



DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS REGULATIONS BOARD
WASHINGTON, D.C. 20590

Title 49—TRANSPORTATION

Chapter I—Department of Transportation; Hazardous Materials Regulations Board

[Docket No. HM-2; Amdts. 172-1, 173-3, 177-3, 178-1, 103-4]

RADIOACTIVE MATERIALS AND OTHER MISCELLANEOUS AMENDMENTS; CORRECTION

On October 4, 1968, the Hazardous Materials Regulations Board published several amendments to the Department's Hazardous Materials Regulations (49 CFR Parts 170-189 and 14 CFR Part 103) (33 F.R. 14918). A number of errors have been detected in that publication, and this action corrects those errors.

In §§ 172.2 and 177.870(g) an incorrect reference was made to a nonexistent section. In § 172.5, the classification listings were erroneously spelled out instead of being abbreviated. In several sections, reference was made to Parts 170-190 as the Department's Hazardous Materials Regulations. Part 190 has been assigned to the regulations for natural gas pipeline safety, and since the provisions of Parts 170-180 do not apply to Part 190, the cross-references have been changed to Parts 170-189. The new term "packaging" has replaced the former term "container" in several sections. Several sentences and words were inadvertently omitted in the FEDERAL REGISTER publication. Some of the figures for measurements were in error in that they did not provide for a sufficient number of significant figures; e.g., in § 173.396(a)(3), the figure 1.00 was inadvertently shortened to 1.

Section 173.29(e) has been clarified to require application not to packages which contain no radioactive materials, but only to internally contaminated packagings. Section 173.396(b)(1) and (c)(1) as published in HM-2 would require that all hydrogenous moderating material within the outer drum be considered; only that material within the inner containment vessel need be considered and appropriate corrections have been made which are consistent with the notice of proposed rule making. Several sections were changed to provide for consistent terminology when referring to the Specification 2R inner containment vessel.

In § 173.402(d), the provisions relating to certain labeling exemptions were canceled. However, a similar provision in § 177.815(c) was overlooked; it, too, has now been canceled for purposes of consistency. Section 177.815(b) has been corrected to include Poison class C.

Since these corrections are editorial and minor in nature, notice and public procedure thereon is not required, and good cause exists for making them effective in less than 90 days. Therefore, these corrections are effective December 31, 1968.

In consideration of the foregoing, Amendments 172-1, 173-3, 177-3, 178-1, and 103-4 in Docket HM-2 are hereby corrected as set forth below.

(Title 18, U.S.C., secs. 831-835; sec. 9, Department of Transportation Act (49 U.S.C. 1657; Title VI and sec. 902(h), Federal Aviation Act of 1958 (49 U.S.C. 1421-1430, 1472(h))

Issued in Washington, D.C., on December 23, 1968.

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PART 172—COMMODITY LIST OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL ARTICLES SUBJECT TO PARTS 171-179 OF THIS CHAPTER

I. Amendment 172-1 is corrected as follows:

A. In § 172.2(a) reference "§ 172.53" is corrected to read "§ 173.53".

B. In § 172.5(a) Commodity List, second column, the classifications of commodities as published are abbreviated as follows:

Radioactive Material—R.A.M.
Oxygen Material—Oxy. M

PART 173—SHIPPERS

II. Amendment 173-3 is corrected to read as follows:

A. In § 173.2(a), change "Parts 170-190" to read "Parts 170-189."

B. In § 173.22(a), add the word "are" as the first word of line 5.

C. Section 173.29(e) is corrected to read as follows:

§ 173.29 Empty containers.

(e) All packagings and accessories which have been used for shipments of radioactive materials and which contain residual internal radioactive contamination, when shipped as empty, must be securely closed. The external surface must be free of significant removable

radioactive contamination as provided in § 173.397(a). The radiation at the external surface of the packaging must not exceed 0.5 millirem per hour. The "Empty" label, described in § 173.413, must be affixed to the packaging.

D. In §§ 173.325(a), 173.343(a), and 173.389, change "Parts 170-190" to read "Parts 170-189."

E. Section 173.389(a)(3) is corrected to read as follows:

§ 173.389 Radioactive materials; definitions.

(a) * * *

(3) *Fissile Class III*. Shipments of packages which do not meet the requirements of Fissile Class I or II and which are controlled to provide nuclear criticality safety in transportation by special arrangements between the shipper and the carrier.

F. Section 173.392(a) is corrected to read as follows:

§ 173.392 Low specific activity materials.

(a) Low specific activity materials, when transported on transport vehicles other than those assigned for the sole use of the consignor, are exempt from the provisions of § 173.393 (a) through (g); however, they must be packaged in accordance with the requirements of § 173.395, and must be marked and labeled as required in §§ 173.401 and 173.402.

G. In § 173.396(a)(3) seventh line, change "1 percent" to read "1.0 percent," in the ninth line change "1 percent" to read, "1.00 percent"; in subparagraph (4) (ii) fifth line, change "1 percent" to read "1.0 percent"; in subparagraph (4) (iii) fifth line, change "1 percent" to read "1.0 percent"; paragraphs (b)(1) and (c)(1) are corrected to read as follows:

§ 173.396 Fissile radioactive material.

(b) * * *

(1) Specification 6L (§ 178.103 of this chapter) metal packaging. Authorized only for enriched uranium, the fissile content not to exceed 14 kilograms of uranium-235 as metal or oxide, or as compounds or alloys which will not decompose at temperatures up to 750° F. Each package shipped as Fissile Class II must be assigned a transport index of 1.3 (unless external radiation levels require a higher assignment). The atomic ratio of hydrogen to uranium-235 must not exceed three, all sources of hydrogen within the specification 2R inner containment vessel being considered. The gross weight of the loaded package must

exceed 350 pounds for the 55-gallon size or 480 pounds for sizes up through 110 gallons.

* * * *

(1) Specification 6L (§ 178.103 of this chapter) metal packaging. Authorized only for enriched uranium, the fissile content not to exceed 14 kilograms of uranium-235 as metal or oxide, or as compounds or alloys which will not decompose at temperatures up to 750° F. Each package shipped as Fissile Class II must be assigned a transport index of 1.3 (unless external radiation levels require a higher assignment). The atomic ratio of hydrogen to uranium-235 must not exceed three, all sources of hydrogen within the specification 2R inner containment vessel being considered. The gross weight of the loaded package must not exceed 350 pounds for the 55-gallon size or 480 pounds for sizes up through 110 gallons.

* * * *

H. In § 173.398(b) (1), change the last word in the sentence from "section" to "paragraph."

PART 177—SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRIVATE CARRIERS BY PUBLIC HIGHWAY

III. Amendment 177-3 is corrected as follows:

A. In § 177.815(b), following the colon in last sentence, is corrected to read, "Poisons, Classes A and C; ethiological agents; and radioactive materials. Paragraph (c) is deleted in its entirety.

B. In the table to § 177.842(b), reverse the order of the bottom two numbers in the right-hand column so that the numbers in the column appear in numerical sequence.

C. In § 177.870(g) change the reference "§ 177.841(d)" in the last line to read "§ 177.842."

PART 178—SHIPPING CONTAINER SPECIFICATIONS

IV. Amendment 178-1 is corrected as follows:

A. In § 178.103-3(b) second line, change reference "§ 178.340" to read "§ 178.34", in paragraphs (b) and (c) the first three words of each paragraph should read "Inner containment vessel"; paragraph (c) (1) is corrected to read as follows:

§ 178.103-3 General requirements.

* * * *

(1) Not less than four steel rod spacers, of at least 0.25 inch (for packagings of 55-gallon capacity) or 0.375 inch (for packagings with greater than 55-gallon

capacity) cold rolled steel welded to the inner containment vessel at each end by at least a 2-inch continuous weld. Rods must be welded to the inner containment vessel at radial positions not exceeding 90°, and so as not to interfere with the closure of the inner containment vessel. Each spacer rod must extend at least 2.25 inches beyond the inner containment vessel at each end, then radially to the wall of the outer drum (to provide a springlike snug fit), and along the entire length of the wall of the outer drum. For packages of more than 55-gallon capacity, each spacer rod must be braced by welding a 0.25 inch by 2 inch steel plate to the spacer rods and the drum with a continuous weld at each joint, the joints being located approximately halfway along the length of the drum.

* * * *

B. In § 178.104-3(b), change "4 inches" in the fifth line to read "4.0 inches."; in the sixth line change "6 inches" to read "6.0 inches."; in the eighth line change "0.125 inch" to read "0.180 inches."

V. Amendment 103-4 is corrected as follows:

A. In § 103.1(b), change "Parts 170-190" to read "Parts 170-189".

B. In § 103.31(c) the word "(poisons)" is corrected to read "(corrosives)."

[F.R. Doc. 68-15406; Filed, Dec. 26, 1968; 8:49 a.m.]