EXAMINED BY ATTENDEES

HM-102: FLAMMABLE LIQUIDS--MARKING OF FLASH POINT

Amendment 173-78, § 173.118, as published on January 24, 1974, indicates that "the flash point" must be marked on the package in order to be (1) "partially exempt" from the regulations for inside containers not exceeding one gallon rated capacity, and, (2) exempt from specification packaging for containers of 110 gallons capacity or less, when the flash point of the material is 73°F. to 100°F.

The intent was to have a flash point marking displayed on packages to verify eligibility for one or the other of the two exemptions--not the exact flash point, which would serve no useful purpose. Therefore, this regulation is interpreted as requiring a marking that indicates the flash point to be 73°F. or higher in any appropriate manner.

FREEDOM OF INFORMATION (Third in a Series of Articles)

All of the files for Docket 3666, which pertained to regulatory matters involving explosives and other dangerous articles between June 9, 1908 and April 1, 1967, have been recorded on microfilm. These films may be viewed by any interested person on our "reader" which is located in Room 6215 of the Trans Point Building, Second and V Streets, S. W., Washington, D. C. Copies may be acquired at twenty-five cents per page.

HAVE YOU MARKED YOUR CALENDAR?

On October 2 and 3, 1974, a Conference on transportation of hazardous materials in air commerce will be held in the Departmental Auditorium on Constitution Avenue between 12th and 14th Streets, N. W., Washington, D. C.

Registration will be on Wednesday morning, October 2, 7:30 to 9:00 a.m. in the main lobby of the auditorium. For details and subjects to be discussed, see your August Newsletter.

THE SPECIFICATION MARKING ON A PACKAGING -- IS IT WHAT IT SAYS IT IS

During a recent 60-day period, 30 hazardous materials incident reports involving one particular shipper were received from several different carriers. All of the reports involved the unintentional release of a Class B poison from fiberboard boxes marked "DOT 12D75." An Office of Hazardous Materials representative observed at the shipper's facility that these outside boxes, weighing over 25 pounds, but less than 75 pounds as packed for shipment, were marked essentially as follows:

(Reduced size illustration)



DOT-12D75  
John Doe Box Company  
Chicago, Illinois

Section 178.207-15 (a) (2) reads (with the portion of direct concern underscored for easy comparison with the box maker's certificate shown above) as follows:

The Specification Marking on a Packaging --  
Is It What It Says It Is Cont.

(2) For authorized gross weight over 25 pounds but not exceeding 75 pounds, inside containers must be packed in boxes of at least 275-pound test double-wall corrugated fiberboard and these packages packed in an outside box of at least 350-pound test double-wall corrugated fiberboard.

The box maker's certificate illustrated above indicated "doublewall" when the box was "singlewall" material. Additionally, each of the four one gallon glass bottles was not enclosed as required. They were enclosed in 200-pound test fiberboard instead of the 275-pound test fiberboard required.

Section 173.24 (c)(1)(v) prohibits specification markings on a packaging which does not comply with all provisions of the specification. In this instance, and particularly in view of the numerous failures of the package, the shipper should have determined that the boxes were not "doublewall" as the certificate states, and that the 275-pound test should have been 350-pound test required by specification 12D75.

Furthermore, despite the imprinted marking, a packaging becomes a Specification DOT-12D75 only when all interior packaging requirements are met and the package is closed and in proper condition for transportation.

As stated in the June 1974 Newsletter, before mailing the hazardous materials incident report to this Office, the reporter should have asked himself the following question:

"Was this shipment (including its package) in complete compliance with applicable DOT Hazardous Materials Regulations?"

None of the thirty incident reports submitted gave any indication that the reporter asked himself the suggested question.

SHIPPIERS -- UNCLOSED STAPLES CAUSE PROBLEMS

Several hazardous materials incident reports indicate that the unintentional release of hazardous materials was due to staples not being closed. Other freight loaded on top of such cartons caused the open staples to puncture the inner containers.

Shippers are reminded that paragraph (c)(7) of section 173.24 of the Hazardous Materials Regulations reads as follows:

"(7) Nails, staples, and other metallic devices shall not protrude into the interior of the outer packaging in such a manner as to be likely to cause failures."

REMINDER

Hazardous Materials Seminar, Atlanta, Georgia -- to be held on October 9 and 10, 1974. See the July issue of the Newsletter.

HAZARDOUS MATERIALS SEMINAR --PACKAGING AND TRANSPORTATION  
HOUSTON, TEXAS -- TENTATIVE DATES, NOVEMBER 6 AND 7, 1974

The Office of Hazardous Materials will conduct its third in a series of two-day intermodal Hazardous Materials Seminars on the tentative dates of November 6 and 7, 1974, in Houston, Texas. These seminars are designed to assist carriers, freight forwarders, shippers, container manufacturers, firefighting and law enforcement personnel, Federal, state, and local agencies and other interested persons to understand the Hazardous Materials Regulations.

Those interested in the Seminar should contact the following office for exact dates, time, location, and registration information:

Operations Division (TES-24)  
Office of Hazardous Materials  
Department of Transportation  
Washington, D. C. 20590  
TELEPHONE: (202) 426-2301

FEDERAL AVIATION ADMINISTRATION  
HAZARDOUS MATERIALS SEMINAR - OCTOBER 22, 23, 1974

The Pacific-Asia Region of the Federal Aviation Administration is sponsoring a 2-day seminar covering the general requirements for packaging and air transportation of hazardous materials, on October 22 and 23, 1974.

The seminar will be held at the:

Ala Moana Hotel  
Cattleya Room  
410 Atkinson Drive  
Honolulu, Hawaii 96806  
TELEPHONE: (808) 955-4811  
CABLE: FLAGTELS

Persons interested in attending the seminar should contact:

Ralph W. Thomas, APC-241  
FAA, Pacific-Asia Region  
Post Office Box 4009  
Honolulu, Hawaii 96813  
TELEPHONE: (808) 9550-352



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.