



# 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 MARCH

JUN 16 1975

HM-109; Notice No. 75-1 (40 F.R. 11362 - 3/11/75). This Notice of Proposed Rule Making proposes to amend the requirements of Part 179 to provide for more flexibility and clarity in the specifications for applying the head shields to DOT 112A and 114A tank car tanks. The closing date for filing comments is April 15, 1975.

HM-124; Notice No. 75-2 (40 F.R. 13316 - 3/26/75). This Notice of Proposed Rule Making proposes to amend § 178.343-5(b) of the Hazardous Materials Regulations which specifies that outlet valves must be protected by a shear section. The closing date for filing comments is June 24, 1975.

HM-110; Amendment No. 177-31 (40 F.R. 12269 - 3/18/75). The purpose of this publication is to extend the effective date of Amendment 177-31 from April 1, 1975 to October 1, 1975, with immediate compliance authorized.

Notice of Special Permits issued or denied during March 1975 (40 F.R. - 4/11/75).

## REGISTRATION

We have received a number of letters requesting information on the procedures to be followed for registration in accordance with Section 106 of the "Hazardous Materials Transportation Act" (49 USC 1805). The Act specifies that the Secretary may require a registration statement.

Unless a registration requirement is published in the regulations, there is no requirement that anyone prepare and submit a registration statement.



## WHAT'S IN YOUR BAGGAGE?

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. The regulations pertaining to materials authorized in either checked baggage or carry-on baggage are set forth in 14 CFR 103.1 (as exemptions) and are limited to medicinal and toilet articles in specified maximum quantities, small arms ammunition for personal use and certain exempt quantities of radioactive materials.

Several months ago, a salesman checked as personal baggage a fibreboard box containing, among other things, three quarts of sodium hydroxide, one quart of a sulfuric acid mixture and one quart of a chromic acid mixture. One of these materials leaked from a bottle in the box and caused considerable damage to other baggage and mail pouches. None of these materials was authorized by the regulations for transportation aboard passenger-carrying aircraft in the manner presented. An action was brought against the employer by the Federal Aviation Administration charging violations of 14 CFR 103.3, 103.11, 103.13, 103.15(a), and 103.15 (b). A civil penalty was imposed.

Do you know what your employees are carrying in their baggage on your behalf?

## SPECIFICATION CONTAINERS--DON'T MAKE ASSUMPTIONS

Don't assume that a hazardous material is properly packaged in compliance with the regulations because there is a DOT Specification identification number displayed on the package. Check the appropriate packaging section for the material to determine if the particular specification is prescribed. For example: If you see a drum containing Benzyl chloride that is marked DOT 17E, don't assume the material is packaged in compliance with the Department's Hazardous Materials Regulations. Section 173.295 does not prescribe the use of a DOT 17E drum for Benzyl chloride.

## IAEA ADVISORY DOCUMENT - RADIOACTIVE MATERIALS

As many of our readers may be aware, the international standards for transport of radioactive materials as promulgated by the International Atomic Energy Agency (IAEA) have been amended in its 1973 Revised Edition of Safety Series No. 6, "Regulations for the Safe Transport of Radioactive Materials," STI/PUB/323. The Office of Hazardous Materials, in conjunction with the U.S. Nuclear Regulatory Commission (NRC), is currently in the process of developing the proposed rule making so as to implement the necessary changes to the USA regulations in Title 49 CFR 100-199 and 10 CFR 71 in order to maintain compatibility of domestic and international standards.

Concurrently with the issuance of Revised Safety Series No. 6, the IAEA has also issued a companion document entitled "Advisory Material for the Application of the IAEA Transport Regulations, Safety Series No. 37," STI/PUB/324. Whereas the intent of the IAEA Regulations is to define in general "what" has to be achieved in terms of regulatory performance, the new advisory document is intended to assist in determining "how" to achieve such performance. In order that this advisory document would adequately reflect the most current developments in procedures and techniques, the IAEA has stated its intention to review it, if necessary, by Panels of Experts at intervals of every two to three years. The first such review was conducted by an IAEA Panel in December 1974. A representative from the Office of Hazardous Materials was the USA delegate. Based on the decisions of that Panel and the current review being carried out, the first revision of Safety Series No. 37 is now expected by mid-1976.

An opportunity now exists for interested persons to submit their ideas, criticisms, comments, additions or any suggestions for improvement in the document. Such input would be helpful in the following technical areas (paragraph numbers refer to the relevant regulatory section of Safety Series No. 6, for which the advisory material in Safety Series No. 37 might be improved):

1. § 213 - Clarification of brittle fracture considerations.
2. § 215 - More definitive interpretive vibration considerations.
3. § 224 - Clarification and practical application of tie down provisions.



4. Radiation dose rate measurements - practical suggested guidelines and criteria for measurements of dose rates of packages. Copies of examples of specific standard operating procedures, checklists, etc., would be especially welcome by the agency.

Any suggestions or ideas for inclusion in the advisory document, including but not limited to the above matters should be forwarded as soon as possible to:

Chief, Technology Division (TES-22)  
Office of Hazardous Materials  
U.S. Department of Transportation  
Washington, D. C. 20590

The suggestions will be assembled and transmitted directly to the IAEA.

VIOLATIONS OF HAZARDOUS MATERIALS REGULATIONS

The following violations are examples of DOT enforcement actions concerning the transportation of hazardous materials:

| <u>Company</u>                               | <u>Violation</u>  | <u>Fine</u> |
|--|---|-------------|
| Concept Industries<br>(Shipper by air)       | Failure to properly label and certify a shipment of hazardous materials.  | \$ 300.00   |
| Dziuk Aero Services, Inc.                    | Failure to secure containers of flammable liquid in cargo bin; accepting shipment with no shipper certification. Pilot in command had not received training in handling/carriage of hazardous materials. Training manual did not contain procedures/instructions relating to hazardous materials. | 500.00      |
| Federal Express Corporation<br>(Air carrier) | Accepting hazardous materials shipments with incorrect descriptions on shipper certifications.  | 100.00      |

| <u>Company</u>                                  | <u>Violation</u>  | <u>Fine</u> |
|---|---|-------------|
| ICN K&K Labs<br>(Shipper by air)                | Failure to label and certify a shipment of hazardous materials.   | \$ 100.00   |
| Lee Way Motor Freight, Inc.<br>(Motor carrier)  | Combining an unlawful combination of hazardous materials in a common or single motor vehicle unit.  | 1,000.00    |
| Lonza, Inc.<br>(Shipper by air)                 | Failing to properly label and package a shipment of hazardous materials. Offering a hazardous material in excess of quantity limitations for one outside container.                   | 500.00      |
| Massie-Ferguson, Inc.<br>(Shipper by air)       | Failure to label and certify a shipment of hazardous materials.   | 100.00      |
| National Airlines<br>(Air carrier)              | Exceeding weight limitation of a hazardous material in an inaccessible cargo pit or bin, and failure to notify pilot of classification and location of a hazardous material on board. | 500.00      |
| Pan American Airways<br>(Air carrier)           | Failure to notify pilot of hazardous materials on board. Loading hazardous materials in an inaccessible location.   | 1,500.00    |
| Pfaltz & Bauer, Inc.<br>(Shipper by air)        | Failure to properly mark, label, and package a shipment of hazardous materials.   | 500.00      |
| Preston Trucking Co.<br>(Motor carrier)         | Transporting poison in same vehicle as foodstuffs.  | 500.00      |
| Productrol Chemical Company<br>(Shipper by air) | Failure to properly label a container of poison.  | 250.00      |



AVAILABILITY OF OHM SPONSORED RESEARCH REPORT

The following report on a research contract sponsored by this Office is available from:

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

The following information must be furnished when ordering:

"Development of Performance Oriented  
Specifications for Drums and Pails used  
for Packaging of Hazardous Materials for  
Transportation"  
Report No. TES-20-74-7  
Contract No. DOT-AS-20065  
Accession No. PB-240647  
By: C. E. Fridinger, C. V. Vickers, Jr., and  
J. S. Gott  
\$5.25 for paper copy and \$2.25 for microfiche.

INTERMODAL HAZARDOUS MATERIALS  
TRANSPORTATION SEMINAR AND WORKSHOP  
SAN JUAN, PUERTO RICO, MAY 20 and 21, 1975

The intermodal seminar and workshop covering transportation of hazardous materials via highway, air, and water referred to in the March Newsletter will be held in San Juan on May 20 and 21, 1975. The seminar will be held at the Hotel Americana.

Pre-registration is necessary and must be made with:

Mr. Juan Villafane  
Federal Aviation Administration  
RFD No. 1, Box 29A - Loiza Station  
San Juan, Puerto Rico 00914  
TELEPHONE: (809) 791-0374

  
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

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