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HELLO AGAIN! It's been a while since my last Newsletter. Needless to say, the calendar has been very busy. I hope everyone had a great Mother's and Father's Day and are now looking forward to the 4th of July. For those of you new to this monthly (or so I try) publication, its purpose is to keep you informed about what's happened recently with DOT hazardous materials dockets, what's going to happen, and to clarify some of those foggy, gray areas of the regulations – which of course are very few. And, best of all, *The Hazmat News Network* is free – pass it around.



LOTS OF DOCKET ACTIVITY has been happening the last few months. Here are some of the more notable hazardous materials and hazardous waste rules.

- HM-181H, March 26th: This final rule provides editorial revisions and responses to petitions against the September 26, 1996 final rule. Make sure to have a copy of this action since it is the last docket associated with HM-181.
- HM-225, April 4th: This is a two page clarification to the size and location of marking provisions published in the February 19, 1997 interim final rule regarding cargo tank motor vehicles in liquefied compressed gas service. The docket addresses the emergency discharge control systems which may not function as required by the regulations.
- Regulatory Guidance, April 4th: Regulatory guidance was published for the Federal Motor Carrier Safety Regulations. The last one of these types of guidance dockets was published over 5 years ago. This is a great docket to read if you're subject to the FMCSR.
- Safety Advisory, May 5th: On March 27, 1997, DOT inspectors entered the premises of the American Oxygen Company, Roswell, NM (you know, the UFO town), to perform a cylinder inspection. Uh oh! DOT discovered that this company was refilling cylinders and remarking them with an old, expired Retester Identification Number (RIN). This is a heads-up to anyone with a cylinder from this company.
- HM-215B, May 6th: Here's the big one for this year. This docket is the annual attempt to harmonize our domestic regulations with international requirements. More on this docket in next month's Newsletter.
- HM-221B, June 2nd: This direct final rule allows the transportation of certain liquid hazardous materials in non-specification open-head fiber drums until September 30, 1999. The catch is that the drum must have been filled before October 1, 1996.
- HM-224A, June 5th: This final rule amends the regulations to add a specific shipping description for chemical oxygen generators and to require approval from DOT whenever the oxygen generator is to be transported with its means of initiation attached.
- Notice, Preemption Issues: Wow, things are busy here. Three dockets were published, each on April 3rd, April 9th, and June 10th. The docket subjects, respectively, are New York transfer and storage of hazardous waste incidental to transportation (petition for reconsideration); preemption application by the Association of Waste Hazardous Materials Transporters to Houston, TX, requirements on the storage, use, dispensing and handling of hazardous materials; and preemption application by New York Propane Gas Association to Nassau County, NY, on the transportation of LPG.
- EPA, May 12th: The final rule of Phase IV LDR. The effective date of this docket is August 11, 1997. The major aspects include: (1) an exclusion from consideration as "waste" of certain scrap metal being recycled and shredded printed circuit boards being recycled; (2) LDR notifications and certifications now only need to be sent one time to each Treatment, Storage, or Disposal Facility for each waste (with initial shipment) – if the waste changes then a new notification or certification is required; (3) requirements to identify and treat for all underlying hazardous constituents "reasonable expected" to be present in a waste is extended to all characteristic hazardous wastes (a couple of exceptions apply); and other changes as well.

"TRAINING IS THE BEST MEANS OF PREVENTING hazardous material incidents." This quote comes from a newly published brochure from the DOT. We all know the importance of training, however, it is cost prohibitive...UNTIL NOW. How would you like to attend an entry level to intermediate level hazardous materials transportation workshop for as low as \$50! No, it's not a typo. Available now to everyone is the U.S. DOE Hazardous Materials Transportation Training Program. This 5-day program is divided into a 2.5-day hazardous materials transportation course, supplemental 4-hour hazardous waste transportation course, and a 2-day radioactive materials transportation course. The only requirement is that if you only want the radioactive materials course you must have first attended some type of DOT hazardous materials training. This is a deal that can't be passed up. And best of all, the instructors for these courses are the same that provide the U.S. DOE with their advanced level workshops; they're from operations and they know their stuff. Oh, just as a cake topper, this is the only DOT hazmat program that carries the official seals of the U.S. DOE and U.S. DOT on the materials and certificates.