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## HAPPY HALLOWEEN

THE HAZMAT NEWS NETWORK is a free service provided to enhance your regulatory and operational needs. If you benefit from the articles or services provided, that's great; there is no charge. Pass this around to others you think will benefit from this free service. If we've missed you on our distribution, call us and we'll add you to our list. Are you interested in anything specific? Any burning issues? Let us know and we'll do what we can to add it to *The Hazmat News Network*.

**6<sup>th</sup> ANNUAL DANGEROUS GOODS BY AIR CONFERENCE** and Exhibition entitled "*Making Regulations Work*", is being held at the Atlanta Hilton and Towers, downtown Atlanta, Georgia, January 28-30, 1997. The conference will cover current issues of concern to all involved in the transportation of dangerous goods by air. A series of workshops will also be part of this important aviation safety event. For a brochure and details contact Shawn Gerber at 514-844-6311 ext. 3532, or by fax at 514-844-1819.

**ENVIRONMENTAL SAMPLES BY AIR** is going to be a reality in 1997! Currently in IATA (and ICAO), if you (the shipper) do not know the contents or are not able to properly classify a material, IATA/ICAO forbids its transportation. Hold on to your hats! Effective 1/1/97, IATA and ICAO are permitting samples to be transported domestically under a new U.S. variation -- USG-14 in IATA and US-14 in ICAO. The variation states that:

"[w]hen a hazard class of a substance is uncertain and it is being transported for further testing, a tentative hazard class, proper shipping name and identification number may be assigned on the basis of the following:

- (i) the classification criteria of these regulations;
- (ii) the precedence of hazard given in 3.10; and
- (iii) the consignor's knowledge of the substance.

Samples of the substance may be transported in accordance with the requirements applicable to the tentative assigned proper shipping name provided the substance:

- (i) is not considered to be a substance prohibited from air transport by 2.1.1; and
- (ii) is not considered to have explosive properties."

There you have it. It's about time!

**ORM-D's AS WASTE GET EVEN MORE EXCEPTIONS** under the new final rule, HM-181H, published 9/26/96. The DOT has revised §173.156(b). Now, hazardous wastes that can be reclassified as consumer commodities are excepted from (1) strong tight packaging, (2) the "OMR-D" marking, and (3) the **30 kg weight limit** if the waste is:

- (1) unitized in cages, carts, boxes or similar overpacks (like drums), AND
- (2) offered for transportation or transported by (1) private carrier, or (2) contract carrier, or (3) exclusive use carrier, or (4) rail, AND
- (3) transported to the disposal facility from one offeror.

Remember, to use this exception, the waste must first be able to meet the definition of consumer commodity and also be packaged per the applicable Column 8A packaging reference from the Hazardous Material Table. Look at this closely. If properly prepared, waste shippers may have a break for their aerosols. Stay tuned next month for more clarification on this new break.

**DON'T FORGET ABOUT CHANGING YOUR CLOCKS** back to Standard Time this month. Just think of the extra hour of sleep you'll get. Or maybe that extra hour to study these hazmat regulations. Oh boy!



**OCTOBER 1<sup>ST</sup> CAME IN WITH A FLURRY OF DOCKETS** published by RSPA. Here they are.

- HM-189M, "Editorial Corrections and Clarifications"
- HM-207C (two dockets), "Exemption, Approval, Registration and Reporting Procedures, Miscellaneous Provisions"
- HM-220A, "Periodic Inspection and Testing of Cylinders..." (clarifications, editorial corrections, etc.).
- HM222B, "Revision of Misc. Hazmat Regulations..." (petitions for reconsideration)
- Notice 96-19, "Information Collection Activities"

**CLARIFICATION FROM LAST MONTH** is in order. It seems that I forgot to identify that HM-215A also went into full effect on October 1<sup>st</sup>. Opps. We all knew that, right?



**DON'T FORGET TO VOTE!!** I doubt that I'll have my next Newsletter out by Election Day. So, my reminder is early enough for all of you to mark your daily planners now. Don't miss out on the vote that carries our great country into the 21<sup>st</sup> century.