



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

28292

[Docket Nos. HM-57; Amdts Nos. 171-14, 172-14, 172-20, 173-61, 173-74, 174-14, 175-7, 177-21, 178-26]

PART 171—GENERAL INFORMATION AND REGULATIONS

PART 172—COMMODITY LIST OF HAZARDOUS MATERIALS CONTAINING THE SHIPPING NAMES OR DESCRIPTION OF ALL ARTICLES SUBJECT TO PARTS 170-189 OF THIS CHAPTER

PART 173—SHIPPERS

PART 174—CARRIERS BY RAIL FREIGHT

PART 175—CARRIERS BY RAIL EXPRESS

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

PART 178—SHIPPING CONTAINER SPECIFICATIONS

Classification of Corrosive Hazards; Postponement of Mandatory Effective Date; Correction

On March 23, 1972; April 26, 1972; September 16, 1972; May 16, 1973; and August 3, 1973, the Hazardous Materials Regulations Board ("the Board") published Amendment Nos. 171-14, 172-14, 172-20, 173-61, 173-74, 174-14, 175-7, 177-21, 178-26 (37 FR 5946, 8383, and 18918; 38 FR 12807 and 20837) under Docket No. HM-57 prescribing new regulations for the classification, packaging, marking, labeling, and transportation of corrosive materials. Compliance with these amendments has been authorized as of April 21, 1972. The mandatory effective date was specified as December 31, 1973.

Included in the new criteria for defining corrosive material is a corrosion rate on aluminum. The Board has received a number of comments relative to this specified test criteria and the imposition of new regulations applicable to more than

transportation by aircraft. In its comments on the amendments, the Counsel for Safe Transport of Hazardous Materials (COSTHA) pointed out that "It is COSTHA's view that the aluminum testing criterion was determined essential to the definition because of the aluminum shell and structural members of today's aircraft. This safety concern is realistic and not questioned by COSTHA. What is questioned, however, is the need to apply the full scheme of regulation to these products when shipped by rail or highway." Based on these comments and others similar in nature, the Board is giving further consideration to the regulation of materials corrosive only to aluminum, therefore it has extended the effective date of the amendments under Docket No. HM-57 as they pertain to materials that are corrosive only to aluminum.

In consideration of the foregoing, the Board has revised the next to the last paragraph of FR Doc. 73-1594 (38 FR 20837) to read as follows:

Amendments Nos. 171-14, 172-14, 172-20, 173-61, 173-74, 174-14, 175-7, 177-21, 178-26, except as they pertain to materials corrosive only to aluminum, are effective December 31, 1973, and are effective in their entirety on September 30, 1974. However, compliance with the regulations, as amended therein, is authorized immediately.

(18 United States Code, section 9 of the Department of Transportation Act, 49 U.S.C. 1657, title VI and section 902(h) of the Federal Aviation Act of 1958, 49 U.S.C. 1421-1430, 1472(h), and 1655(c).)

ALAN I. ROBERTS,
Secretary.

Issued in Washington, D.C., on October 3, 1973.

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