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RSPA Proposes Harmonization with Recent Changes to International Regulations

RSPA is providing this advisory to inform the hazardous materials transportation community of recent changes to international regulations proposed for incorporation in the U.S. Hazardous Materials Regulations (HMR; 49 CFR Parts 100-185). As a consequence of changes to international regulations, shipping papers and package markings for some international shipments of hazardous materials may appear different than those prepared in accordance with the HMR. This information is intended for emergency responders, enforcement personnel, and persons who import and export hazardous materials in international commerce.

To facilitate international trade, RSPA issued a partial final rule under RSPA-Docket Number 02-13658 (HM-215E); which incorporates by reference the 2003-2004 ICAO TI and Amendment 31-02 of the IMDG Code in Part 171.7; See <http://hazmat.dot.gov/rulemake.htm#final>. These international regulations are authorized for use subject to certain conditions in accordance with the provisions of 49 CFR 171.11 and 171.12 on a voluntary basis from January 1, 2003. This means that shipments prepared in accordance with the 2003-2004 ICAO TI and Amendment 31-02 of the IMDG Code may be transported to, from, or in the United States consistent with the conditions indicated in these sections of the HMR.

RSPA is proposing changes to requirements in the HMR consistent with international regulations in a notice of proposed rulemaking (NPRM) under RSPA-Docket Number HM-215E; See <http://hazmat.dot.gov/rulemake.htm#nprm>. This is consistent with RSPA's continuous efforts to harmonize the HMR with international dangerous goods transport regulations. In the NPRM, RSPA proposes transitional provisions for application of the proposed changes in order to facilitate implementation. The changes proposed are based on requirements in the UN Model Regulations (12th Edition), the 2003-2004 International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI) and Amendment 31-02 of the International Maritime Dangerous Goods Code (IMDG Code). These international regulations came into effect on January 1, 2003, although a one-year transition period applies for compliance with Amendment 31-02 of the IMDG Code.

Notable changes to the international regulations proposed for adoption in the HMR include:

- an alternative basic description sequence on shipping papers;
- a requirement to enter the subsidiary hazard class or subsidiary division number on shipping papers;
- a requirement to indicate types and numbers of packagings on shipping papers;
- a new requirement for marking limited quantity packagings; and
- new inner packaging quantity limits for certain materials shipped as limited quantities.

● Alternative basic description sequence

Currently, only one sequence of information for the basic description of the dangerous goods on shipping papers is authorized in the HMR. However, the international regulations now recognize an alternative sequence. The alternative sequence allows the identification number to be listed first on shipping papers and the proper shipping name listed second. Examples of the two authorized sequences are:

"Gasoline, 3, UN 1203, PG II" (authorized in HMR and international regulations)

or

"UN1203, Gasoline, 3, PG II" (authorized in international regulations and proposed for adoption in the HMR)

- **A requirement to enter the subsidiary hazard class or subsidiary division number on shipping papers**

Under the current HMR, the subsidiary hazard *may be* indicated in the basic description except for transport by vessel where it is required. However, according to international regulations, it is *required* for all modes of transport. The words “Class” or “Division” may be included preceding the primary and subsidiary hazard class or division numbers. For example, Vinyl chloroacetate would be described as follows:

“Vinyl chloroacetate, 6.1, (3), UN 2589, PG II”

or, using the new optional sequence of information,

“UN 2589, Vinyl chloroacetate, 6.1, (3), PG II”.

- **A requirement to indicate the type and number of packagings on shipping papers**

Currently, there is no requirement in the HMR for indicating the type or number of packages on the shipping paper (e.g., 10 drums, 3 boxes, 2 jerricans) other than for transportation by water according to §172.203(i). The new international regulations require that the type and number of packages be indicated consistent with the latest versions of the ICAO TI and IMDG Code.

- **New requirements for the marking of limited quantity packagings**

Currently, the HMR requires the proper shipping name to be marked on a package containing limited quantities but does not require the UN number. The new international regulations require the UN Number within a diamond and do not require the proper shipping name.



- **New inner packaging quantity limits for certain materials shipped as limited quantities**

Currently, the HMR includes inner packaging limits of 4 L for certain PG III liquids. The international regulations have 5 L inner packaging limits for these liquids. In the NPRM we have proposed to increase the limited quantity inner packaging limits to be consistent with the international regulations. The changes include raising the PG III limited quantity amounts for Divisions 5.1, 5.2, 6.1 and Class 8 from 4 L to 5 L.

The information in this brochure is for information only and does not include all of the recently proposed changes to the HMR based on international regulations. For more specific information, visit the Hazardous Materials Safety website at <http://hazmat.dot.gov/rules.htm>, where recent rulemakings may be viewed in their entirety.

Have questions or comments concerning the requirements for the International transport of Hazardous Materials?

Contact

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