



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

23791

[Docket No. HM-56, Amdt. 170-2, 171-22,
177-27, 178-28]

MISCELLANEOUS AMENDMENTS TO
CHAPTER

The purpose of these amendments to the Hazardous Materials Regulations of the Department of Transportation is to change or delete certain obsolete or incorrect references, to correct certain editorial errors in § 172.5, and to correct the address of the Secretary, Hazardous Materials Regulations Board, and the Docket room.

Since these amendments concern editorial changes and corrections and impose no burden on any person, notice and public procedure thereon are considered unnecessary.

In consideration of the foregoing, 49 CFR Parts 170, 171, 177, and 178 are amended as follows:

PART 170—RULEMAKING PROCEDURES
OF THE HAZARDOUS MATERIALS REG-
ULATIONS BOARD

A. In § 170.1, paragraph (b) is amended to read as follows:

§ 170.1 Applicability.

* * * * *

(b) The Hazardous Materials Regulations Board, established by Department of Transportation Order 1120.10A, dated December 11, 1972 (hereinafter referred to as the "Board") is composed of the Assistant Secretary for Environment, Safety and Consumer Affairs as Chairman; and the Commandant, U.S. Coast Guard, Federal Aviation Administrator, Federal Highway Administrator, and Federal Railroad Administrator, or their designees, as members. The General Council of the Department is the legal adviser to the Board and the Director of the Office of Hazardous Materials is the Secretary of the Board.

* * * * *

B. In § 170.11, paragraph (b)(1) is amended to read as follows:

§ 170.11 Filing of petitions for rule making.

* * * * *

(b) * * *

(1) Be submitted, in duplicate, to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, Washington, D.C. 20590.

* * * * *

C. In § 170.13, the introductory text of paragraph (b) is amended to read as follows:

§ 170.13 Filing of petitions for special permits for waivers or exemptions.

(b) Each petition must be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, Washington, D.C. 20590, and contain the following information:

D. In § 170.35, the second sentence of paragraph (a) is amended to read as follows:

§ 170.35 Petition for rehearing or reconsideration of rule.

(a) * * * Such a petition must be transmitted, in duplicate, to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, Washington, D.C. 20590, at least 10 days before the effective date of the rule.* * *

PART 171—GENERAL INFORMATION AND REGULATIONS

In § 171.7, paragraph (b) is amended to read as follows:

§ 171.7 Matter incorporated by reference.

(b) All incorporated matter is available for inspection in the Docket Room, Room 6215F, of the Buzzards Point Building, Second and V Streets SW., Washington, D.C. 20590.

PART 172—LIST OF HAZARDOUS MATERIALS CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL MATERIALS SUBJECT TO PARTS 170-189 OF THIS SUBCHAPTER

In § 172.5 *List of hazardous materials*, paragraph (a) is amended as follows:

§ 172.5 List of hazardous materials.

(a) * * *

Article	Classed as—	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in 1 outside container by rail express
<i>Change</i> Cartridge bags, empty, with black powder igniters.	Expl. C.....	No exemption, 173.106.	Expl. C.....	150 pounds.
Corrosive liquid, n.o.s.....	Cor.....	173.244, 173.245, 173.245a	Corrosive.....	5 pints.
<i>Diethylene glycol dinitrate.</i> 1,1 difluoro 1-chloroethane. See Difluoromonochloroethane.	See § 173.51(d).....			
Phosphorus pentasulfide.....	F.S.....	No exemption, 173.225.	F.S.....	11 pounds.

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

A. In § 177.824, paragraph (b) (7) is amended to read as follows:

§ 177.824 Retesting and inspection of cargo tanks.

(b) * * *
(7) The entire vehicle shall be inspected for and comply with the Motor Carrier Safety Regulations, Part 393, Chapter III, of this title.

§§ 177.856, 177.858 and 177.860 [Amended]

B. In §§ 177.856(a), 177.858(a) and 177.860(a), reference to § 177.814 is amended to read § 177.807:

PART 178—SHIPPING CONTAINER SPECIFICATIONS

In § 178.337-10, the last sentence of paragraph (d) is amended to read as follows:

§ 178.337 Specification MC 331; cargo tanks constructed of steel, primarily for transportation of compressed gases as defined in the Compressed gas section.

§ 178.337-10 Protection of fittings.

(d) * * * The bumpers shall conform dimensionally to § 393.86, Chapter III of this title.

This amendment is effective September 30, 1973.

(Secs. 831-835, Title 18, United States Code, sec. 9, Department of Transportation Act, (49 U.S.C. 1657) Title VI, sec. 902(h), Federal Aviation Act of 1958 (49 U.S.C. 1421-1430, 1472(a), and 1655(c)).)

Issued in Washington, D.C., on August 27, 1973.

C. R. MELUGIN, Jr.,
Alternate Board Member, For the Federal Aviation Administration.

ROBERT A. KAYE,
Board Member, For the Federal Highway Administration.

MAC C. ROGERS,
Board Member, For the Federal Railroad Administration.

W. F. REA,
RADM, USCO, Board Member, For the United States Coast Guard.

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