



THE HAZMAT NEWS NETWORK



Regulatory Resources, Inc. 240 Joshua Road Kennewick, WA 99338

Voice: 509-628-1020 — Fax: 509-628-0972 — email: newsletter@regulatoryresources.net — www.regulatoryresources.net — Oct - Dec 07



HAPPY HAZMAT NEW YEAR to all DOT and RCRA compliance professionals. Welcome to the FREE Oct/Nov/Dec 07 issue of

The Hazmat News Network newsletter. This three-month issue reviews what's been happening with DOT hazmat dockets and talks about other important news. And this issue also contains our 2008 training schedule. Please contact us if you wish to be removed from this free newsletter. Cheers!

DOCKET ACTION IS AT A RECORD SLOW PACE and I hope I haven't jinxed it by saying so. Here are the latest. Please note that we do not address Special Permit (formerly Exemptions) actions. Remember, if you need to get a copy of any of these dockets, simple go to [2007 Federal Register Contents](#).

Oct 1st: The DOT (PHMSA) published the final rule, *Minor Editorial Corrections and Clarifications* (HM-244). This final rule corrects editorial errors, makes minor regulatory changes and, in response to requests for clarification, improvise the clarity of certain provisions in the regs. The effective date was October 1, 2007. Note that on October 18th, PHMSA published some corrections to error made in the October 1st final rule.

CHECK OUT PAGE 2 OF THIS NEWSLETTER! We finally ironed out all the necessities to bring about our 2008 training schedule. This information will be available soon on our website. Until then, please email us for any information you need about the courses and the necessary registration forms. Please make sure to register early so you are assured a seat for the class and a room at the hotel.

HOW DO YOU KNOW JUST HOW BIG THE PACKAGE certification marking has to be in order to comply with §178.3(a)(4)? It sounds simple when you read the requirement but let me pose something. You have a package that contains 10 glass ampoules of 5 ml capacity each; the total net quantity of solution is 50 ml. The entire package, as prepared for shipment, exceeds 5 kg. Due to the radioactive nature of the material contained, exceptions such as 'small quantity' and 'limited quantity' are not available. Given the content, the HMR requires a specification package be used. Based on 178.3(a)(4), the size of the specification package marking is based on the *capacity* for liquids and *gross mass* for solids.

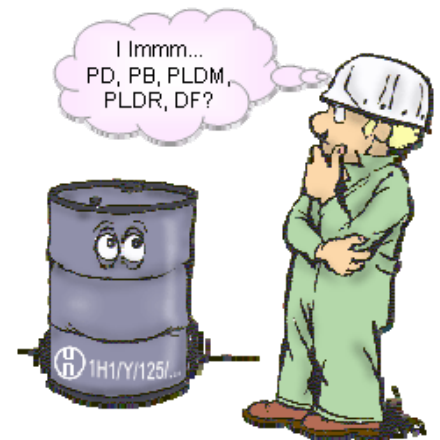


DOT responded to a question on this by stating that the package system employed in the example provided is a combination package. And, since §178.503 specifies that the gross mass be identified in the marking for a combination package, the size of the package specification marking is, therefore, based on this rather than the

capacity of the liquid contained therein. Two points to make: (1) the specification marking for a Part 178 combination package is based on the allowed gross mass of the package rather than the *capacity* of the contents; and (2) DOT seemed to have misapplied §178.503 to include Class 7 radioactive material packages (doh!). We're talking apples to oranges in this case. I think a second letter may be in order.

NOT SO COMMON ABBREVIATIONS are being considered as acceptable for fulfilling the §172.202(a)(7) shipping paper requirement. Originally back on July 31, 2003 (docket HM-215E), the DOT began requiring the shipping paper include, for each description, the number and type of packages. Initially, one could use the DOT specification to indicated the type of package (e.g., UN 4G, UN 1A2, DOT-7A, etc.). Then, on Jun 22, 2004, the DOT amended their previous allowance to require the physical type of the package be identified rather than the specification type (e.g., 'box' rather than UN 4G). The reasoning: Drivers would have to be trained to know what the package certification/specification code meant. Say what? I thought drivers of hazmat had to be knowledgeable about the hazmat regs commensurate with their duties...but that's a whole 'nuther' story. Anyway, in the docket the DOT clarified that abbreviations to indicate the package type were allowed if they were commonly accepted and recognizable. One commenter specifically asked if the abbreviations required on the EPA

Uniform Hazardous Waste Manifest were okay. DOT responded and said yes. Now one would assume that the EPA Manifest abbreviations are only used for EPA Manifests. However, DOT's response to inquires seems to allow for a more relaxed application of definitions that what one would expect. For example, "DR" is acceptable for a drum; "PL" is okay for a pail; "TT" is okay for a cargo tank (sorry Audi fans, and you thought you bought a sports car); and "Tote" is just fine to indicate an IBC. Now if "PL" is okay for pail and "DR" okay for drum, then is must be reasonable to assume "DM" is okay (hey, it's a drum). But then since DOT is allowing these abbreviations, it must also be okay to use "PB" for a plastic box, or "CF"...I mean it's okay on the EPA Manifest, and therefore, must be commonly accepted and recognizable. So now I'm going to ship 4 DM, 1 DR, 2 PL, 6 PB, 1 CF, and a TT. Oh yeah...I can see that this is much simpler than just using the very confusing and extremely difficult to learn a UN package code. I mean PLDR is much simpler than UN 1H1!





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RRI's 2008 Open Enrollment Training Course Schedule

Regulatory Resources, Inc. is pleased to provide a range of open enrollment courses. The courses are conducted in Richland, Washington at the top rated Hampton Inn nestled on the banks of the beautiful Columbia River or in exciting Las Vegas, Nevada at the stylish Alexis Park Hotel. Don't delay in registering as each course fills on a first-come, first-serve basis. (Oh, July 26-27 is the Unlimited Hydroplane races here in Richland along with many other events.)

NOTE: Scheduled 5-day workshops conclude at noon on Friday. All other workshops run full days, 8am through 4:30 pm.

Date	Course No.	Title	Location	Tuition
Mar 3-6	301	Advanced Hazardous Materials Packaging & Transport Workshop	Richland, WA	\$1,195
Apr 24-25	204	DOT Explosives Packaging & Transport Workshop	Las Vegas, NV	\$675
May 5-9	303	Advanced Radioactive Materials Packaging & Transport Workshop	Las Vegas, NV	\$1,395
Jun 2-6	302	Advanced Hazardous Waste Packaging & Transport Workshop	Richland, WA	\$1,295
Jul 22-25	203 & 402	Shipping of Radioactive Materials DOT Ground and IATA/ICAO Air	Richland, WA	\$1,095
Jul 28-29	306	Class 7 Packaging for Shippers & Inspectors	Richland, WA	\$595
Dec 3	504	IATA/ICAO Dangerous Goods Recertification Training	Richland, WA	\$450*
Dec 4	505	IATA/ICAO Radioactive Materials Recertification Training	Richland, WA	\$450*
				*\$695 if together

Hotel Info:	Las Vegas, NV	Richland, WA	Hotel Info:
\$89/night	Alexis Park Hotel 375 E. Harman Ave. Las Vegas, NV 89169 800-582-2228 702-796-3322	Hampton Inn 468 Bradley Blvd. Richland, WA 99352 800-560-7809 509-943-4400	Gov't Rate
(Special training rate; limited number of rooms available!)			(Special training rate; limited number of rooms available!)
	www.alexispark.com	www.hamptoninn.com	