

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community no.
Texas: Collin	City of Frisco	March 24, 1994, March 31, 1994, Frisco Enterprise.	The Honorable Robert Warren, mayor, city of Frisco, P.O. Drawer 1100, Frisco, Texas 75034.	January 7 1994.	480134
Texas: Tarrant	City of North Richland Hills.	March 3, 1994, March 10, 1994, The Mid-Cities News.	The Honorable Tommy Brown, mayor, city of North Richland Hills, 7301 North East Loop 820, North Richland Hills, Texas 76180.	January 18, 1994.	480607
Texas: Parker	Unincorporated areas.	March 24, 1994, March 31, 1994, The Weatherford Democrat.	The Honorable Ben Long, Parker County Judge, P.O. Box 819, Weatherford, Texas 76086.	March 2, 1994.	480520
Texas: Collin	City of Plano	March 4, 1994, March 11, 1994, The Dallas Morning News.	The Honorable James N. Muns, mayor, city of Plano, P.O. Box 860358, Plano, Texas 75986-0358.	February 16, 1994.	480140
Texas: Bexar	City of San Antonio	March 18, 1994, March 25, 1994, San Antonio Express News.	The Honorable Nelson W. Wolff, mayor, city of San Antonio, P.O. Box 839966, San Antonio, Texas 78283-3966.	February 2, 1994.	480045
Texas: Fort Bend	City of Stafford	March 16, 1994, March 23, 1994, Fort Bend Star.	The Honorable Leonard Scarcella, mayor, city of Stafford, 2610 South Main, Stafford, Texas 77477	February 24, 1994.	480233
Texas: Smith County ..	City of Tyler	March 8, 1994, March 25, 1994, The Tyler Morning Telegram.	The Honorable Smith T Reynolds, Jr., mayor, city of Tyler, P.O. Box 2039, Tyler, Texas 75710.	February 24, 1994.	480571
Texas: Parker	City of Weatherford	March 24, 1994, March 31, 1994, The Weatherford Democrat.	The Honorable Sherri Watson, mayor, city of Weatherford, P.O. Box 255, Weatherford, Texas 76086.	March 2, 1994.	480522

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Dated: May 24, 1994.

Richard T. Moore,

Associate Director for Mitigation.

[FR Doc. 94-13396 Filed 6-1-94; 8:45 am]

BILLING CODE 6718-03-P

OFFICE OF PERSONNEL MANAGEMENT

48 CFR Parts 1601, 1602, 1609, 1615,
1632, 1642, 1646, and 1652

RIN 3206-AE67

Federal Employees Health Benefits Acquisition Regulation; Miscellaneous Changes

AGENCY: Office of Personnel
Management.

ACTION: Final rule; correction.

SUMMARY: On March 30, 1994, the Office of Personnel Management (OPM) published a final rule that amended certain provisions of the Federal Employees Health Benefits Acquisition Regulation (FEHBAR). The regulations were effective immediately upon publication and OPM intended that they would apply for the first time to the 1995 FEHB contract (rate) year. Upon publication, we found two references in

the Supplementary Information Section with regard to the effective date that we believe will be confusing to FEHB carriers. We are publishing the following corrections to clarify our intent and eliminate the ambiguity.

In the SUPPLEMENTARY INFORMATION section beginning on 59 FR 14761, in the issue of Wednesday, March 30, 1994, make the following corrections:

(1) On page 14762, in the 2nd column, the first full paragraph, in the fifth line, "1994" should read "1995."

(2) On page 14763, in the 1st column, the first full paragraph, last sentence should read, "These regulations will be in effect beginning with the 1995 rate year."

Office of Personnel Management.

Lorraine A. Green,

Deputy Director.

[FR Doc. 94-13320 Filed 6-1-94; 8:45 am]

BILLING CODE 6325-01-M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Parts 171, 172, 173, 174, 178
and 179

[Docket No. HM-166Z; Amdt. Nos. 171-125,
172-134, 173-237, 174-76, 178-102, 179-48]

RIN 2137-AC46

Transportation of Hazardous Materials; Miscellaneous Amendments

AGENCY: Research and Special Programs
Administration (RSPA), DOT

ACTION: Final rule.

SUMMARY: This final rule incorporates into the Hazardous Materials Regulations (HMR) a number of changes based on rulemaking petitions from industry and RSPA initiative. These changes are necessary to recognize recent editions of certain matter incorporated by reference, to eliminate certain inconsistencies and typographical errors, and to reinstate a shipping description. The intended effect of these regulatory changes is to improve clarity and, consequently, reduce confusion.

DATES: Effective: July 5, 1994.

Compliance date: Compliance with the regulations, as amended herein, is authorized immediately.

Incorporation by reference: The incorporation by reference of certain publications listed in this final rule is approved by the Director of the Office of the Federal Register as of July 5, 1994.

FOR FURTHER INFORMATION CONTACT:

Diane LaValle, (202) 366-4488, Office of Hazardous Materials Standards, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590-0001.

SUPPLEMENTARY INFORMATION: This final rule makes changes to the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180) based on either requests from industry or agency initiative. These changes clarify and correct certain inconsistencies appearing in the HMR, add a specific shipping description currently authorized by approval, and update certain standards incorporated by reference under § 171.7. These changes impose no new requirements on persons subject to the HMR and do not adversely affect safety.

The following is a discussion of the changes made under this final rule.

Section 171.7

RSPA received several requests to update various standards currently incorporated by reference in the table contained in § 171.7(a)(3). These standards are as follows:

The Oak Ridge Institute for Science and Education requested RSPA to incorporate into the HMR the latest American National Standards Institute, Inc. (ANSI) pamphlet, ANSI N14.1-1990, entitled "Uranium Hexafluoride—Packaging for Transport." Incorporating the 1990 edition of the standard into the HMR will enhance uranium hexafluoride transportation safety by recognizing the use of packaging fabricated to certain updated industrial specifications and standards. The 1990 standard also contains specific information on the reuse of valves and various editorial clarifications. Section 173.420 of the HMR permits uranium hexafluoride to be transported in packaging designed, fabricated, inspected, tested and marked in accordance with certain DOT and industry standards that include packaging fabricated to the ANSI N14.1 (1987, 1982; or 1971 edition) in effect at the time the packaging was manufactured. This section also provides that, before initial filling and during periodic inspection and test, the packaging must be cleaned in accordance with the ANSI N14.1 requirements.

The American Pyrotechnic Association (APA) petitioned (P-1174) to update APA Standard 87-1, entitled "Standard for Construction and Approval for Transportation of Fireworks and Novelties," from the September 1987 edition to the April

1993 edition. APA Standard 87-1 contains procedures for construction and approval for transportation of new fireworks and novelty items. In the revised standard, the shipping descriptions, hazard classes, and section references are consistent with the current HMR. The revised standard also has been expanded to offer guidance on conducting the fireworks stability test, and to address packaging requirements, EX-number markings, and transitional provisions.

The Association of American Railroads (AAR) petitioned (P-1193) to update "AAR Manual of Standards and Recommended Practices, Section C—Part III, Specification for Tank Cars, Specification M-1002," from the 1988 edition to the September 1, 1992 edition. The revised AAR publication contains updated discussions of matters such as repair of cracks, weld overlay, inspection of rubber-lined tank cars, and the renewal of approvals for valves and fittings.

The Compressed Gas Association (CGA) petitioned (P-1196) to update CGA Pamphlet C-7 entitled "A Guide for the Preparation of Precautionary Markings for Compressed Gas Containers, appendix A," from the April 15, 1983 edition to the 1992 (sixth) edition. In the 1992 edition, revisions have been made to the shipping descriptions for consistency with the current HMR.

The Institute of Makers of Explosives (IME) petitioned (P-1171) to update IME Safety Library Publication 22 (IME Standard 22) entitled "Recommendation for the Safe Transportation of Detonators in a Vehicle with Certain Other Explosive Materials," from the January 1, 1985 edition to the May 1993 edition. This standard contains information relative to the use and construction of IME-22 containers or compartments for the transport of certain detonators. Section 173.63 authorizes the use of these containers and compartments for packaging detonators and § 177.835(g) authorizes the transportation of these packages on the same transport vehicle with other explosives. The IME standard is used extensively by safety personnel in the commercial explosives industry for training purposes and by users of explosives. In the revised standard, the shipping descriptions, hazard classes, and section references have been revised for consistency with recent changes to the HMR.

RSPA has reviewed these updated standards. RSPA found no provisions that would impose additional requirements and agrees that they should be incorporated by reference.

With regard to the AAR standards referenced in § 171.7 the table contains separate entries for "AAR Specification for Tank Cars, Specification M-1002, 1988" and "AAR Specification for Tank Cars, Specification M-1002, Section C—Part III, September 1988," which are the same standard. The first entry is removed, and the second entry is revised to clarify that this standard is contained in the AAR Manual of Standards of Recommended Practices. These changes were proposed under a separate rulemaking action [Docket

HM-197, May 7, 1993; 58 FR 27257] and were supported by commenters. They are merely finalized under this docket.

Sections 172.101 and 172.102

IME and several explosives companies jointly petitioned (P-1143) to amend the Hazardous Materials Table (the Table) in § 172.101 to reinstate an entry for "Ammonium nitrate fertilizer, UN2067." This shipping description was one of six entries for ammonium nitrate fertilizers removed from the Table under a revised final rule issued December 20, 1991 [Docket HM-181, 56 FR 66124]. Although these descriptions are contained in the United Nations' Recommendations on the Transport of Dangerous Goods (UN Recommendations), they were removed because RSPA found them confusing and difficult to use. However, petitioners assert that this shipping description, "Ammonium nitrate fertilizer, UN2067" has been used widely for many years and the domestic industry has relied upon the "Definition and Test Procedures for Ammonium Nitrate Fertilizer," published by The Fertilizer Institute, to ensure the stability of their material. Petitioners stated that their vehicle placards, shipping papers, and industry training procedures, including emergency response training, rely on the identification number "2067." They asserted that it would be a questionable expenditure of time and money for them to convert their placards, documents and training procedures to show a different identification number. RSPA agrees with the petitioners that adequate justification exists for reauthorizing the description "Ammonium nitrate fertilizer, UN2067." RSPA issued an approval (CA 93-10006) authorizing use of the description "Ammonium nitrate fertilizer, UN2067" not meeting Class 1 (explosive) criteria. Therefore, in this final rule, "Ammonium nitrate fertilizer, 5.1, UN2067 III" is added to the Table, subject to Special Provision 23. RSPA is also adding Special Provision 23 in § 172.102(c)(1) stipulating that material shipped or transported under this description may not meet Class 1 (explosive) criteria.

Amalgamet Canada petitioned (P-1171) to amend the entry "Titanium Tetrachloride" in the Table by removing Special Provision N41, which does not allow any packaging material to be made of metal construction. RSPA agrees that removal of N41 would eliminate an inconsistency with Special Provisions B32 and T45, which allow the use of certain containers made of stainless steel.

RSPA is amending Special Provision B13 to extend the September 1, 1993 date for construction of cargo tanks that are equivalent to MC 306 cargo tank specifications until August 31, 1995. This change is consistent with a final rule authorizing the continued construction of MC 306 cargo tanks until August 31, 1995 [Docket HM-183, January 12, 1994; 59 FR 1784].

Section 173.34

Paragraph (e)(15)(i) was revised under Docket HM-166X [58 FR 50496; September 27, 1993] to allow DOT 3A and 3AA cylinders over 35 years old to be retested every 10 years rather than every five years, provided they were manufactured after December 31, 1945. However, § 173.34(e)(15)(v) continues to allow only cylinders less than 35 years old to be stamped with a five-point star showing that these cylinders may be tested every 10 years. Therefore, in this final rule, § 173.34(e)(15)(v) is revised, for consistency with paragraph (e)(15)(i), to permit cylinders manufactured after December 31, 1945, to be stamped with a five-point star. Also, because cylinders manufactured on or before December 31, 1945, do not qualify for a ten-year retest period under these provisions, the wording of paragraph (e)(15)(i) has been simplified.

Paragraph (e)(17) requires DOT 8 and 8AL acetylene cylinders to be requalified, on a phase-in basis, in accordance with CGA Pamphlet C-13. Because many acetylene cylinder owners voluntarily complied with CGA Pamphlet C-13 prior to issuance of the final rule, RSPA granted an exception, in paragraph (e)(17)(ii), for all cylinders requalified and marked in accordance with the CGA pamphlet before January 15, 1993. The time required for RSPA to implement the registration procedures for acetylene cylinder retesters resulted in a backlog of requests. To alleviate unnecessary burdens to industry RSPA has allowed retesters to continue requalifying and marking the cylinders in accordance with CGA Pamphlet C-13. Accordingly, the date in paragraph (e)(17)(ii) is revised to reflect an extension to October 1, 1994.

Section 173.225

In paragraph (b), in Note 9 following the "Organic Peroxides Table," the reference to "§ 173.225(e)(3)(v)" is corrected to read "§ 173.225(e)(3)(ii)."

Section 173.247

In revisions to a final rule concerning the transport of elevated temperature materials [Docket HM-198A; 58 FR 3344; January 8, 1993], RSPA revised the bulk packaging requirements for the

transport of asphalt by highway in § 173.247. In paragraph (g)(1)(iii)(B), to ensure that a reclosing pressure relief device is not rendered inoperable by viscous lading, RSPA allowed an opening with a maximum three-inch nominal pipe diameter. The maximum effective area of the opening was incorrectly given as 46 cm² (7.1 in²). The correct maximum effective area is 48 cm² (7.4 in²). This final rule corrects this error.

Sections 173.302 and 173.304

Sections 173.302(h) and 173.304(g) provide that mixtures meeting Division 2.3, Hazard Zone A, must conform to § 173.40. These provisions are revised to clarify that § 173.40 applies to a pure gas, as well as a gas mixture, meeting Division 2.3, Hazard A.

Section 173.306

In a final rule published on December 20, 1991 [Docket HM-181; 56 FR 66124], RSPA revised the limited quantity provisions in § 173.306(b)(3) to include Division 6.1 Packing Group III materials. Through an oversight, a similar revision was not made to the aerosol provisions contained in paragraph (a)(3). Therefore, in this final rule, RSPA is amending paragraph (a)(3) by adding the phrase "(other than a Division 6.1 Packing Group III material)."

Section 173.420

In paragraph (a)(2)(i), the 1990 revision of ANSI N14.1 is added to the earlier editions of ANSI N14.1 cited in this paragraph. Also, in paragraph (b), the reference to ANSI Standard N14.1-1987 is updated to 1990. These changes are made for consistency with the incorporation by reference of the 1990 edition of this standard under this final rule.

Section 174.25

The example provided in paragraph (c) is revised by adding the wording "PG II" to reflect a complete basic description, as stated in the sentence preceding the example.

Section 178.503

The 17th Session of the UN Committee of Experts on the Transportation of Dangerous Goods adopted amendments for incorporation in the eighth revised edition of the UN Recommendations. One amendment provides that UN markings on certain steel drums must include the thickness of the packaging material to the nearest tenth of a millimeter; however, the amendment does not require the marking to contain a unit of

measurement (i.e., "mm"). Section 178.503(a)(9) states that the marking must include the "mm" abbreviation for millimeters as part of the thickness marking for metal and plastic drums and jerricans intended for reuse or reconditioning as single packagings or the outer packagings of composite packagings. For consistency with the eighth revised edition of the UN Recommendations, paragraph (a)(9) is revised to clarify that the marked thicknesses must be shown to the nearest tenth of a millimeter and to reflect that the "mm" abbreviation is not required. Recognizing that some manufacturers may choose to include the "mm" abbreviation or may already be including the "mm" in drums markings, the provision allows marking of the "mm" symbol on a permissive basis. Corresponding minor editorial changes are made to the UN marking examples shown in paragraphs (d)(2)(ii) and (d)(3).

Section 178.505

In § 178.505, a typographical error is corrected in the last sentence of paragraph (b)(1) by changing the reference from "§ 178.503(a)(10)" to "§ 178.503(a)(9)."

Section 178.506

In § 178.506, a typographical error is corrected in the last sentence of paragraph (b)(1) by changing the reference from "§ 178.503(a)(10)" to "§ 178.503(a)(9)."

Section 178.509

In § 178.509, a typographical error is corrected in the last sentence of paragraph (b)(4) by changing the reference from "§ 178.503(a)(10)" to "§ 178.503(a)(9)."

Section 178.511

In § 178.511, a typographical error is corrected in the last sentence of paragraph (b)(1) by changing the reference from "§ 178.503(a)(10)" to "§ 178.503(a)(9)."

Section 178.601

In § 178.601, a typographical error is corrected in the first sentence of paragraph (g)(7) by changing the reference from "§ 178.601 (g)(1) and (g)(2)" to "§ 178.601 (g)(1) through (g)(6)."

Section 178.605

In § 178.605, a typographical error is corrected in the last sentence of paragraph (b) by changing the reference from the "Associate Administrator of Hazardous Materials Safety" to

"Associate Administrator for Hazardous Materials Safety."

Section 178.606

In § 178.606, a typographical error is corrected in the third sentence of paragraph (b) by changing the reference from the "Associate Administrator of Hazardous Materials Safety" to "Associate Administrator for Hazardous Materials Safety."

Section 179.105-7

In § 179.105-7 in paragraph (b), the reference to the 1976 edition of the AAR Specifications for Tank Cars is updated to reference the September 1, 1992 edition.

This final rule will facilitate compliance with the HMR by correcting errors, clarifying provisions and updating obsolete matter incorporated by reference. All of the changes are noncontroversial. With regard to matter incorporated by reference, there is a need to update IME Standard 22 as quickly as possible to avoid misunderstandings that can adversely affect the safe transportation of detonators. Other provisions of this rule provide minor relief from regulatory provisions which will have an immediate benefit to the affected entities. For these reasons, RSPA has determined that public notice and comment procedures, prior to adoption of this final rule, are not required under the Administrative Procedure Act (5 U.S.C. 551 *et seq.*).

Regulatory Analyses and Notices

A. Executive Order 12866 and DOT Regulatory Policies and Procedures

This final rule is not considered a significant regulatory action under section 3(f) of Executive Order 12866 and, therefore, was not subject to review by the Office of Management and Budget. The rule is not considered significant under the regulatory policies and procedures of the Department of Transportation (44 FR 11034; February 26, 1979). The impacts of the changes are so minimal that a regulatory evaluation is unnecessary.

B. Executive Order 12612

This final rule has been analyzed in accordance with the principles and criteria in Executive Order 12612 ("Federalism"). The Hazardous Materials Transportation Act contains express preemption provisions (49 App. U.S.C. 1811) that preempt a non-Federal requirement if (1) compliance with both the non-Federal and the Federal requirement is not possible; (2) the non-Federal requirement creates an obstacle to accomplishment of the Federal law or

regulations; or (3) it is preempted under 49 App. U.S.C. 1804(a)(4), concerning certain covered subjects, or 49 App. U.S.C. 1804(b), concerning highway routing. Covered subjects are:

- (i) The designation, description, and classification of hazardous materials;
- (ii) The packing, repacking, handling, labeling, marking, and placarding of hazardous materials;
- (iii) The preparation, execution, and use of shipping documents pertaining to hazardous materials and requirements respecting the number, content, and placement of such documents;
- (iv) The written notification, recording, and reporting of the unintentional release in transportation of hazardous materials; or
- (v) The design, manufacturing, fabrication, marking, maintenance, reconditioning, repairing, or testing of a package or container which is represented, marked, certified, or sold as qualified for use in the transportation of hazardous materials.

49 App. U.S.C. 1804(a)(4)(A) and (B).

This rule concerns the description and handling of hazardous materials. This rule preempts State, local, or Indian tribe requirements in accordance with the standards set forth above. The HMTA (49 App. U.S.C. 1804(a)(5)) provides that if DOT issues a regulation concerning any of the covered subjects after November 16, 1990, DOT must determine and publish in the **Federal Register** the effective date of Federal preemption. That effective date may not be earlier than the 90th day following the date of issuance of the final rule and not later than two years after the date of issuance. RSPA has determined that the effective date of Federal preemption for the requirements in this rule concerning covered subjects is October 1, 1994. Thus, RSPA lacks discretion in this area, and preparation of a federalism assessment is not warranted.

C. Regulatory Flexibility Act

I certify that this final rule will not have a significant economic impact on a substantial number of small entities. This rule relaxes certain provisions that apply to hazardous materials shippers, carriers and packaging manufacturers, some of whom are small entities. This final rule should result in minor cost savings to affected entities. It also reduces confusion by incorporating by reference the latest editions of certain standards that have been revised for consistency with the current HMR.

D. Paperwork Reduction Act

There are no new information collection requirements in this final rule.

E. Regulation Identifier Number (RIN)

A regulation identifier number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN number contained in the heading of this document can be used to cross-reference this action with the Unified Agenda.

List of Subjects

49 CFR Part 171

Exports, Hazardous materials transportation, Hazardous waste, Imports, Incorporation by reference, Reporting and recordkeeping requirements.

49 CFR Part 172

Hazardous materials transportation, Hazardous waste, Labels, Markings, Packaging and containers, Reporting and recordkeeping requirements.

49 CFR Part 173

Hazardous materials transportation, Packaging and containers, Radioactive materials, Reporting and recordkeeping requirements, Uranium.

49 CFR Part 174

Hazardous materials transportation, Radioactive materials, Railroad safety.

49 CFR Part 178

Hazardous materials transportation, Motor vehicle safety, Packagings and containers, Reporting and recordkeeping requirements.

49 CFR Part 179

Hazardous materials transportation, Railroad safety Reporting and recordkeeping requirements.

In consideration of the foregoing, Title 49, chapter I, subchapter C of the Code of Federal Regulations, is amended as set forth below:

PART 171—GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS

1. The authority citation for part 171 continues to read as follows:

Authority: 49 App. U.S.C. 1802, 1803, 1804, 1805, 1808, 1815 and 1818; 49 CFR part 1.

§ 171.7 [Amended]

2. In § 171.7 in the table in paragraph (a)(3), the following changes are made:

- a. Under "American National Standards Institute, Inc.," in column 1, the entry "ANSI N14.1 Standard for Packaging of Uranium Hexafluoride for Transport, 1971, 1982 and 1987 Editions." is revised to read "ANSI

N14.1 Standard for Packaging of Uranium Hexafluoride for Transport, 1971, 1982, 1987 and 1990 Editions."

b. Under "American Pyrotechnics Association (APA)," in column 1, the entry "APA Standard 87-1, Standard for Construction and Approval for Transportation of Fireworks and Novelties, September 1987 Edition." is revised to read "APA Standard 87-1, Standard for Construction and Approval for Transportation of Fireworks and Novelties, April 1993 Edition."

c. Under "Association of American Railroads," in column 1, the entry "AAR Specification for Tank Cars, Specification M-1002, 1988" is removed and, in Column 2, the entry "173.31, 179.100" is removed.

d. Under "Association of American Railroads," in column 1, the entry "AAR Specification for Tank Cars, Specification M-1002, Section C—Part III, September 1988" is removed and the entry "179.6; 179.12; 179.100; 179.101; 179.102; 179.103; 179.105; 179.200; 179.201. 179.220; 179.300; 179.400" is removed from column 2.

e. Under "Association of American Railroads," the entry "AAR Manual of Standards and Recommended Practices, Section C—Part III, Specification for Tank Cars, Specification M-1002, September, 1992. .173.31; 179.6; 179.12; 179.100; 179.101; 179.102; 179.103; 179.105; 179.200; 179.201; 179.220; 179.300; 179.400" is added.

f. Under "Compressed Gas Association, Inc.," in column 1, the entry "CGA Pamphlet C-7 A Guide for the Preparation of Precautionary Markings for Compressed Gas Containers, appendix A, issued April 15, 1983." is revised to read "CGA Pamphlet C-7, A Guide for the Preparation of Precautionary Markings for Compressed Gas Containers, appendix A, issued 1992 (6th Edition)."

g. Under "Institute of Makers of Explosives," in column 1, the entry "IME Safety Library Publication No. 22 (IME Standard 22), Recommendation for the Safe Transportation of Detonators in a Vehicle with Certain Other Explosive Materials, January 1, 1985." is revised to read "IME Safety Library Publication

No. 22 (IME Standard 22), Recommendation for the Safe Transportation of Detonators in a Vehicle with Certain Other Explosive Materials, May 1993."

PART 172—HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS, HAZARDOUS MATERIALS COMMUNICATIONS, EMERGENCY RESPONSE INFORMATION, AND TRAINING REQUIREMENTS

3. The authority citation for part 172 continues to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1805, 1808; 49 CFR part 1, unless otherwise noted.

4. In § 172.101, in the Hazardous Materials Table, the following entries are revised or added in appropriate alphabetical sequence:

§ 172.101 Purpose and use of hazardous materials table.

* * * * *

§ 172.101 HAZARDOUS MATERIALS TABLE

Sym- bols	Hazardous materials descriptions and proper shipping names	Hazard class or division	Identification numbers	Pack- ing group	Label(s) required (if not excepted)	Special provi- sions	(8) Packaging authorizations (§ 173.173)			(9) Quantity limitations		(10) Vessel stowage re- quirements	
							Excep- tions	Non-bulk packaging	Bulk packaging	Passenger air- craft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	[ADD]												
	Ammonium nitrate fertilizers: uniform non-seg- regating mixtures of ammonium nitrate with added matter which is inorganic and chemically inert towards ammonium nitrate with not less than 90% ammonium nitrate and not more than 0.2% combustible material (including organic material calculated as carbon) or with more than 70% but less than 90% ammonium nitrate and not more than 0.4% total combustible ma- terial	5.1	UN2067	III	Oxidizer	23	152	213	240	25 kg	100 kg	B	48, 59 60, 117
	[REVISE]												
	Titanium tetrachloride	8	UN1838	II	Corrosive poi- son	2 A3 A6 B7 B9, B14 B32 B41 B74 B77 T38 T43 T45	None	227	244	Forbidden	30L	C	8 40

5. In § 172.102, in paragraph (c)(1), Special Provision 23 is added to read as follows:

§ 172.102 Special provisions.

(c) * * *
(1) * * *

Code/Special Provisions

* * * * *

23 Ammonium nitrate fertilizer may not meet the definition and criteria of Class 1 (explosive) material (see § 173.50 of this subchapter).

* * * * *

§ 172.102 [Amended]

6. In addition, in § 172.102, in paragraph (c)(3), Special Provision B13 is amended in the introductory text by removing the wording "September 1, 1993" and adding in its place, the wording "August 31, 1995"

PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

7 The authority citation for part 173 continues to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1805, 1806, 1807 1808, 1817; 49 CFR part 1, unless otherwise noted.

8. In § 173.34, paragraph (e)(15)(i) and the first sentence in paragraph (e)(15)(v), are revised to read as follows:

§ 173.34 Qualification, maintenance and use of cylinders.

* * * * *

(e) * * *
(15) * * *

(i) The cylinder was manufactured after December 31, 1945.

* * * * *

(v) Each cylinder is stamped with a five-point star at least one-fourth of an inch high following the test date. * * *

* * * * *

9. In addition, in § 173.34, the first sentence in paragraph (e)(17)(ii), the date "January 15, 1993" is revised to read "October 1, 1994"

§ 173.225 [Amended]

10. In § 173.225, in paragraph (b), in Note 9 following the "Organic Peroxides

Table," the reference "173.225(e)(3)(v)" is revised to read "173.225(e)(3)(ii)"

11. In § 173.247 paragraph (g)(1)(iii)(B) is revised to read as follows:

§ 173.247 Bulk packaging for certain elevated temperature materials (Class 9) and certain flammable elevated temperature materials (Class 3).

* * * * *

(g) * * *
(1) * * *
(iii) * * *

(B) For transportation of asphalt by highway a safety relief device incorporating a frangible disc or a permanent opening, each having a maximum effective area of 48 cm² (7.4 in²); or

* * * * *

§ 173.302 [Amended]

12. In § 173.302, in paragraph (h), the wording "poison gases and poison gas" is added immediately after "containing" and before "mixtures"

§ 173.304 [Amended]

13. In § 173.304, in paragraph (g), the wording "poison gases and poison gas" is added immediately after "containing" and before "mixtures"

§ 173.306 [Amended]

14. In § 173.306, paragraph (a)(3) introductory text is amended by adding the phrase "(other than a Division 6.1 Packing Group III material)" between the words "nonpoisonous" and "liquid" in the first sentence.

§ 173.420 [Amended]

15. In § 173.420, the following changes are made:

a. In paragraph (a)(2)(i), the year "1990," is added before the wording "1987 1982 or 1971" within the parentheses.

b. In paragraph (b) "American National Standard N14.1-1987" is revised to read "American National Standard N14.1-1990"

PART 174—CARRIAGE BY RAIL

15a. The authority citation for part 174 continues to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1808; 49 CFR 1.53(e), 1.53; App. A to part 1.

§ 174.25 [Amended]

16. In § 174.25, paragraph (c), in the penultimate sentence, the wording "UN 1255" in the example is revised to read "UN 1255, PG II"

PART 178—SPECIFICATIONS FOR PACKAGINGS

17 The authority citation for part 178 continues to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1805, 1806, 1808; 49 CFR part 1.

18. In § 178.503, paragraph (a)(9) is revised to read as follows:

§ 178.503 Marking of packagings.

(a) * * *

(9) For metal or plastic drums or jerricans intended for reuse or reconditioning as single packagings or the outer packagings of a composite packaging intended for reuse or reconditioning, the minimum thickness of the packaging material expressed in millimeters. Thicknesses must be marked to the nearest tenth of a millimeter. The thickness expressed in millimeters may be indicated by the abbreviation "mm" Where a drum is constructed with different head and body thicknesses, the different thicknesses may be marked (e.g., "1.2-1.0" for drums having different head and body thicknesses, and "0.8-1.0-1.2" for drums having different top head, body and bottom head thicknesses, respectively); and

* * * * *

§ 178.503 [Amended]

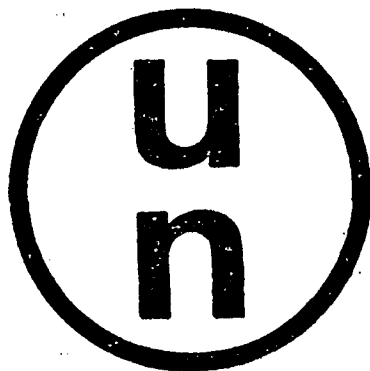
19. In addition, in § 178.503, in the examples shown in paragraphs (d)(2)(ii) and (d)(3), the illustrations are revised to read as follows:

§ 178.503 Marking of packagings.

* * * * *

(d) * * *
(2) * * *
(ii) * * *

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1A1/Y1.4/150/83

USA/VL824

1.0

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(3)



1A1/Y1.4/150/83

USA/VL824 1.0

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§ 178.505 [Amended]

20. In § 178.505, in the last sentence of paragraph (b)(1) the reference "178.503(a)(10)" is revised to read "178.503(a)(9)"

§ 178.506 [Amended]

21. In § 178.506, in the last sentence of paragraph (b)(1) the reference "178.503(a)(10)" is revised to read "178.503(a)(9)"

§ 178.509 [Amended]

22. In § 178.509, in the last sentence of paragraph (b)(4) the reference "178.503(a)(10)" is revised to read "178.503(a)(9)"

§ 178.511 [Amended]

23. In § 178.511, in the last sentence of paragraph (b)(1) the reference

"178.503(a)(10)" is revised to read "178.503(a)(9)"

§ 178.601 [Amended]

24. In § 178.601, in the first sentence of paragraph (g)(7) the reference "§ 178.601(g)(1) and (g)(2)" is revised to read "§ 178.601(g)(1) through (g)(6)"

§ 178.605 [Amended]

25. In 178.605, in the last sentence of paragraph (b) the reference to the "Associate Administrator of Hazardous Materials Safety" is revised to read "Associate Administrator for Hazardous Materials Safety"

§ 178.606 [Amended]

26. In 178.606, in the third sentence of paragraph (b) the reference to the "Associate Administrator of Hazardous Materials Safety" is revised to read "Associate Administrator for Hazardous Materials Safety"

PART 179—SPECIFICATIONS FOR TANK CARS

27 The authority citation for part 179 continues to read as follows:

Authority: 49 U.S.C. App: 1803, 1804, 1805, 1806, 1808; 49 CFR part 1, unless otherwise noted.

§ 179.105-7 [Amended]

28. In § 179.105-7 in paragraph (b) the wording "1976 edition" is revised to read "September 1, 1992 edition"

Issued in Washington, DC on May 24, 1994, under authority delegated in 49 CFR part 1.

Ana Sol Gutiérrez,

Acting Administrator, Research and Special Programs Administration.

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