



## WOW, IT'S THE START OF JULY ALREADY!

I can't believe the time has gone by so fast. What happened to May and June? Well anyway, welcome to our free newsletter publication dedicated to reminding you of your DOT hazmat and RCRA

hazwaste compliance needs. Although copyright protected, please feel free to forward this in full to others you think will benefit. Oh, Happy 4<sup>th</sup> of July Holiday!!

**A BIG THANK YOU TO ALL WHO ATTENDED** our recent Advanced DOT Waste Packaging & Transportation Workshop and the Advanced Radioactive Materials Packaging and Transportation Workshop. For those who couldn't make it...keep reading the newsletters. I'll let you know the next time I have an open-enrollment course.

**DOCKET ACTION** since our April newsletter (yes April) is hopping. Here's what's been published.

- Apr 30<sup>th</sup>: RSPA published HM-230, a NPRM to adopt the majority of the IAEA radioactive material transport regulations. Please note that the NRC published a sister docket (RIN 3150-AG71) on the same day. Get these dockets and then get your comments in to the DOT and NRC by July 29<sup>th</sup>. They need solid input from our industry!!
- May 2<sup>nd</sup>: RSPA published HM-232, a NPRM on the Security Requirements for Offerors and Transporters of Hazardous Materials. RSPA followed up on May 23<sup>rd</sup> with an extension for comments docket (and a minor correction). This is a critical docket for anyone who offers or transports hazardous materials. Comments were due by July 3<sup>d</sup> but RSPA will take late comments. See the article in this issue.
- May 13<sup>th</sup>: RSPA published an extension of the comment period for the February 26, 2002 ANPRM concerning the revisions of the requirements for carriage by aircraft. Comments are now due to RSPA by September 30<sup>th</sup>.
- May 17<sup>th</sup>: RSPA published a decision on petition for reconsideration of an administrative determination of preemption, PDA-18(R). The petition for reconsideration is denied and RSPA affirms its December 27, 2000 decision.
- Jun 12<sup>th</sup>: EPA published a NPRM to exclude from the definition of solid waste (hence, hazardous waste) cathode ray tubes if recycled and managed under specific conditions, and to add to Universal Wastes items of mercury-containing equipment. This is a long awaited docket. Please submit your comments to EPA no later than August 12<sup>th</sup>.
- Jun 25<sup>th</sup>: RSPA published a final rule to revise and clarify its hazardous materials safety rulemaking and program

procedures. RSPA has rewritten the rulemaking procedures in plain language and made minor substantive changes for clarification. The rule affects Parts 105 and 106 of 49 CFR. This rule is effective July 25<sup>th</sup>.

## ABOUT THE DOT AND NRC RAD DOCKETS...

I've had a chance to review these dockets and I feel that DOT and the NRC need your comments. Here are some of the areas to pay attention to as you read the dockets: (1) new, revised and deleted definitions in 173.403 (note the new QA requirement for each person involved in rad transport); (2) the new definition of Class 7 material; (3) The revised A<sub>1</sub> and A<sub>2</sub> activity limits; (4) changes in Type B package requirements, especially the new fissile material package requirements for air transport; (5) the transitional provisions for Type B packages and the lack of a transitional provision for fissile packages; (6) the omission of the IAEA changes for excepted and Type A packages (opps!); (7) the new marking required for excepted packages and the deletion of the excepted package special notice; (8) the authorization of "unpackaged" LSA-I and SCO-I (this is a good thing); (9) the loss of the strong-tight package for LSA-I and SCO-I solids (this is a bad thing); (10) the new bulk package marking requirements for exclusive use LSA materials and SCO; (11) the application of surface dose rates for overpack label categorization; (12) vehicle TI limit imposed on exclusive use shipments; (13) and many more small, but significant changes. I hope to have comments on this docket soon and available on our website. Don't let this one or docket HM-232 slip by! Speaking of...



## THE DOT SECURITY DOCKET IF FAST-TRACKED

for quick incorporation into the regulations. This docket (HM-232) is requiring that all carriers subject to DOT hazmat registration carry a copy of the certificate in the vehicle. Shippers will be required to add the full name and address of the consignor and consignee to each shipping paper as well as their DOT hazmat registration number. These requirements must be in place 20 days after the final rule is published. A written Security Plan – transportation risk assessment, personnel security, unauthorized access security and en-route security – will be required for anyone who must register with DOT (Part 106) or who transports or offers infectious substances identified as select agents in 40 CFR 72. No deadline is given for the completion of the Security Plan, however, each hazmat employee must be trained to the Plan within 90-days after the final rule is published. **OUCH!**