



FMCSA HM Highlights

HM TAG / Cargo Tank TAG

January 2001



What's Hot

TAG Awards – On November 15, 2000 both the Cargo Tank TAG and the General HM TAG received awards from the Secretary of Transportation. The Cargo Tank TAG was recognized with the Partnering for Excellence Award for joining FMCSA with the Research and Special Programs Administration, the Federal Highway Administration, and States to improve the safety of cargo tank motor vehicles on the nation's highways. The General HM TAG received a Secretary's Team Award for its efforts to promote the safe transportation of hazardous materials. Congratulations to all team members for this recognition.

HM Routes Published – On December 4, 2000 the Federal Register published an updated list of designated, preferred, and restricted hazardous materials routes. For the first time the publication included route listings for highway route controlled radioactive materials as well as other hazardous materials. The list of HM routes can be accessed through the FMCSA Internet Website at <http://hazmat.fmcsa.dot.gov>.

Shipper Check 2001 – During March of 2001, FMCSA will be conducting its annual Shipper Check strike force activity. The upcoming event will focus on HM package inspections using the HM PIP software. During Shipper Check 2000, over 101 State and Federal Personnel participated in inspecting 1,722 packages and discovering a 34% violation rate. For more information on Tank Check 2000, see the report posted on the FMCSA HM Internet Webpage at <http://www.fmcsa.dot.gov/safetyprogs/hm.htm>

Tag News

The HM TAG - The HM TAG held its Fall meeting the week of October 30, 2000 in Charleston, SC. The focus of the meeting was on planning the upcoming Shipper Check 2001. Other activities included developing a HM Package Inspection compliance review, improving the HM Package Inspection Program (HM PIP) computer software, updating the HM ETA Package, and reviewing and updating HM CAPRI violation cites. The TAG also took the second afternoon of the meeting to conduct dock checks and hazardous materials package inspections using the HM PIP software. At this meeting the HM TAG welcomed new members Tim Phillips (Southern Service Center), Tony Kryfka (VA Div.), Steve Hurst (TX Div.), and Sgt. David Beasley (IL State Police).



The Cargo Tank TAG - The Fall Cargo Tank TAG meeting took place the last week of October in Chicago, IL. One reason for the choice of location is that the National Tank Truck Carriers (NTTC) was also holding their annual cargo tank maintenance seminar. On Tuesday, TAG members participated in the maintenance seminar through interaction with the participants and presentations by Joe Delorenzo, Danny Shelton and Ted Turner of FMCSA and Ron Kirkpatrick and Phil Olson of RSPA.

On Wednesday and Thursday the TAG met to discuss its regular agenda of TAG activities, technical issues and policy recommendations. Covered subjects included the TAG's

assistance to the Alaska Division in conducting compliance reviews, future strike force activities at the Southern Border, interactive seminars, new cargo tank interpretations from RSPA, enforcement follow-ups on cargo tank facilities, and proper classification of petroleum contaminated water

Alaska Strike Force Activity - At the request of Alaska State Director John Quartuccio, the Cargo Tank TAG recruited three teams of investigators to go to Alaska and conduct cargo tank inspection facility compliance reviews. The State Director identified lack of compliance with the 49 CFR Part 180 cargo tank inspection/test requirements as a serious safety problem.

During this effort which took place over three separate weeks, seven compliance reviews were conducted on cargo tank carriers or cargo tank inspection/test facilities resulting in four enforcement cases for \$33,290. Violations discovered included failing to conduct tests and inspections, improper tests and inspections, improper cargo tank repairs, improper certification of cargo tank compliance, failure to provide HM training, no HM registration, and various paperwork violations.

ONEDOT HM Strike Force – During the week of November 13, the California division office participated in the inland Empire HazStrike. This ONEDOT activity conducted in Southern California involved RSPA, FMCSA, FAA, FRA, and the Coast Guard. Twelve teams with multi-modal representation visited HM shippers to determine compliance. Sixty-six HM shippers were visited resulting in 35 pending enforcement actions.



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COHMED

The Research and Special Programs Administration hosts a semi-annual Conference on Hazardous Materials Education (COHMED). It works to foster coordination, cooperation, and communication between Federal and state agencies and tribal nations having regulatory and enforcement responsibility for the safe transportation of hazardous materials.

The information presented at the COHMED meetings on HM regulations, the HM industry, HM laws, emergency response, instructor training and enforcement activities can benefit any FMCSA personnel with any responsibility for HM including investigators, state directors, specialists, and legal staff. The next meeting is April 22-26 in Bloomington, MN. Go to <http://hazmat.dot.gov/cohmet.htm> for more information.



Why Emphasize HM Safety?

This is the second in a continuing series of looks into the risk posed by the transportation of HM. The above picture was taken at Plankinton, SD High School on November 11, 2000 after a propane explosion killed two school staff members. The propane leak that caused the explosion occurred earlier in the day when a truck unloading propane had a hose leak.

Technical Issues

Q1: There is a requirement in the Hazmat Law [49 U.S.C. 5110(e)] that shipping papers be maintained for 1 year. Although this is not yet a regulation, can a HM shipper or carrier be cited for not maintaining shipping papers?

A1: Yes. 49 U.S.C. 5110(e) was recently incorporated into Capri as a violation citation. Please see a December 27, 2000 memo from the Assistant Administrator explaining how this violation citation should be used.

Q2: Do nurse tanks have to be repaired by a facility that holds a National Board "R" Stamp?

A2: Yes. Section 173.315(m) authorizes nurse tanks that meet the requirements of the ASME Code. To meet the requirements of the ASME Code the tank must be repaired by a facility holding a "R" Stamp.

Q3: Section 172.328(b) requires that a cargo tank transporting a Class 2 material (gas) be marked with the proper shipping name or an appropriate common name. If the name of the company is Joe's Propane and this is printed on the side of the truck, does this fulfill this requirement?

A3: No. The name of the company can't be used to satisfy the marking requirements in 172.328.

Q4: If the Joe's Propane truck, from the example above, is transporting butane, would having the word Propane on the side of the truck be a prohibited marking in violation of 172.303?

A4: No. The name of the company (that is required to be on the vehicle by 49 CFR 390.21) is not a HM marking and would not be a violation of 172.303.

New HM Search Capabilities

Fred Mcgraw of the Midwest Service Center gave a presentation at both the HM TAG meeting and the Cargo Tank TAG meeting on HM data available on the Midwest Service Center's Information and Analysis Internet Website. The Website is at <http://safesum.fhwa.dot.gov>. Among the features Fred demonstrated were the abilities to search RSPA's Registration Database to determine if a company met the HM Registration requirements. Investigators also have the ability to search RSPA's cargo tank facility registration database or Chemtrec's customer list through this Website.

HM Registration Information

HM registration requirements have changed to no longer require that the RSPA HM Registration letter be carried on the vehicle. The new requirement is that the registration number be on the vehicle. So the question becomes, if I only have a registration number which has no dates, how can I be sure the company is registered for the current year???

The answer is that the letter or letters at the end of the registration number indicate the registration year.

The HM Registration year indicator is as follows:

A = 1992-93	B = 1993-94
C = 1994-95	D = 1995-96
E = 1996-97	F = 1997-98
G = 1998-99	H = 1999-2000
I = 2000-01	IJ = 2000-02
IK = 2000-03	J = 2001-02
JK = 2001-03	JL = 2001-04
K = 2002	

Note: Beginning in 2000-2001, companies may register for up to three years.