

and contents, there would not be any leakage even if both the inner and outer packagings failed. Considering that the outer packaging may be a fiber drum, this is not an unlikely event. For this reason, MTB is retaining the requirement that enough cushioning material be used to absorb the total liquid contents. Also, the MTB does not agree that expanding the use of outside packagings in addition to those authorized under DOT-E 8129 and DOT-8445 is a safe practice.

The suggestion of one commenter to include the provisions of DOT-E 9154 which authorizes the use of a non-DOT specification steel drum into this rulemaking is denied, but will be considered in Docket HM-181.

Exemptions DOT-E 9182, DOT-E 9241, and DOT-E 9244 were issued after Notice No. 84-9 was published. Although the referenced exemptions require the proper shipping name to be "Explosive pest repellent devices" instead of "Explosive pest control devices", the packaging and explosive contents authorized by DOT-E 7085, DOT-E 8595, and DOT-E 8646 for the transportation of "Explosive pest control

devices" are very similar to the "Explosive Pest Repellent Devices" authorized by DOT-E 9182, DOT-E 9241, and DOT-E 9244. A cursory review indicates that two of the new exemptions may be eliminated by these amendments. A further review is being made to determine exactly how DOT-E 9182, DOT-E 9241, and DOT-E 9244 were affected by these amendments.

The Materials Transportation Bureau has determined that this document is not a "major rule" under the terms of Executive Order 12291 or significant under DOT's regulatory policies and procedures (44 FR 11034). A final regulatory evaluation was not prepared as the economic impact of these amendments has been found to be minimal.

Based on limited information available concerning size and nature of entities likely to be affected by this amendment, I certify that this amendment will not have a significant economic impact on a substantial number of small entities.

The following list of Federal Register Thesaurus of Indexing Terms applies to this rulemaking:

#### List of Subjects

##### 49 CFR Part 172

Hazardous materials transportation. Labeling. Packaging and containers.

##### 49 CFR Part 173

Hazardous materials transportation. Packaging and containers.

##### 49 CFR Part 178

Hazardous Materials Transportation. Shipping container specifications.

##### 49 CFR Part 179

Hazardous materials transportation. Railroad safety.

In consideration of the foregoing, 49 CFR Parts 172, 173, 178, and 179 are amended as follows:

#### PART 172—HAZARDOUS MATERIALS TABLES AND HAZARDOUS MATERIALS COMMUNICATIONS REGULATIONS

1. In § 172.101, the Hazardous Materials Table is amended by adding, removing, or revising the following entries:

#### § 172.101 Hazardous materials table.

(1)	Hazardous materials descriptions and proper shipping names	Hazard class	Identification number	Label(s) required (if not excepted)	Packaging		Maximum net quantity in one package		Water shipments		
					Excep-tions	Specific require-ments	Passenger carrying aircraft or railcar	Cargo aircraft only	Cargo ves-sel	Pas-senger ves-sel	Other requirements
(1)	(2)	(3)	3(a)	(4)	5(a)	5(b)	6(a)	6(b)	7(a)	7(b)	7(c)
	ADD										
	Barium styphnate, monohydrate. See Initiating explosive.										
	Explosive pest control devices	Class C explosive		Explosive C	None	173.100	50 pounds	150 pounds	1,2	1,3	
	Initiating explosive barium styphnate, monohydrate, lead styphnate (lead trinitroresorcinate).	Class A explosive		Explosive A	None	173.74	Forbidden	Forbidden	6	5	
	REMOVE										
	Initiating explosive (lead styphnate (lead trinitroresorcinate)).	Class A explosive		Explosive A	None	173.74	Forbidden	Forbidden	6	5	
	REVISE										
	Carbon disulfide, or Carbon disulfide (AQ 5000/2270).	Flammable liquid	UN1131	Flammable liquid	None	173.121	Forbidden	Forbidden	1	5	Keep cool. Not permitted on any vessel transporting explosives, except that quantities not exceeding 200 pounds may be transported on such vessels under conditions approved by the Captain of the Port.