



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

11473

Title 49—TRANSPORTATION

Chapter I—Hazardous Materials Regulations Board, Department of Transportation

[Docket No. HM-9; Amdt. 178-11]

PART 178—SHIPPING CONTAINER SPECIFICATIONS

Specification 2E Bottles; Marking Size Requirements

The purpose of this amendment to § 178.24a-6 of the Hazardous Materials Regulations is to permit smaller figures for the specification identification of specification 2E bottles.

In amendment 178-5, Docket No. HM-9, August 1, 1969 (34 F.R. 12588) the Board stated in item 15 of the preamble, "Based on the comments received, the Board sees no sufficient reason to conclude that the one-fourth inch figure size is too large. If information is provided indicating that for smaller bottles a smaller figure size is warranted, this matter will be considered in future rule making." Information has been provided by the Bemis Co., Inc., indicating that embossed figures of one-fourth inch are impractical on certain small bottles and that figures of one-eighth inch are legible. Also, it has been observed by representatives of the Department that one-sixteenth inch figures are legible on small bottles.

The Board believes that an immediate amendment to the specification should be made to facilitate compliance with the marking requirements. Since this amendment merely relaxes a figure size requirement and imposes no additional burden on any person, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, § 178.24a-6(a)(1) is amended to read as follows:

§ 178.24a Specification 2E; inside polyethylene bottle.

§ 178.24a-6 Marking.

(a) * * *

(1) Marking must be by embossment in at least $\frac{1}{8}$ inch figures for bottles of one quart or less capacity and at least $\frac{1}{4}$ inch figures for bottles of more than one quart capacity as follows: "DOT 2E", the minimum thickness of the polyethylene in thousandths of inches (mils), and the year of manufacture (e.g., DOT-2E 15-69).

This amendment is effective October 30, 1970. However, compliance with the regulations as amended herein is authorized immediately.

(Secs. 831-835, title 18, United States Code; sec. 9, Department of Transportation Act (49 U.S.C. 1657); title VI, sec. 902(h), Federal Aviation Act of 1958, 49 U.S.C. 1421-1430, 1472(h))

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