



WAY TO GO U.S.A.! Wow, three metalists in the bobsled (oops, bobsleigh, oops robertsleigh...oh well). Wasn't it great to see the excitement of the winners, especially those unexpected winners like in the ski jump and woman's figure skating. The spirit of competition (and whining) was great. And all for free on TV! AND just like the Olympic broadcast, this newsletters is also free to everyone. We hope it excites and provides a benefit to you.

JUST WHO CAN PROVIDE US WITH TRAINING?

Training of regulatory requirements is a very important piece of your overall compliance plan. The DOT hazmat regulations require initial training (within 90-days of becoming a hazmat employee), retraining on specified intervals, and training updates whenever regulatory changes occur affecting your hazmat employees. These regulations also require that testing be performed. DOT has stated that "challenging" training by testing out is not considered valid retraining; each hazmat employee must be *retrained* and retested.



Who can provide this training? ANYONE who has the expertise to communicate the necessary information to fulfill your training requirements. Some are under the impression that they can use only certain training groups or companies to provide this valuable training. This is a terrible misconception.

There are no training agencies or organizations that are "endorsed" by DOT (and for you DOE folks, DOE either) to provide you with DOT compliance training.

You have the option to choose...in all cases. Certification is made by the hazmat employer – no outside training organization can certify another company's hazmat employees!! Make sure you're getting quality training. Don't settle for someone "teaching to a test" just to make sure you get a certificate. Remember, the hazmat employer determines how a hazmat employee is "certified" and who will provide the training to meet their certification requirements. Next time you're in need of DOT or RCRA training, give us a call at 509-628-1020...we won't disappoint you.

FEBRUARY DOCKET ACTIVITY is at a wonderful pace. Here's what has happened since our last newsletter.

- **Jan 25th:** RSPA published a notice of regulatory review (#02-3) seeking comments, specifically for rules on Carriage by Vessel, on the economic impact of its regulations on small entities. Comments are due to RSPA by 4/25/02.
- **Feb 1st:** RSPA published a correction and extension of

comment period for the NPRM, HM-213, "Requirements for Cargo Tanks." Comments are now due by 4/4/02.

- **Feb 13th:** RSPA published a withdrawal and termination of HM-220, "Requirements for DOT Specification Cylinders." Topics concerning metric-marked cylinder specs and the discontinuing of current DOT specs are withdrawn. Topics concerning maintenance, requal, repair and use of DOT specs will be addressed in the future.
- **Feb 13th:** RSPA published the NPRM, HM-206C, "Availability of Information for Hazardous Materials Transported by Aircraft." The docket proposes additional regulations on operators of aircraft in order to increase the level of safety. Comment are due to RSPA by 4/26/02.
- **Feb 14th:** RSPA published an advisory notice (#02-4) to advise shippers and carriers of voluntary measures to enhance the security of hazmat shipments during transport.
- **Feb 22nd:** RSPA published the NPRM, HM-218A, "...Unloading of Intermodal (IM) Portable Tanks on Transport Vehicles." RSPA is proposing to amend the regulations, for an interim period and subject to certain unloading conditions, the unloading of IM portable tanks transporting certain liquid hazmats that are not equipped with a thermal means of remote activation of the internal self-closing stop-valves fitted on the bottom discharge outlets. This proposal is to allow time for operators to bring the IM portable tanks into conformance with the hazmat regs. Comments are due to RSPA by 4/8/02.

AIR SHIPPERS OF LIMITED QUANTITY CLASS 7 materials that also meet another hazard class...be careful! ICAO and IATA (and DOT) required in most all cases that these type of mixtures be classified and transported based on the chemical hazard with the radioactive material being a sub-hazard. However, ICAO and IATA require that the package and transport document identify the proper shipping name and UN number of the Class 7 materials as well (SP A130, ICAO 3;3 and IATA 4.4). This is a nightmare in that it will appear that you have two inner packagings: the chemical and the rad material (which is not legal for air transport). In these cases, it is far easier to classify the radioactive material as Type A activity which places the chemical concern as a sub-hazard. This is okay to do (see www.regulatoryresources.net/newslinks.htm to download a letter from RSPA allowing this classification). With the Class 7 as the primary hazard, both the Class 7 and chemical concern will be identified, described, in proper packaging, and correctly communicated.

