



# OHM Newsletter

Office of Hazardous Materials Operations

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

VOL. VIII Number 67

February 1978

## NOTICES AND AMENDMENTS PUBLISHED DURING JANUARY

- HM-22; Notice 78-1 (42 FR 1369 - 1/9/78). This Notice of Proposed Rulemaking proposes to amend §§ 171.7 (d)(3)(ii) and 173.34 (e)(10) of the Hazardous Materials Regulations to permit the use of the updated edition of Compressed Gas Association's Pamphlet C-6 for visual inspection of compressed gas cylinders. It would also clarify an inconsistency existing between §§ 173.34 (e)(5) and 173.34 (e)(10). Closing date for filing comments: February 10, 1978.
- HM-125; Notice 75-4 (42 FR 3598 - 1/26/78). The purpose of this Notice is to withdraw Docket HM-125; Notice 75-4, Prohibition of New Construction of Specification DOT-112A and 114A Uninsulated Pressure Tank Car Tanks. As indicated and for the reasons given in Notice 76-12 of HM-144, Notice 75-4 is withdrawn effective January 26, 1978.
- HM-139; Notice 77-9 (42 FR 983 - 1/5/78). This Notice of Proposed Rulemaking proposes to amend the Hazardous Materials Regulations by incorporating therein changes based on existing exemptions which have been granted to individual applicants allowing them to perform particular functions in a manner that varies from that specified by the regulations. Closing date for filing comments: February 6, 1978.
- HM-156; Notice 78-2 (42 FR 2741 - 1/19/78). This proposed rule would amend the regulations pertaining to flattening tests by deleting the requirement that certain seamless cylinders be hydrostatically tested prior to the flattening test and by requiring that the longitudinal axis of the cylinder be perpendicular to the knife edges during flattening testing. Closing date for filing comments: March 20, 1978.
- HM-144; Amendment No. 179-19 (42 FR 2180 - 1/16/78), Shippers: Specifications for Tank Cars. This amendment corrects a reference concerning safety relief valve specifications, deletes an inappropriate sentence allowing a reduction in relief valve flow capacity, corrects a designation of a previously approved thermal coating intended for use on tank cars, and makes an editorial change. Effective date: January 16, 1978.

## SPECIFICATION MARKINGS

Recent inspections have disclosed that specification markings on packagings are often illegible due to corrosion or paintovers, or are obliterated by over stamping or labeling. Section 173.28(b) requires that "Markings applied as prescribed by the specifications must be maintained in a legible condition."

## READ YOUR EXEMPTION CAREFULLY AND COMPLETELY

In several recent instances, exemption holders were found to be performing operations they thought were covered by exemptions issued pursuant to 49 CFR Part 107 when such operations were not authorized. Exemption holders, and persons performing functions under Section 173.22a, should study their exemptions carefully and make sure all of the terms and conditions are understood and followed by their personnel.

When an exemption is granted, it should not be assumed that it has been granted in the exact manner or to the extent requested in the application. If any exemption holder has a doubt concerning the terms of his exemption, he should request its clarification, especially when he is submitting an application for renewal under Section 107.105.

## RENEWAL OF EXEMPTIONS

Exemption holders are reminded that Section 107.105(b) indicates that applications for renewal of exemptions should be submitted 60 days prior to their expiration date. However, the "should" is really a "shall" if the holder desires to apply the non-expiration provision of following paragraph (c). Recently, a holder made application for renewal only a week before the expiration of his exemption; therefore, his exemption was not in effect during the public procedure. The reason given for the late filing was "...an administrative error on the part of a clerk in my office."

## FOREIGN CYLINDER APPROVALS

The following is the status of the non-domestic cylinder approval program as of February 1, 1978.

During calendar year 1977, four non-domestic manufacturing facilities were approved to manufacture cylinders to DOT Specifications under § 173.300b. These companies are:

<u>Company</u>	<u>Location</u>	<u>Specification(s)</u>
Engineering Products of Canada, Ltd.	Canada	4BW
Showa Koatsu Kogyo Co., Ltd.	Japan	E-7542, 3A, 3AA
Sumikin Kiko Co., Ltd.	Japan	3A, 3AA
TI Chesterfield Limited	England	3AA

## Foreign Cylinder Approvals Cont.

Applications which are now being reviewed for approval have been submitted by:

<u>Company</u>	<u>Location</u>	<u>Specification(s)</u>
Kammerich-Reisholz, G.M.B.H.	Germany	3AA
Totsuka Cylinder Corporation	Japan	3A, 3AA
Tanques Par Gas, S.A.	Venezuela	4BA, 4BW
Sambre Loire	France	3AA
Soda Stream	England	3E
Vallourec	France	3AA

Persons who wish additional information about these approvals should address inquiries to:

Dockets Section  
Office of Hazardous Materials Operations  
Materials Transportation Bureau  
U.S. Department of Transportation  
Washington, D. C. 20590

## EXAMPLES OF DOT PENALTY ACTIONS CONCERNING THE HAZARDOUS MATERIALS REGULATIONS

<u>Company</u>	<u>Offense</u>	<u>Penalty/ Initiating Agency</u>
Azoplate (Shipper by Air)	Offering a flammable liquid for transportation which was not properly labeled.	\$ 500.00 (FAA)
Bemidji Aviation Services (Air Taxi Operator)	Carriage of hazardous materials in a location not accessible to crew members.	750.00 (FAA)
Cape Air Freight (Air Freight Forwarder)	Offering a shipment of corrosive material without identifying it on the shipping papers as being a hazardous material.	2,000.00 (FAA)
Continental Air- lines (Air Carrier)	Carriage of hazardous materials in locations inaccessible to crew members.	1,000.00 (FAA)
Euro-Mace Inter- national Sales Corp. (Shipper by Air)	Offering a shipment of tear gas grenades in a non-specification container and without marking a proper shipping name on the container.	200.00 (FAA)

Examples of DOT Penalty Actions Concerning  
the Hazardous Materials Regulations Cont.

<u>Company</u>	<u>Offense</u>	<u>Penalty/ Initiating Agency</u>
Hysan Corporation (Shipper)	Shipping flammable liquid in fiberboard boxes which did not meet the required specifications; failure to mark container with a proper shipping name; certifying a container as meeting required specifications when it did not.	\$1,250.00 (MTB)
Kodiak Western Alaska Air- lines (Air Carrier)	Carriage of forbidden Class A explosives aboard an aircraft.	500.00 (FAA)
Millipore Corporation (Shipper by Air)	Offering a hazardous material for transportation without proper certification.	500.00 (FAA)
Northern Air Cargo (Air Carrier)	Failure to notify pilot of hazardous materials on board; exceeding maximum quantity limitations for hazardous materials.	3,000.00 (FAA)
Orion Research, Inc. (Shipper by Air)	Offering a package of hazardous materials for transportation without proper marking.	500.00 (FAA)
Phillip A. Hunt Chemical Corp. (Shipper by Air)	Offering for transportation aboard a passenger aircraft a shipment of nitric acid improperly packaged, marked, labeled, and described. This material was in the luggage of an employee and it spilled causing damage in the baggage compartment.	15,000.00 (FAA)
Pittsburgh Des Moines Steel Co. (Shipper by Air)	Offering a radioactive material for shipment without proper certification.	400.00 (FAA)
Prosoco, Inc. (Shipper)	Shipping corrosive material in fiberboard boxes which did not meet the required specifications; failure to mark containers with a proper shipping name.	750.00 (MTB)
Southern Coat- ings & Chemicals (Shipper)	Shipping hydrochloric acid in fiberboard boxes which did not meet the required specifications.	350.00 (MTB)

Examples of DOT Penalty Actions Concerning  
the Hazardous Materials Regulations Cont.

<u>Company</u>	<u>Offense</u>	<u>Penalty/ Initiating Agency</u>
Stadeli Lifts U.S.A. (Shipper by Air)	Offering a shipment of hazardous materials which was not properly described or certified on the shipping papers.	\$ 250.00 (FAA)
Sutherland Poly Box (Container Manufacturer)	Manufacturing and marking a container as meeting a DOT Specification when it did not meet that specification.	500.00 (MTB)
Trans World Airlines (Air Carrier)	Failure to provide annual recurrent training to employees handling hazardous materials.	2,000.00 (FAA)
Winder Trans- portation Systems (Shipper by Air)	Offering a wet storage battery for shipment which was not properly described, marked, or labeled.	1,000.00 (FAA)
Woodbridge Barrel Co. (Drum Reconditioner)	Failure to conduct leakage tests of 17 series drums as specified.	750.00 (MTB)

TRANSPORTATION SAFETY  
INSTITUTE - RESIDENT COURSES

The following resident courses, sponsored by the Materials Transportation Bureau, are offered at the Transportation Safety Institute in Oklahoma City, Oklahoma:

"Air Transportation of Hazardous Materials" - This 5-day training course for transporters of hazardous materials, including shippers by air, air taxi operators, air carriers, etc., will be held March 27-31, 1978, and May 1-5, 1978.

"Transportation of Hazardous Materials" - This 5-day training course for shippers and transporters of hazardous materials by highway, rail, air, or water, will be held February 27 - March 3, 1978, and May 22-26, 1978.

The registration fee for each course is \$135.00, and each class is limited to 20 students. Direct all inquiries to:

Transportation Safety Institute (DPB-60)  
6500 South MacArthur Boulevard  
Oklahoma City, Oklahoma 73125  
(Phone: (405) 686-4824)

SYNOPSIS OF SELECTED INCIDENT REPORTS

The following descriptions of hazardous material incidents are provided to illustrate various causes of incidents and injuries as reported by carriers during November and December 1977:

Date & Location  
of Incident  
(HMI Number)

Synopsis of Carrier's Report

8/9/77 Downers Grove, Illinois (7110488)	<u>Paint Removing Compound.</u> Pail damaged in transit causing product to leak onto floor of trailer. Driver attempted to remove pail but slipped and fell in it, receiving burns on his buttocks.
11/4/77 N. Huntingdon, Pennsylvania (7110676)	<u>Propionic Acid.</u> Forklift blade punctured 55-gallon drum. Seven persons who inhaled acid fumes were taken to a hospital, treated, and released.
10/6/77 Oakland, California (7110732)	<u>Sulfuric Acid.</u> Acid in a plastic bottle leaked onto electrical tape used to seal box. Box began to smolder. While removing package, handler was splashed when the bottle cap popped off. A large cloud of fumes formed and forced shut down of building for 10 minutes. Three persons were taken to a hospital and treated for inhalation of fumes.
11/8/77 Los Angeles, California (7110734)	<u>Flammable Adhesive.</u> Fifty-five gallon reconditioned drum, rusted at bottom and leaking, was refused by consignee and returned to terminal. Trailer was about to be washed out when fire ensued. One person was badly burned.

FIFTH INTERNATIONAL SYMPOSIUM  
LAS VEGAS, NEVADA

The Fifth International Symposium on the packaging and transportation of radioactive materials will be held at the Sahara Hotel, Las Vegas, Nevada, May 7-12, 1978.

This Symposium is sponsored by the U.S. Department of Energy and the Sandia Laboratories of Albuquerque, New Mexico. It is anticipated that approximately

130 papers covering major topics on packaging and transportation technology will be presented.

Interested persons should contact:

Mrs. Sharon Mackel, Registrar  
Fifth International Symposium on Packaging  
and Transportation of Radioactive Materials  
Department 5430  
Sandia Laboratories  
Albuquerque, New Mexico 87115

INTERMODAL HAZARDOUS MATERIALS TRANSPORTATION  
AWARENESS SEMINAR AND WORKSHOP  
INGLEWOOD, CALIFORNIA (LOS ANGELES AREA)

A 2-day seminar will be held on March 28 and 29, 1978 at the:

Airport Park Hotel  
600 Prairie Avenue  
Inglewood, California 90301 (Los Angeles Area)  
(Phone: (213) 673-5151)

This program is being conducted to improve the awareness of the Department's Hazardous Materials Regulations which are applicable to shippers, carriers, freight forwarders, container manufacturers, testers, and vendors. This program will be conducted on an awareness basis and is not intended to take the place of in-depth training necessary to comply with the regulations. Training requirements and compliance procedures will be stressed throughout the session.

The seminar fee of \$30.00 covers lunches, coffee breaks, and handout material, including a copy of the regulations. Checks must be made payable to "U.S. Department of Transportation." No refunds will be made unless this Office receives such requests prior to March 22, 1978.

Space will be assigned as registrations are received. Those wishing to attend should complete the following form and mail it, with your check, to:

Office of Hazardous Materials Operations (Seminar)  
U.S. Department of Transportation  
Washington, D. C. 20590  
(Phone: (202) 426-2301)

Those desiring hotel accommodations should contact the hotel directly.

I wish to attend the Hazardous Materials Seminar at the Airport Park Hotel in Inglewood, California (Los Angeles Area) on March 28/29, 1978. Check for Seminar is enclosed.

Name \_\_\_\_\_ Company or Organization \_\_\_\_\_

Address \_\_\_\_\_  
(Street) (City) (State) (Zip Code)

Confirmations will be made only upon request.  
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The Secretary of Transportation has determined the 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, 1981.

U.S. DEPARTMENT OF TRANSPORTATION  
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WASHINGTON, D.C. 20590

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