



OHM Newsletter

Office of Hazardous Materials Operations

DEPARTMENT OF TRANSPORTATION / MATERIALS TRANSPORTATION BUREAU / WASHINGTON, D.C. 20590

VOL. V Number 44

July 1975

NOTICES AND AMENDMENTS PUBLISHED DURING JUNE

- HM-103; Notice No. 73-10 (40 FR 26687 - June 25, 1975). This notice terminates the Hazard Information System which was proposed in Docket HM-103 published January 24, 1974 (39 FR 3164).
- HM-126; Advance Notice (40 FR 26688 - June 25, 1975). This notice solicits comments concerning the merits of various Hazard Information Systems. The closing date for filing comments is November 5, 1975.
- HM-102; Amendment No. 173-78A (40 FR 25024 - June 12, 1975). This amendment clarifies the effective date of amendments published under this Docket.
- HM-113; Amendment Nos. 173-91, 177-33, 178-37 (40 FR 24902 - June 11, 1975). The purpose of these amendments is to (1) require wet fluorescent magnetic particle inspections of certain cargo tanks in anhydrous ammonia (ammonia) service; (2) require reports of such inspections from motor carriers; (3) prohibit shipment of ammonia that does not contain 0.2% water in quenched and tempered steel cargo tanks; (4) require that shippers test for the presence of water in ammonia when it is to be shipped in Q&T cargo tanks; (5) amend requirements for shipping paper entries to indicate the suitability of the ammonia for certain cargo tanks; and (6) amend the requirements for post weld heat treatment of Q&T cargo tanks. The effective date is October 1, 1975, with immediate compliance authorized.

Notice of Special Permits issued or denied during June 1975 (40 FR - July 3, 1975).

NEW BUREAU ESTABLISHED

The Secretary of Transportation, William T. Coleman, Jr., established the Materials Transportation Bureau (MTB) effective on July 7, 1975. The Secretary appointed Herbert H. Kaiser, Jr., Deputy Assistant Secretary for Environment, Safety and Consumer Affairs to be the Acting Director of MTB which was established to coordinate the Department's increasing operational responsibilities concerning hazardous materials and pipeline safety.

MTB will be responsible for these operational functions as they relate to regulations and exemptions; functions of an intermodal nature; and, compliance functions pertaining to packaging manufacturers and, in certain instances, shippers. The operating administrations in DOT will be responsible for compliance, enforcement, and a number of other functions in their areas of responsibility. The Bureau will consist of the Office of Hazardous Materials Operations, Director Alan I. Roberts, and the Office of Pipeline Safety Operations, Acting Director Cesar DeLeon.

In establishing the MTB, the Department abolished the Offices of Pipeline Safety and Hazardous Materials under the Assistant Secretary for Environment, Safety and Consumer Affairs (TES). However, policy guidance and evaluation over DOT's hazardous materials program will be in TES in the newly created Office of Hazardous Materials Policy. Its Director is William J. Burns, former Director of the Office of Hazardous Materials. Pipeline safety policy guidance and evaluation will be provided by the TES Office of Safety Affairs.

Addresses for the new organizations are:

Office of Hazardous Materials Operations
Materials Transportation Bureau
U.S. Department of Transportation
2100 Second Street, S. W.
Washington, D. C. 20590

Materials Transportation Bureau
U.S. Department of Transportation
Washington, D. C. 20590

Office of Hazardous Materials Policy
Office of the Assistant Secretary for
Environment, Safety and Consumer Affairs
U.S. Department of Transportation
400 Seventh Street, S. W.
Washington, D. C. 20590

New Bureau Established Cont.

It is requested that the street addresses not be used on correspondence.

Further information concerning MTB will be supplied in later issues of the OHM Newsletter. Also, there will be several publications in the Federal Register concerning interim procedures, new procedures, and delegations of authority.

COMMENTS ON CONTRACT REPORTS

A number of inquiries have been received concerning procedures to be followed in the submission of comments on contractors' reports dealing with various aspects of the hazardous materials program. Response to these inquiries has been the expression of an open invitation to any interested person to submit his views on the reports in any fashion he deems appropriate.

There are many advantages in obtaining views early in the development stage of any such endeavor. Often the information supplied by commenters is most helpful when consideration is given to the next stage of a project.

It is requested that comments be clearly identified with the title and number of each contract upon which views are being presented.

CORRECTION

The sixth entry on page 5 of the OHM Newsletter for May/June 1975 indicated in error that the General Motors Corporation was fined \$500.00. The correct name is OMC Corporation. We apologize to the General Motors Corporation and its personnel for any problems or embarrassment the error may have caused.

VIOLATIONS OF HAZARDOUS MATERIALS REGULATIONS

<u>Company</u>	<u>Violation</u>	<u>Fine</u>
Aero Hardware & Parts Co., Inc. (Shipper by air)	Failing to label a shipment of flammable liquid and failing to submit certification to carrier.	\$2,000.00
Air Sea Forwarders, Inc. (Freight forwarder)	Offering a shipment of hazardous materials which was improperly marked, packed, and labeled.	500.00
Allegheny Airlines (Air carrier)	Accepting shipment of hazardous materials which was improperly labeled. Failure to notify pilot in command of presence and location of a hazardous material on the aircraft.	2,000.00
American Fireworks, Inc. (Shipper by air)	Shipping Class B explosive on an aircraft without showing quantity by weight or volume and with an improper certification.	200.00
Boss-Linco Lines (Motor carrier)	Transporting a Class B poison in the same vehicle with foodstuffs intended for human consumption.	1,000.00
Briggs Transportation Co. (Motor carrier)	Failing to mark vehicle transporting a hazardous material.	500.00
Continental Airlines, Inc. (Air carrier)	Failure to notify pilot in command of shipping name, classification, quantity and location of a hazardous material aboard an aircraft.	500.00
Foster Wheeler Corp. (Shipper by air)	Failure to properly describe a hazardous material on shipping paper, offering a hazardous material for transportation without a certificate.	500.00
General Electric Company (Shipper by air)	Offering a shipment of hazardous materials without describing articles on the shipping papers, and improper labeling.	1,000.00

Violations of Hazardous Materials Regulations Cont.

<u>Company</u>	<u>Violation</u>	<u>Fine</u>
Maxim International (Freight forwarders)	Offering a shipment of hazardous materials in a non-DOT Specification container and improper labels.	\$ 500.00
McCullough Services (Shipper by air)	Offering a hazardous material for transportation without a certification, and improper packaging, marking, and labeling.	1,000.00
Cherrell Lee Moss (Air passenger)	Carrying in personal luggage aboard an aircraft 33,000 firecrackers, 107 rocket type devices and other miscellaneous fireworks.	Sentenced to 3 years probation in State Court for unlawful possession of dangerous fireworks.
Novo Air Freight Corp. (Freight forwarder)	Offering shipment of flammable liquid improperly marked, packaged and labeled, without required shipping papers.	1,000.00
PanAmerican World Airways, Inc. (Air carrier)	Allowing passenger to board aircraft carrying two containers of flammable compressed gas (butane). Passenger subsequently used butane to start a fire in the lavatory while the aircraft was airborne.	1,000.00
Querner Trucklines (Motor carrier)	Failing to provide driver with shipping papers properly describing hazardous materials and failing to mark a vehicle containing a flammable liquid.	250.00
Ringer Independent Oil Co. (Shipper/Tank truck operator)	Operating a cargo tank used to transport hazardous materials without an operable remote emergency discharge control; failing to retain for two years a written report of visual inspection of such cargo tanks and operating them without marking date of last visual test; failing to require driver to have in his possession shipping paper properly describing hazardous materials shipment.	2,250.00

Violations of Hazardous Materials Regulations Cont.

<u>Company</u>	<u>Violation</u>	<u>Fine</u>
Shulman Air Freight (Freight forwarder)	Shipped an "E" type container containing six 5-gallon cans of a flammable liquid with no description on the Airway bill which indicated the freight to be a hazardous material.	\$2,000.00
Trans World Airlines, Inc. (Air carrier)	Failure to suitably safeguard a shipment of flammable liquid to prevent it from becoming a hazard from shifting.	500.00
United Airlines, Inc. (Air carrier)	Improper labeling of a shipment of hazardous material.	600.00
Roy E. Weston, Inc. (Shipper by air)	Offered shipment of hazardous materials without certification which was improperly packed, marked, and labeled.	7,500.00

¿HABLA USTED ESPAÑOL?

Four of our standard training aids have been translated into Spanish. They are:

1. Hazardous Materials Warning Labels (Chart 4)
2. Hazardous Materials Definitions
3. Guide for Shippers of Hazardous Materials
4. Indicators of Hazardous Materials Shipment Violations

A limited number of copies may be obtained from this Office without charge.

INTERMODAL HAZARDOUS MATERIALS SEMINARS
PLANNED FOR SAN FRANCISCO AND LOS ANGELES

Plans are being completed for four Intermodal Hazardous Materials Seminars to be held on the West Coast during November. Two 2-day seminars will be held in the San Francisco area during the first week of November, and two 2-day seminars will be held the following week in the Los Angeles area.

Final plans will be included in the next issue of the OHM Newsletter. However, if such information is needed sooner, it may be obtained from either of the following:

Office of the Secretary's Representative
U.S. Department of Transportation
Suite 610
2 Embarcadero Center
San Francisco, California 94111
TELEPHONE: (415) 556-5961

Office of Hazardous Materials Operations (MTH-30)
Materials Transportation Bureau
U.S. Department of Transportation
Washington, D. C. 20590
TELEPHONE: (202) 426-2301

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
MATERIALS TRANSPORTATION BUREAU
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