



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

AUG 12 2003

400 Seventh St., S.W.  
Washington, D.C. 20590

Mr. Charles E. Thomas  
Vice President of Operations  
Connecticut Spring and Stamping  
48 Spring Lane  
Farmington, CT 06032

Ref. No: 03-0192

Dear Mr. Thomas:

This is in response to your August 1, 2003 letter requesting clarification of the requirements in § 172.802(a)(3) in the Hazardous Material Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if the new security regulations apply to your shipments of tetrachlorethylene, classed as Division 6.1. You state that your company ships 55 gallons (600 lbs.) of tetrachlorethylene, UN1897 once a month.

The HMR, as amended by the HM-232 final rule, require persons who offer for transportation or persons who transport hazardous materials in the following amounts to develop and implement security plans:

- (1) A highway route-controlled quantity of a Class 7 (radioactive) material, as defined in § 173.403 in a motor vehicle, rail car, or freight container;
- (2) More than 25 kg (55 pounds) of a Division 1.1, 1.2, or 1.3 (explosive) material in a motor vehicle, rail car, or freight container;
- (3) More than one L (1.06 qt) per package of a material poisonous by inhalation, as defined in § 171.8 that meets the criteria for Hazard Zone A, as specified in §§ 173.116(a) or 173.133(a);
- (4) A shipment of a quantity of hazardous materials in a bulk packaging having a capacity equal to or greater than 13,248 L (3,500 gallons) for liquids or gases or more than 13.24 cubic meters (468 cubic feet) for solids;
- (5) A shipment in other than a bulk packaging of 2,268 kg (5,000 pounds) gross weight or more of one class of hazardous materials for which placarding of a vehicle, rail car, or freight container is required for that class;
- (6) A select agent or toxin regulated by the Centers for Disease Control and Prevention under 42 CFR part 73; or
- (7) A quantity of hazardous material that requires placarding.



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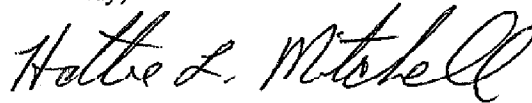
172-800

Therefore, since you are not offering for transportation or transporting a hazardous material in amounts defined above, you are not required to develop and implement a security plan.

The HM-232 final rule also includes new security training requirements. Section 172.704(a)(4) requires hazmat employees, defined in § 171.8 of the HMR, to receive security awareness training. Therefore, your hazmat employees must receive training that provides an awareness of the security issues associated with hazardous material transportation and possible methods to enhance transportation security. Finally, because you are not required to develop and implement a security plan, in-depth security training in accordance with § 172.704(a)(5) is not required.

I hope this satisfies your request.

Sincerely,

A handwritten signature in cursive script that reads "Hattie L. Mitchell". The signature is written in black ink and is positioned above the typed name.

Hattie L. Mitchell, Chief  
Regulatory Review and Reinvention  
Office of Hazardous Materials Standards

Betts  
\$172,800  
Security Plans  
03-0192

**INFOCNTR**

**From:** Chuck Thomas  
**Sent:** Friday, August 01, 2003 3:27 PM  
**To:** INFOCNTR  
**Subject:** Security Plans and Training.

We are a SQG that ships 55 gallons [600 lbs.] of tetrachlorethylene waste UNC 1897 class 6.1-3 once a month. Susan Gorsky

advises me that under these conditions we are not required to have a Security plan or training. Please confirm in writing by letter.

to Charles E. Thomas, Connecticut Spring and Stamping, 48 Spring Lane, Farmington Ct, 06032. Thank you for your cooperation.

Charles E. Thomas  
Vice President of Operations  
860.677.1341 Ext. 333  
860.677.7199 Fax

8/1/03