



WE'RE ALIVE...WE'RE ALIVE! Hi everybody!! It's been a few months since the last delivery OF *THE HAZMAT NEWS NETWORK*. I'd like to say that it's solely because I've been so busy that I didn't have time to get the newsletter out. But, that's not the whole picture. Good ol' Mr. Murphy came to



visit (or should I say "moved in") for a while. First off, I was preparing to send out the July 99 editions (which by the way will be coming after this edition) when I lost a hard drive on my fax system – gotta love it. Then, the main water valve broke that shares my office wall. I knew I had trouble when I was sloshing in water 20 feet before I

entered my office door. This was almost a four week interruption. I had to have the floor replaced in my office, which of course means everything had to be moved. Arggggg. The furniture had to be disassembled to get it through the door. But anyway, we're back. My computer woes are still haunting me, but are under control. And, my feet are dry once again.

I NEED ONE MINUTE OF YOUR TIME if you're still receiving the newsletter by fax. Please, if you have an email address, send it to me at rri@televar.com so you can start receiving the newsletter electronically and save me distribution \$\$\$\$. Besides, I put most the illustrations in color!

OH, WELCOME ALL NEW SUBSCRIBERS to the newsletter. The purpose of this FREE publication is to help keep you abreast of the regulations regarding the transport of hazardous materials and wastes (and RCRA sometimes). This includes identifying the latest docket actions and commenting on topical issues. Best of all, it's free. Spread the word...

GET YOURSELF TO THE COHMED CONFERENCE set for 10/17-21/99 in Kansas City, MO. Hear the latest rulemaking actions, preemption determinations, enforcement directions, and more straight from the regulators themselves. For info, call Eric Adair at 518-457-8482 or fax at 518-457-9620.

LOTS OF DOCKET ACTION is being covered by this special two month issue. Here's what's been happening.

• July 27th: EPA published an extension of comment period on the ANPRM potential revisions to the LDR for mercury. Comment are due by 10/25/99.

• Aug 10th: The FHWA published a notice of application for exemption regarding minimum fuel tank fill rates on Ford CMVs. Comments were due by 9/9/99.

• Aug 16th: RSPA published two separate correction dockets to HM-215C (originally published on 3/5/99).

• Aug 19th: RSPA published the final rule of HM-224A concerning chemical oxidizers and compressed oxygen aboard aircrafts. The docket concerns cargo and passenger loading restrictions.

• Aug 20th: RSPA published a correction to specific text in 49 CFR 171.11, 171.12, and 171.12a.

• Aug 30th: The FHWA published a correction to the intoxicated persons final rule published 7/1/99.

• Sept 1st: The FHWA published a final rule concerning rear impact guards and rear impact protection requirements for trailers and semitrailers with a GVWR $\geq 10,000$ lbs and manufactured after 1/26/98.

• Sept 2nd: The FHWA published a final rule that revises its regulations to require that CMV drivers who are convicted of violating Federal, State or local laws or regulations pertaining to railroad-highway grade crossing be disqualified from operating a CMV.

• Sept 3rd: The FHWA published an interim final rule requesting comments on the amended definition of a CMV to now include vehicles designed or used to transport more than 8 passengers (including the driver) for compensation. Comments are due by 11/2/99.

• Sept 3rd: The FHWA published a NPRM proposing to amend the FMCSRs to require CMVs designed or used to transport 9-15 passengers (including the driver) for compensation file a motor carrier ID report, mark their CMVs with USDOT ID number, and certain other requirements. Comments are due by 11/2/99.

• Sept 16th: RSPA published an interim final rule which provides a limited exceptions – until 10/1/01 – from requirements to place the new PIH or Poison Gas labels on packages that are intended for transport in international commerce. Comments are due by 11/1/99.

• Sept 24th: RSPA published a correction to the interim final rule of 9/16/99 to allow transport of PIH and Poison Gas packages between the US and Canada in conformance with the TDG labeling requirements.

• Sept 24th: RSPA published a safety advisory notice regarding the unauthorized use of aluminum pressure relief valves on portable tanks and cargo tanks used for the transport of anhydrous ammonia.



DOT EXEMPTION ALERT... Simple question: Are you shipping under an exemption? Are you sure? A client recently asked me if they needed to be a party to a DOT exemption concerning the loading of certain cyanides with acids. They stated that the carrier said the exemption was theirs and the shipper didn't have to worry about it. LIGHTS, SIRENS, BELLS, etc. should start going off. Get a copy of the

exemption (the carrier should supply with a copy if you request). Read it! If you are performing any part of what is stated on the exemption, then you **MUST** petition DOT to become a party to the exemption (unless the exemption specifically states otherwise). See 49 CFR 107.107 and RSPA's website for information. Don't assume you're covered.