



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

DEPARTMENT OF
TRANSPORTATION

Hazardous Materials Regulations
Board

[Docket No. HM-7; Notice No. 68-5]

TRANSPORTATION OF HAZARDOUS
MATERIALS

Notice of Plan To Revise Regulations

The Hazardous Materials Regulations Board plans to revise the regulations governing the transportation of hazardous materials, casting the regulations in general terms and eliminating much of the detail. This notice states the reasons for the revision and requests public comment on the general principles which the Board proposes to follow.

Background. The regulations reflect a commodity-by-commodity and package-by-package approach. As a result, the regulations focus on commodities instead of hazards. For example, (i) the present classification of hazards does not identify spontaneous combustion and (ii) excepting class A poisons and radioactive materials, only one classification (the greatest hazard) may be identified, even though the material may present more than one serious hazard. As another result, the packaging regulations are repetitious how-to-do-it instructions, rather than general performance standards. For example, Part 178—Shipping Container Specifications consists almost entirely of specifications and tests for individual packages already developed; it does not set standards for the development of new packages. Recent regulatory actions have sought to synthesize the specifics, but the bulk of the regulations still deal in detail.

Different authorities developed the safety regulations for the air, land, and water modes of transportation. As a result, the hazardous materials regulations differ in many particulars between the modes; some differences are of form, others of substance. The differences impose burdens on shippers and carriers in intermodal shipments. One of the functions of the Board is to make the regulations uniform, to the extent that uniformity is consistent with the differences inherent in the modes.

Scope. The Board plans to issue notices of proposed rule making in at least these areas:

Classification and labels.
Handling and stowing.
Placards and Emergency Procedures.
Packages.

The Board's initial emphasis will be on intermodal shipments of packaged materials, but the classification, placards, and emergency procedures notices will also cover shipments by portable tank, tank car, and tank truck. The Board does not have jurisdiction over bulk shipments of hazardous materials by water under Title 46—Shipping.

Uniformity. The regulations should be uniform for all modes of transportation, differing only where the inherent characteristics of an individual mode require a difference. The regulations should be consistent with international standards, differing only where our national needs require a difference.

Simplicity. The regulations should serve a practical safety purpose. They should be written so that those who handle the materials can understand and apply them. Throughout the regulations there will be a compromise between the complexity required to cover all contingencies and the simplicity required by human limitations.

Classifications and labels. Classifications should be based on the hazards involved in transporting the materials. Each classification should group together materials which require similar packaging and handling during transportation, or handling after an accident. Materials which pose a similar threat to safety should be classed together, without regard to historic classifications.

Labels should reflect the classifications. Labels should (i) give notice of the hazard potential of the material in the package and (ii) call attention to the need for special handling and stowing.

Handling and stowing. Instructions for in-transit handling should be on the label and should be written so that all persons involved can understand and apply them. One way of doing this might be to have a simple color-coded scheme for separating incompatible materials. Since many thousands of people, of varying levels of competence and training, are involved in in-transit handling, there will be some difficulty in finding the proper balance between flexibility (which increases complexity) and simplicity.

Placards and emergency procedures. Placards required to be posted on portable tanks, tank cars, tank motor vehicles, transport vehicles, and containers should parallel the label requirement. Placards should (i) give notice of the hazard potential of the material being transported, (ii) call attention to the need for special treatment by the carrier, and (iii) give notice of the need for special care after an accident. Since many thousands of people (cargo handlers,

longshoremen, policemen, firemen, ambulance attendants) are concerned with handling emergencies involving hazardous materials, some means should be devised for giving these persons instructions on handling these emergencies. This could be done by putting code numbers

on the placards and distributing booklets with emergency instructions keyed to the placard code numbers.

Packaging. Packaging requirements should relate to the classifications, the quantity of material involved, and the transport environment. Packaging requirements should be stated in terms of performance standards, rather than manufacturing specifications. The regulations should prescribe tests to determine whether the packages meet the requirements.

Cost/benefit. Each safety requirement should be subject to a cost/benefit analysis in which (i) cost is the direct cost of buying and maintaining special equipment and the indirect cost of special handling and stowing and (ii) benefit is the decrease in the hazard to the public. The public is endangered by the transportation of many materials, such as fertilizers and pesticides for agriculture, chemicals for industry, and explosives for the military. Despite the danger, the national interest requires the transportation of these materials. The regulations should minimize the hazard to the public, within the limits of economic feasibility.

Interested persons are invited to participate in developing these basic regulatory principles to guide the Board in revising the regulations. Comments (identifying the docket or notice number) should be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, 400 Sixth Street SW., Washington, D.C. 20590.

Comments received before October 15, 1968, will be considered by the Board as it proceeds with the phased implementation of the proposed revision. The principles proposed in this notice may be changed in the light of comments received. All comments will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, both before and after the closing date for comments.

Issued in Washington, D.C., on August 16, 1968.

WILLIAM C. JENNINGS,
Chairman, Hazardous Materials
Regulations Board.

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