



DEPARTMENT OF TRANSPORTATION

MATERIALS TRANSPORTATION BUREAU

WASHINGTON, D.C. 20590

28888

Title 49—Transportation

CHAPTER I—MATERIALS TRANSPORTATION BUREAU, DEPARTMENT OF TRANSPORTATION

[Docket No. HM-103/112; Amendments]

CONSOLIDATION OF HAZARDOUS MATERIALS REGULATIONS

Extension of Placarding Compliance Date

AGENCY: Materials Transportation Bureau, DOT.

ACTION: Final rule.

SUMMARY: This rule extends the date after which the new diamond shaped hazardous materials placards prescribed last year under this docket must be displayed on transport vehicles, freight containers and portable tanks, from July 1, 1977, to January 1, 1978. This action is taken because the Bureau has concluded that the new placards may not be available to certain shippers and carriers by the current July 1, 1977, mandatory compliance date. The extension will provide an additional six months to assure that an adequate supply of placards is available and distributed to both shippers and carriers.

EFFECTIVE DATE: This amendment altering the mandatory compliance date is effective on June 6, 1977.

FOR FURTHER INFORMATION CONTACT:

Dr. C. H. Thompson, Acting Director, Office of Hazardous Materials Operations, 2100 Second Street SW., Washington, D.C. 20590, Phone 202-426-0656.

SUPPLEMENTARY INFORMATION:

On December 30, 1976, the Materials Transportation Bureau (MTB) published its final document under Docket No. HM-103/112. However, since that time, additional information has come to the MTB's attention through petitions which indicate that additional consideration should be given to the mandatory compliance date for placarding. Generally, petitioners contend that, for a variety of reasons, more time is needed to assure an adequate supply of new placards will be available by the mandatory compliance date.

Because of the difficulties not only of obtaining placards but also of having them distributed to all shippers and carriers, the MTB is granting a limited extension to the mandatory compliance date to assure that full compliance is possible at the time compliance is required. As a consequence of this amendment, the new placarding requirements

established last year in Subpart F of Part 172 need not be complied with until January 1, 1978, provided that placarding requirements in effect on June 30, 1976, are complied with instead.

This document is a relaxation of existing requirements and does not impose new requirements. For this reason, and because of the need for the Department to act in advance of the existing July 1, 1977, compliance date, public notice is dispensed with. This action is not expected to increase costs to Federal, State, or local governments, to consumers, or to the businesses affected, and should not have any significant environmental impact. Primary drafters of this document are Joseph T. Horning and Chris Caseman, Office of Hazardous Materials Operations, Regulations Development Branch, and Douglas A. Crockett, Office of the Assistant General Counsel for Materials Transportation Law.

In consideration of the foregoing, the 103/112 (41 FR 15972, April 15, 1976), effective date provision in Docket HM-103/112 appearing at 41 FR 16131, as amended at 41 FR 26014 (June 24, 1976), 41 FR 40691 (September 20, 1976), and 41 FR 57018 (December 30, 1976), is further amended by revising the fourth numbered paragraph and amending the sixth numbered paragraph to read as follows:

Effective date:

\* \* \* \* \*

(4) Compliance with the provisions of this amendment appearing in Subpart F of Part 172 (Placarding) need not be complied with until January 1, 1978.

\* \* \* \* \*

(6) For purposes of the application of Part 174 (except § 174.25) to rail cars from July 1, 1976, to January 1, 1978, placards specified in this amendment, and placards specified under regulations in effect on June 30, 1976, may be treated as equivalent according to the following table:

\* \* \* \* \*

(18 U.S.C. 1803, 1804, 1808; 49 CFR 1.53(e).)

NOTE.—The Materials Transportation Bureau has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821 and OMB Circular A-107.

Issued in Washington, D.C., on June 2, 1977.

JAMES T. CURTIS, Jr., Director,

Materials Transportation Bureau.

[FR Doc.77-16052 Filed 6-3-77;8:45 am]