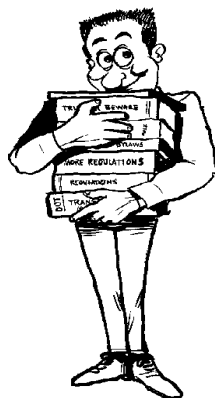




**GOOD DAY!** Don't you just love today's technology. Last weekend I missed getting *The Hazmat News Network* out because I was assisting (sitting in a chair and watching) in the operation of my computer. I'm glad to say that the recovery went well and everything is healthy.

**WE HAVE INFO ON SOME COURSE OFFERINGS** happening this summer and fall. These are currently scheduled courses (sorry Michael S., I have yet to get a date for the recert).

- ☞ 8/2-8/6: Adv. DOT Hazardous Waste Packaging & Transportation Workshop in Amarillo, Texas
- ☞ 8/23-8/26: Adv. DOT & IATA Radioactive Materials Transportation Workshop in Houston, Texas
- ☞ 8/30-9/4: Adv DOT Radioactive Materials Transportation Workshop in Amarillo, Texas
- ☞ 9/14-9/16: 3-Day Adv. RCRA Hazardous Waste Operations in Amarillo, Texas
- ☞ 9/20-9/22: Basic DOT & IATA Radioactive Materials Transportation in Las Vegas, Nevada
- ☞ 11/1-11/5: 5-day Adv. RCRA Hazardous Waste Operations in Amarillo, Texas (2 extra days delving into more LDR and alternative disposal options (including PCBs and Rad Mixed waste))



Call, fax or email me if you want more specifics on any of our workshop offerings (and yes, we like Texas).

**IT'S A TWO-EDGED SWORD...DOCKETS** – in one hand you hate to see so many changes and yet in the other, you love the job security. Here's a month's worth.

- **May 24<sup>th</sup>:** RSPA published the final rule to HM-225A governing the transportation and unloading of liquefied compressed gases. Voluntary compliance is now, however, the effective date is July 1, 1999.
- **May 25<sup>th</sup>:** RSPA is extending the comment period of HM-208C (registration and fee assessment program) until 7/2/99.
- **May 26<sup>th</sup>:** RSPA published a policy advisory notice (No. 99-7) concerning potential Year 2000 (Y2K) hazmat shipper/transporter problems and RSPA's enforcement of these situations. RSPA does not intend to reduce civil penalties for violations of the HMR or withdraw notices of probable violation unless the responsible party is able to demonstrate a timely and appropriate level of effort to identify and prevent such occurrences.

- **May 28<sup>th</sup>:** The EPA published an ANPRM to seek comments concerning a revision to the LDR treatment standards applicable to mercury-bearing wastes. Comments are due by July 27, 1999.
- **June 24<sup>th</sup>:** RSPA published a decision on petition for reconsideration of administrative determination of preemption PD-14(R), the Houston, TX, fire code requirements on the storage, transport and handling of hazmat.
- **June 24<sup>th</sup>:** The EPA published technical and procedural amendments to the PCB disposal final rule of June 29, 1998. The effective date of these revisions was June 24, 1999.

**A LIGHT SWORD BY ANY OTHER NAME IS STILL A** fluorescent light bulb (FLBs). And, if these bulbs contain  $\geq$ TCLP mercury, they're still regulated by the EPA as a hazardous waste. The Universal Waste exception address in 40 CFR 273 does not yet include FLBs. I've heard that EPA's decision whether to include FLBs into Universal Waste or not to include should be published any day in a docket action. Your only hope is if your State EPA has a written policy stating they won't enforce you for managing FLBs as Universal Waste. Otherwise, no breaks yet.

**RQs ARE APPLICABLE REGARDLESS** of the ability of the material to leach into the environment. For example, dibutyl phthalate (DBP) is a polymer plasticizer used to soften rubber. DBP, when added to rubber, forms a compound in which the DBP has no potential to leach within the 24-hour CERCLA release window. But, it doesn't matter! You see, CERCLA sets up the rules for a hazardous substance; the DOT has no authority to determine what is or is not a hazsub or the appropriate RQ for materials designated as a hazsub. Therefore, DOT cannot grant relief from the hazsub requirements. DBP is regulated as a hazardous substance, without regard to whether the resulting rubber compound has no potential to leach (release) the DBP in a 24 hour period  $\geq$ RQ amounts (e.g., 10 pounds). This is true for all hazardous substances except asbestos and metals listed in 40 CFR 302.6(d). In these cases, the RQ for asbestos is limited to friable forms only, and the 302.6(d) metals only if  $<$ 100 micrometers in diameter. Ya just gotta love these regs!

**YES, YOU CAN REDUCE THE SIZE OF DOT LABELS** if the package will not adequately accommodate the DOT minimum 100 mm x 100 mm (3.9 x 3.9 inch) label. In the HMRs, 49 CFR 172.407(f) states that a label conforming to specs in the UN Recommendations may be used in place of a corresponding DOT hazard label. The UN Recommendations state that recommended labels have minimum dimensions of



100 mm x 100 mm, except in the case of packages of such dimensions that they can only bear smaller labels. Canada in their TDG regulations allow labels to be reduced to as little as 30 mm on each side if the package cannot accommodate a

larger label. Just make sure that the driver for a smaller label is the package dimensions and a larger package is not an option.

That's all for this month. Have a wonderful and safe

