



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

14519

[49 CFR Parts 172, 173]

[Docket No. HM-112; Notice 74-7]

**TRANSPORTATION OF HAZARDOUS
MATERIALS**

**Classification and Packaging of Organic
Peroxides**

On January 24, 1974, the Hazardous Materials Regulations Board ("the Board") proposed a consolidation of the hazardous materials regulations now found in 14 CFR Part 103, 46 CFR Part 146, and 49 CFR Parts 170 to 179. See Docket HM-112, Notice 73-9, 39 FR 3021. In this notice of proposed rule making, the Board stated that the consolidation of the organic peroxide regulations would be the subject of separate rule making to be introduced in a notice before action was completed on Notice 73-9.

The Board had hoped that its organic peroxides proposal would include changes to the present listings and packagings now prescribed in the regulations cited above. These changes were to be based on extensive work done under the auspices of the United Nations Committee of Experts on the Transport of Dangerous Goods. It now has become obvious to the Board that the results of this work will not be ready to permit processing in a timely fashion in Notice 73-9. As a result, the Board has decided to withhold any new proposals for listing and packaging of organic peroxides until a later date.

The listings for organic peroxides shown in Notice 73-9 are hereby withdrawn. Instead, the proposals set forth herein complete the presentation in Docket HM-112 of the Board's intent on handling of these materials until the United Nations work is completed. Consequently, the specific item descriptions and packagings proposed in this notice are essentially a restatement of the present descriptions and packagings in 46 CFR Part 146 and 49 CFR Parts 172 and 173. Also, succinic acid peroxide, and organic peroxides not otherwise specified would not be permitted on passenger-carrying aircraft. It is also proposed to change § 173.119(m) to cover flammable liquids which are also highly toxic.

Flammable liquids which are also corrosive or organic peroxides would continue to be covered as is presently provided in § 173.119(m).

It should be noted also that § 172.602, in Docket HM-103, Notice No. 73-10, 39 FR 3163, would require that any shipper wishing to ship an organic peroxide not assigned a hazard information number in § 172.101 would be required to obtain a written designation of the hazard information number from the Department before making the initial shipment.

PART 172—LIST OF HAZARDOUS MATERIALS AND HAZARDOUS MATERIALS COMMUNICATIONS REGULATIONS

I. In § 172.101, the List of Hazardous Materials would be amended as follows:
 § 172.101 List of hazardous materials.

(a) * * *

(1) Hazardous Material	(2) Classification and Hazard Information number	(3) Label(s) required (if not exempt)	(4) UN class and label(s)	(5) Exemptions and packaging (see sec.)	(6) Maximum quantity in one package			(7) Vessels; Stowage, special handling and special segregation
					(a) Express rail car	(b) Passenger carrying rail car or aircraft	(c) Cargo only aircraft	
(add)								
Acetyl benzoyl peroxide, solid.	Organic peroxide 57.	Organic peroxide.	Organic peroxide.	Not permitted.	1 quart.	Not permitted.	1 quart.	1, 2. Passenger vessels: 1. Stow separate from combustible materials, explosives or acids.
Acetyl benzoyl peroxide solution.				No exemption 173.222.				
Acetyl peroxide, solid.	Organic peroxide 57.	Organic peroxide.	Organic peroxide.	Not permitted.	1 quart.	Not permitted.	1 quart.	Do.
Acetyl peroxide solution.				No exemption 173.222.				
Benzoyl peroxide, dry.	Organic peroxide.	do.	Organic peroxide. Check country for label, class.	No exemption 173.158.	25 pounds.	do.	25 pounds.	1. Keep cool and dry. Stow separate from combustible materials, explosives, or acids.
Benzoyl peroxide, wet.				No exemption 173.157.				
Caprylyl peroxide solution.	do.	do.	do.	No exemption 173.153, 173.221.	1 quart.	1 quart.	1 quart.	1, 2. Passenger vessels: 1. Stow separate from combustible materials, explosives, or acids.
Chlorobenzoyl peroxide, para, dry.	do.	do.	Check country for label, class.	No exemption 173.158.	25 pounds.	Not permitted.	25 pounds.	1. Keep cool and dry. Stow separate from combustible materials, explosives, or acids.
Chlorobenzoyl peroxide, para, wet.	Organic peroxide 57.	do.	Organic peroxide.	No exemption 173.157.	do.	do.	do.	1, 2. Passenger vessels: 1. Stow separate from combustible materials, explosives, or acids.
Cumene hydroperoxide.	do.	do.	do.	173.153, 173.224.	1 quart.	1 quart.	1 quart.	1, 2. Not permitted on passenger vessels: Stow separate from combustible materials, explosives, or acids.
Cyclohexanone peroxide, not over 50 percent concentration.	do.	do.	do.	173.153, 173.154.	25 pounds.	2 pounds.	25 pounds.	1, 2. Keep cool. Stow separate from combustible materials, explosives, or acids.
Cyclohexanone peroxide, over 50 percent but not exceeding 85 percent concentration.	do.	do.	do.	173.157, 173.158.	do.	Not permitted.	do.	1. Keep cool. Stow separate from combustible materials, explosives, or acids.
Dicumyl peroxide, solid.	do.	do.	do.	173.153, 173.154.	do.	2 pounds.	do.	1, 2. Stow separate from combustible materials, explosives, or acids.
Dicumyl peroxide, 50 percent solution.	do.	do.	do.	173.153, 173.224.	1 quart.	1 quart.	1 quart.	1, 2. Not permitted on passenger vessels: Stow separate from combustible materials, explosives, or acids.
Diisopropylbenzene hydroperoxide.	Organic peroxide 59.	do.	do.	173.153, 173.224.	do.	do.	do.	Do.
Dimethylhexane dihydroperoxide, dry.	Organic peroxide 59.	do.	do.	Not permitted.	25 pounds.	Not permitted.	25 pounds.	1, 2. Passenger vessels: 1. Stow separate from combustible materials, explosives, or acids.
Dimethylhexane dihydroperoxide, wet.				No exemption 173.157.				
Lauroyl peroxide, dry.	Organic peroxide 57.	do.	do.	173.153, 173.158.	do.	2 pounds.	do.	1, 2. Passenger vessels: 1. Keep cool and dry. Stow separate from combustible materials, explosives, or acids.
Lauroyl peroxide, wet.	do.	do.	do.	173.153, 173.157.	do.	do.	do.	1, 2. Passenger vessels: 1. Stow separate from combustible materials, explosives, or acids.
Para chlorobenzoyl peroxide. See Chlorobenzoyl peroxide, para.	do.	do.	do.	173.153, 173.224.	1 quart.	1 quart.	1 quart.	1, 2. Not permitted on passenger vessels. Keep cool. Stow separate from combustible materials, explosives, or acids.
Peracetic acid.	do.	do.	Organic peroxide; Organic peroxide and corrosive. Organic peroxide.	No exemption 173.223.	5 pints.	do.	5 pints.	1, 2. Not permitted on passenger vessels. Stow separate from combustible materials, explosives, or acids.
* Peroxide, organic, liquid or solution, n.o.s.	Organic peroxide.	Organic peroxide and flammable liquid.	do.	No exemption 173.119 (m).	1 quart.	Not permitted.	1 quart.	Do.
* Peroxide, organic, liquid or solution, n.o.s.	do.	Organic peroxide.	do.	173.153, 173.221.	do.	do.	do.	Do.
Peroxide, organic, solid, n.o.s.	do.	do.	do.	173.153, 173.154.	25 pounds.	do.	25 pounds.	1, 2. Stow separate from combustible materials, explosives, or acids.
Succinic acid peroxide, dry.	Organic peroxide 59.	do.	Check country for label, class.	173.153, 173.158.	do.	do.	do.	1. Keep cool. Stow separate from combustible materials, explosives, or acids.
Succinic Acid peroxide, wet.	do.	do.	do.	173.153, 173.157.	do.	do.	do.	1, 2. Passenger vessels: 1. Keep cool. Stow separate from combustible materials, explosives, or acids.
Tertiary butylisopropyl benzene hydroperoxide.	Organic peroxide 57.	do.	Organic peroxide.	173.153, 173.224.	1 quart.	1 quart.	1 quart.	1, 2. Not permitted on passenger vessels. Keep cool. Stow separate from combustible materials, explosives, or acids.
Urea peroxide.	do.	do.	do.	173.153, 173.227.	25 pounds.	2 pounds.	25 pounds.	1. Not permitted on passenger vessels. Keep cool and dry. Stow separate from combustible materials, explosives, or acids.

PART 173—SHIPPERS

II. In § 173.119, the introductory text of paragraph (m) would be amended to read as follows:

§ 173.119 Flammable liquids not specifically provided for.

(m) *Flammable liquids which are also organic peroxides, or have the hazard information number 31, 32, 35, or 36. Flammable liquids which are also organic peroxides, oxidizing materials, corrosive liquids, or highly toxic liquids must be packed as follows:*

Interested persons are invited to give their views on these proposals. Communications should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, Washington, D.C. 20590. Communications received on or before June 25, 1974 will be considered before final action is taken on these proposals. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, room 6215 Trans Point Building, Second and V Streets, SW, Washington, D.C., both before and after the closing date for comments.

AUTHORITY: Transportation of Explosives Act, 18 U.S.C. 831-835, section 6 of the Department of Transportation Act, 49 U.S.C. 1655; Title VI and section 902(h) of the Federal Aviation Act of 1958, 49 U.S.C. 1421-1430, 1472(h), and 1655(c); Dangerous Cargo Act, as amended, 46 U.S.C. 170; Tank Vessel Act of 1936, 46 U.S.C. 391a, 46 U.S.C. 375, 46 U.S.C. 416, 49 U.S.C. 1655(b) (1), 49 CFR 1.46(b).

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