

**DEPARTMENT OF TRANSPORTATION  
Research and Special Programs  
Administration**

**49 CFR Parts 171, 172, 173, 175 and  
178**

**[Docket No. HM-189B; Amdt. Nos. 171-79,  
172-94, 173-178, 175-31, 178-80]**

**Editorial Corrections, and  
Clarifications**

**AGENCY:** Materials Transportation  
Bureau (MTB), Research and Special  
Programs Administration, DOT.

**ACTION:** Final rule

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**SUMMARY:** The purpose of these amendments to the Hazardous Materials Regulations (HMR) is to correct certain editorial errors, and to make minor regulatory changes which will not impose any new requirements on persons subject to the HMR.

**EFFECTIVE DATE:** September 30, 1984.

**FOR FURTHER INFORMATION CONTACT:**  
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**SUPPLEMENTARY INFORMATION:** In its maintenance of the HMR, MTB performs an annual review of the regulations to detect errors which may be causing confusion to users. Inaccuracies detected in Title 49, Code of Federal Regulations (CFR), Parts 100-199, Revised as of November 1, 1983, include incorrect references to other rules and regulations in the CFR, and misstatements of certain regulatory requirements. Also, in response to inquiries which MTB received concerning the clarity of particular requirements specified in the HMR, changes are made which should reduce uncertainties.

Since these amendments do not impose new requirements, notice and public procedure thereon are unnecessary. For the same reason, these amendments are effective without the customary 30 day delay following publication.

The MTB has determined that this rule, as promulgated, is not a major rule under terms of Executive Order 12291 or significant under DOT implementing procedures (44 FR 11034). A final regulatory evaluation and environmental assessment was not prepared as these amendments are not substantive changes to the HMR.

Based on limited information available concerning size and nature of entities likely to be affected by these

amendments, I certify that these amendments will not, as promulgated, have a significant economic impact on a substantial number of small entities.

The following is a section-by-section summary of the amendments.

Section 171.7 is amended in paragraph (c)(23) to show the current address of the International Maritime Organization.

Section 172.101 is amended in paragraph (c)(12)(iii) to correct a reference to § 173.84(e)(1); and certain entries in the Hazardous Materials Table are amended as follows:

"1-Bromo-2-nitrobenzene (unstable at 56°C)" is corrected to read "1-Bromo-3-nitrobenzene (unstable at 56°C)".

"Cement, adhesive, n.o.s. See Cement, liquid, n.o.s." is corrected to indicate that the referred entry is simply "Cement".

"Coal, ground bituminous, sea coal, coal facings, etc." is corrected by adding the section reference "173.165" to column (5)(b).

Section 172.102 is amended in the Optional Hazardous Materials Table to correct the following errors:

"Chlorotrifluoroethane. See Trifluorochloroethane" has the order of the descriptions transposed.

"Chlorotrifluoroethane" should appear in Roman type and follow the italicized entry "Trifluorochloroethane".

"Diacetone alcohol" has the word "alcohol" misspelled.

"Dicetyl peroxydicarbonate maximum concentration 42%, stable dispersion in water" has two digits in the identification number transposed. The correct number is "UN 2895".

"Diisotridecyl peroxidicarbonate technical pure" is misspelled. The entry should read "Diisotridecyl peroxydicarbonate, technical pure".

Appendix A to Subpart B of Part 172 is amended as follows:

At "UN 1148" (102) the word "alcohol" is a misspelling.

At "UN 2889" (102) the word "peroxydicarbonate" is a misspelling.

At "UN 2985" the identification number is transposed. The correct number is "UN 2895".

Section 172.202 is amended at paragraph (c)(1) to show the current proper shipping name for "cement".

Section 172.401 is amended, at paragraph (c)(1), to remove the reference to an old edition of the "Transport of Dangerous Goods".

Section 173.182 is amended, at paragraph (a), by adding "zinc nitrate" as a specifically identified material. Until 1980, this material was described as "nitrates, n.o.s.".

Section 173.304 is amended, at paragraph (a)(2), to remove the table entry "Ethylene (36.8%)". It is a

composite of the entries "Ethane (36.8%)" and "Ethylene (31.0%)" that developed through typographical errors.

Section 173.306 is amended, at paragraph (c)(5), by stating that retest requirements for fire extinguishers are specified in 29 CFR 1910.157 (e) rather than paragraph (d).

Section 173.314 is amended to make the following corrections to the table in paragraph (c):

"Chloropentafluoroethane (R-115)" and "Chlorotrifluoromethane (R-13)". Reference to "Note 23" following the DOT-105A300W tank car is erroneous. That note is applicable to tank cars used to transport a flammable gas. Each of these materials is a nonflammable gas.

"Monomethylamine, anhydrous". The prefix "Mono" is removed so that this description corresponds with the proper shipping name in the Hazardous Materials Table.

"Note 25". Reference to § 175.200 is erroneous. The correct reference is § 176.200.

Section 173.388 is amended to specify that the subject regulations are issued by the Department of Health and Human Services.

Section 173.425 is amended, in paragraph (c)(1)(iv), to specify the correct activity limits for objects of nonradioactive material externally contaminated with radioactive material. As indicated in Docket HM-169 (48 FR 10233, March 10, 1983; and 48 FR 31218, July 7, 1983), the maximum permitted activity for radionuclides for which the  $A_2$  value is less than 0.05 is "0.0001", and "0.001" for other radionuclides.

Section 175.700 is amended, in paragraph (a)(4), to remove the reference to "§ 175.85(d)". Paragraph (d) was removed in Docket HM-184 (47 FR 54817, December 6, 1982).

Section 178.47-10 is amended, in paragraph (c), to show the correct algebraic expression for the wall stress formula.

#### List of Subjects

##### 49 CFR Part 171

Exports, Hazardous materials transportation, Imports.

##### 49 CFR Part 172

Hazardous materials transportation.  
49 CFR Part 173

Hazardous materials transportation, Packaging and containers.

##### 49 CFR Part 175

Hazardous materials transportation, Air carriers.

##### 49 CFR Part 178

Hazardous materials transportation, Packaging and containers.

In consideration of the foregoing, Parts 171, 172, 173, 175 and 178 of Title 49, Code of Federal Regulations are amended as follows:

#### PART 171—GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS

1. In § 171.7, paragraph (c)(23) is revised to read as follows:

##### § 171.7 Matter incorporated by reference.

\* \* \* \* \*

(c) \* \* \*  
(23) International Maritime Organization, #4 Albert Embankment, London, SE 17SR, United Kingdom.  
\* \* \* \* \*

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

##### § 172.101 [Amended]

2. In § 172.101, paragraph (c)(12)(iii) is amended by removing the section reference "173.86(e)(1)" and inserting, in its place, the section reference "173.86(e)(1)"; and the Hazardous Materials Table is amended by: Removing the entry "1-Bromo-2-nitrobenzene (unstable at 56°C)" and inserting in its place, the entry "1-Bromo-3-nitrobenzene (unstable at 56°C)"; removing the entry "Cement, adhesive n.o.s. See Cement, liquid, n.o.s." and inserting, in its place, the entry "Cement, adhesive n.o.s. See Cement"; and adding to the entry "Coal, ground bituminous, sea coal, coal facings, etc." the section reference "173.165" at column (5)(b).

##### § 172.102 [Amended]

3. In § 172.102, the Optional Hazardous Materials Table is amended by: Removing the entry "Chlorotrifluoroethane. See Trifluorochloroethane", removing the entry "Diacetone alcohol" and inserting, in its place, the entry "Diacetone alcohol"; removing identification number "UN 2985" from column (4) for the entry "Dicetyl peroxydicarbonate maximum concentration 42%, stable dispersion in water" and inserting in its place, identification number "UN 2895"; removing the entry "Diisotridecyl peroxidicarbonate, technical pure"; and inserting, in its place, the entry "Diisotridecyl peroxydicarbonate, technical pure"; and adding the entry

"Trifluorochloroethane. See Chlorotrifluoroethane".

4. Part 172, Subpart B, Appendix A is amended by removing and adding certain entries as follows:

**Appendix A—Identification Number Cross Reference to Proper Shipping Names in § 172.101 and § 172.102:**

This listing is provided for information purposes only.

(1) Identification No.	(2) Source 172.***	(3) Description
REMOVE		
UN 1148	102	Diacetone alcohol.
UN 2889	102	Diisotridecyl peroxydicarbonate.
UN 2885	102	Dicetyl peroxydicarbonate.
ADD		
UN 1148	102	Diacetone alcohol.
UN 2889	102	Diisotridecyl peroxydicarbonate.
UN 2885	102	Dicetyl peroxydicarbonate.

**§ 172.202 [Amended]**

5. In § 172.202, paragraph (c)(1) is amended by removing the words "Cement, liquid n.o.s." and inserting, in their place, the word "Cement".

**§ 172.401 [Amended]**

6. In § 172.401, paragraph (c)(1) is amended by removing the reference "(1970)".

**PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS**

**§ 173.182 [Amended]**

7. In § 173.182, the introductory text of paragraph (a) is amended by adding the material "zinc nitrate" immediately following the material "strontium nitrate".

7a. In § 173.304, paragraph (a)(2) is amended by removing an entry for Ethylene as follows:

**§ 173.304 Charging of cylinders with liquefied compressed gas.**

- (a) \* \* \*
- (2) \* \* \*

Kind of gas	Maximum permitted filling density (percent) (see Note 1)	Containers marked as shown in this column or of the same type with higher service pressure must be used except as provided in § 173.34(a), (b), § 173.301(i) (see notes following table)

(Remove)

Ethylene (see Notes 8 and 9).	36 8	DOT-3A200; DOT-3AX2000; DOT-3AA2000; DOT-3AA1800; DOT-3; DOT-3E1800; 3T1800; DOT-39; DOT-3AL1800.

\* \* \* \* \*

**§ 173.306 [Amended]**

8. In § 173.306, paragraph (c)(5) is amended by removing the reference "29 CFR 1910.157(d)" and inserting, in its place, the reference "29 CFR 1910.157(e)".

**§ 173.314 [Amended]**

9. In § 173.314, the table in paragraph (c) is amended by: removing the reference "Note 23" associated with the materials "Chloropentafluoroethane (R-115)" and "Chlorotrifluoromethane (R-13)"; removing the prefix "Mono" from the material "Monomethylamine, anhydrous"; and removing the reference "175.200" from "Note 25" and inserting, in its place, the reference "176.200".

**§ 173.388 [Amended]**

10. In § 173.388, paragraph (a) is amended by removing the name "Department of Health, Education and Welfare" and inserting, in its place, the name "Department of Health and Human Services".

11. In § 173.425, paragraph (c)(1)(iv) is revised to read as follows:

**§ 173.425 Transport requirements for low specific activity (LSA) radioactive materials.**

- (c) \* \* \*
- (1) \* \* \*
- (iv) Objects of nonradioactive material externally contaminated with radioactive material, if the radioactive material is not readily dispersible and the surface contamination, when averaged over one square meter, does not exceed 0.0001 millicurie per square centimeter of radionuclides for which the  $A_2$  value is less than 0.05 or 0.001 millicurie per square centimeter of other radionuclides. Such objects must be suitably wrapped or enclosed.

**PART 175—CARRIAGE BY AIRCRAFT**

**§ 175.700 [Amended]**

12. In § 175.700, paragraph (a)(4) is amended by removing the section reference "175.85(d)".

**PART 178—SHIPPING CONTAINER SPECIFICATIONS**

**§ 178.47-10 [Amended]**

13. In § 178.47-10, paragraph (c) is amended by removing the formula

" $S = P((1.3D^2 + 0.4d^2))/(D^2 - d^2)$ " and inserting, in its place, the formula " $S = (P(1.3D^2 + 0.4d^2))/(D^2 - d^2)$ ".

(49 U.S.C. 1803, 1804, 1808; 49 CFR 1.53, App. A to Part 1)

Issued in Washington, D.C., on September 21, 1984.

L. D. Santman,

Director, Materials Transportation Bureau.

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