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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1205

[CN-91-007]

Amendment to the Cotton Research and Promotion Regulations for Cotton Board Membership

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: The Agricultural Marketing Service (AMS) is amending the Cotton Research and Promotion regulations regarding Cotton Board membership. This amendment establishes procedures for determining the appropriate number of importer representatives to serve as members and alternate members on the Cotton Board. The initial number of importer representatives shall be four, as provided by the amendment to the Cotton Research and Promotion Order. This amendment also provides for the participation of importers in nominating importer members.

EFFECTIVE DATE: December 20, 1991.

FOR FURTHER INFORMATION CONTACT: Craig Shackelford, (202) 720-2259.

SUPPLEMENTARY INFORMATION: These amendments to the regulations regarding Cotton Board membership are issued pursuant to the Cotton Research and Promotion Act Amendments of 1990 and the Cotton Research and Promotion Order which has been amended in order to implement the 1990 amendments to the Act. A proposed rule amending the Order was issued by the Department of Agriculture and published in the **Federal Register**, April 10, 1991 (56 FR 14482). Written comments concerning the April 10 proposed rule were discussed in a proposed amendment to the Order published in the **Federal Register**, July 9, 1991 (56 FR 31289). The proposed amendment to the Order, published July 9, was approved by a majority of cotton importers and producers voting in a referendum conducted July 17-26.

This final rule has been reviewed in accordance with Executive Order 12291 and Departmental Regulation 1512-1 and has been determined to be a "non-major" rule under the Executive Order 12291 since it does not meet the criteria for a major regulatory action contained in that Order.

The Administrator, Agricultural Marketing Service (AMS), has considered the economic impact of this action on small entities pursuant to the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). There are an estimated 210,000 domestic cotton producers who are presently subject to the regulations regarding Cotton Board membership. In the proposed rule it was stated that there are 35,000 domestic cotton producers. This number was in error for reasons discussed in the proposed Order amendment dated July 9, 1991 (56 FR 31289). There are also an estimated 10,000 importers that will become subject to the regulations. The majority of these producers and importers would be classified as small businesses under the criteria established by the Small Business Administration. The economic impact of this final rule is not expected to be significant. Also, importers who are selected as members to the Cotton Board will serve without compensation but will be reimbursed for necessary expenses, as approved by the Board, incurred by them in performance of their duties under the Order. Accordingly, the Administrator of AMS has determined that this action will not have a significant economic impact on a substantial number of small entities.

In compliance with Office of Management and Budget (OMB) regulations (5 CFR part 1320) which implement the Paperwork Reduction Act (PRA) of 1980 (44 U.S.C. 3501 *et seq.*), the information collection and recordkeeping requirements for domestic producers and importers contained in this subpart, have been approved and assigned OMB control number 0581-0093. Individual producers and importers nominated to the Cotton Board will also be required to submit a membership background information sheet previously approved by OMB and assigned OMB control number 0505-0001. The combined estimated number of producer and importer respondents is 32 per year. The estimated number of importer respondents is 8 per year. Each respondent will submit one response when nominated, with an estimated average reporting burden of 0.5 hours per response.

The agency received no comments regarding the proposed amendment to the Cotton Research and Promotion Regulations for Cotton Board Membership published in the **Federal Register** on June 27, 1991 (56 FR 29445). The proposal established procedures for determining how many importer representatives would serve on the Cotton Board and the procedures importers would follow in nominating potential Cotton Board members. The volume of Upland cotton imported and the cotton content of imported products in terms for 480-pound bales or the equivalent thereof was proposed to be used to determine how many additional persons above the minimum number of two, as provided by the proposed Order amendments, would represent importers on the Cotton Board. The proposed rule amending the Order published in the April 10, 1991, **Federal Register** (56 FR 14482) provided that importer membership on the Cotton Board would consist of one member for each one million bales or major fraction (more than one-half) thereof of imported cotton subject to assessment during the period specified in the regulations for determining Board membership. In addition, § 1205.322 of the proposed amendment to the Order provided that the number of cotton importers represented on the Cotton board would in no case be less than two and the percentage of importers represented on the Board would in no case be greater than 20 percent. All importer members appointed would serve out their three-year terms even if the volume of imported cotton should decrease.

Section 1205.322 of the proposed amendment to the Order was changed based on public comments. Five written comments received from importers concerning the proposed provisions for establishment and membership of the Cotton Board objected to the 20 percent cap on importer representation, stating that importers would not receive equitable representation under the proposal. Conversely, one commenter suggested that, initially, importers

should be limited to two Board members.

The 1990 amendment to the Act provides that when importers are subject to an Order, the Board (in addition to producer representatives) shall be composed of "—an appropriate number of importer representatives on the Cotton Board, as determined by the Secretary, of importers of cotton on which assessments are paid—". In describing producer representation, the Act specifically requires that cotton producers have representation on the Board for each cotton-producing state proportionate to that state's share of total U.S. marketings of cotton. Each cotton-producing state is entitled to at least one representative. The Order provides that producers are entitled to one representative for each one million bales (or major fraction thereof) of cotton produced.

Upon consideration of the concern raised by importers, the agency decided to remove the 20 percent cap, and to establish importer representation on the Board in a manner that would more closely reflect the amount of imported cotton assessed.

For the purpose of the initial implementation of the Order, the agency has determined that importer representation would consist of four members. Upon consideration of the estimated volume of imported cotton that would be subject to assessment, the agency has determined this number to be appropriate. In no case, would importer representation consist of less than two members.

According to statistics prepared by USDA, the total quantity of imported cotton during 1990 was approximately 4.9 million bale equivalents. At this time, our figures indicate that the volume of imported cotton in bale equivalents will be less in 1991.

Total bale equivalents of imported cotton do not accurately reflect the amount of imported cotton on which assessments will be paid because a certain amount of imported cotton will not be subject to assessment. Imported cotton not subject to assessment will include de minimis amounts of cotton as defined in the rules and regulations implementing the Order, U.S. produced cotton reentering the U.S., cotton contained in industrial products, and other product categories which would not be included in the Harmonized Tariff Schedule classification numbers listed in rules and regulations that would implement the Order. It is the agency's view that the volume of cotton not subject to assessment would be one million bale equivalents or more. Therefore, four importer representatives on the Board will result in approximately one representative for each one million bales or bale equivalents of cotton imported and assessed. This closely parallels the formula used for producer representation.

The agency will have better information as to the volume of imported cotton assessed after assessments have been collected for at least one year. To make allowance for fluctuations in the volume of imported cotton subject to assessment, the Order provision enables the Secretary to reduce or expand importer representation on the Board after consultation with organizations representing importers in a manner provided by the rules and regulations implementing the Order.

This rule establishes that in no case, will importers be represented by less than two members. Additional importer members could be added to the Cotton Board after consultation by the Secretary with importer organizations, and after consideration of the average annual volume of imported cotton that would be subject to assessment for five preceding years. To conform with the provisions of the Order, the agency has revised § 1205.402 of the proposed rule which based importer representation on the average annual imports of cotton and cotton-containing products. Representation shall now be based on the average annual imports of cotton and cotton-containing products which are assessed.

Initially, the agency has determined to establish importer representation at four members on the Cotton Board.

Each year in approximately July, the Director of the Cotton Division will contact certified importer organizations, notifying each of the number of importer vacancies to be filled on the Cotton Board.

The Director will work with the certified importer organizations to determine a time and place for all such importer organizations to caucus for nominating importers to serve on the Cotton Board. Each organization will be entitled to have one representative attend the nomination caucus. The representatives of the importer organizations will jointly nominate two qualified persons for each vacant member and alternate member position. These procedures parallel procedures already established for cotton producer nominations. This rule also contains several non-substantive changes for the purpose of clarity and organization as well as additional language in § 1205.402(b) so that it conforms with Order provisions.

Pursuant to the provisions of 5 U.S.C. 553, it is found and determined that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the **Federal Register** because: (1) Cotton producers and importers voting in a referendum have approved the amendment to the Cotton Research and Promotion Order which the provisions of this regulation, in part, implement; and (2) in accordance with the Act, the amendment should be published as soon as possible.

List of Subjects in 7 CFR Part 1205

Advertising, Agricultural research, Cotton, Marketing agreements, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 1205 is amended as follows:

PART 1205—COTTON RESEARCH AND PROMOTION

1. The authority citation for part 1205 continues to read as follows:

Authority: 7 U.S.C. 2101–2118.

2. Section 1205.402 is revised to read as follows:

§ 1205.402 Determination of Cotton Board membership.

(a) In determining whether any cotton-producing state is entitled to be represented by more than one member of the Cotton Board as provided in § 1205.322, average annual production of Upland cotton in terms of 480-pound net weight bales for the five most recent marketing years will be used as the criteria for determination of such additional members.

(b) In determining whether importers of cotton and cotton-containing products are entitled to be represented by more than a minimum of two members on the Cotton Board as provided in § 1205.322, the average annual volume of imported cotton and the cotton content of imported products on which assessments have been collected will be used as the criteria for determination of such additional members. This volume of cotton will be expressed in terms of 480-pound net weight bales for the five most recent calendar years. The initial importer representation on the Board shall consist of four importer representatives.

(c) All members appointed from a state will be entitled to serve a full three-year term even though it is determined in a subsequent year that a state should have fewer additional members by using the average

production of the five most recent marketing years as specified in paragraph (a) of this section.

(d) All members appointed to represent importers will be entitled to serve a full three-year term even though it is determined in a subsequent year that importers should be represented by fewer additional members by using the average volume of imports of cotton and the cotton content of products on which assessments have been collected as specified in paragraph (b) of this section.

(e) Each year the Director shall:

(1) Based on the average annual production of Upland cotton in terms of 480-pound net weight bales for the five most recent marketing years, notify all certified cotton producer organizations in each cotton-producing state of the number of vacancies to be filled by cotton producers on the Cotton Board; and

(2) Based on the average annual volume of imports of cotton and the cotton content of cotton-containing products on which assessments as provided for in § 1205.335 have been collected in terms of 480-pound net weight bales for the five most recent calendar years, notify all certified cotton importer organizations of the number of vacancies to be filled by cotton importers on the Cotton Board.

3. Section 1205.403 is revised to read as follows:

§ 1205.403 Nomination procedure.

(a) The Director shall notify all certified producer organizations within each cotton-producing state and all certified importer organizations of the location, date, and time of the caucus for nominating producer and importer representatives for the Cotton Board as specified in § 1205.324. The Director will designate a representative from the Cotton Division to attend the caucus meeting of cotton producer organizations in each state, and of cotton importer organizations. Each eligible cotton producer organization within each cotton-producing state and each importer organization will be entitled to only one representative at the caucus for the purpose of nominating two qualified persons for each member and for each alternate member to be selected. The representative of a cotton producer organization shall be a cotton producer and resident of such state, an officer or member of the Board of Directors of such organization, and duly and unqualifiedly authorized in writing by such organization to make nominations on its behalf. The representative of an importer organization shall be an importer of cotton and/or products containing cotton, an officer or member of the Board of Directors of such organization, and duly and unqualifiedly authorized in writing by such organization to make nominations on its behalf. The representative of the Director designated to attend the caucus meeting of cotton producer organizations in each state and of cotton importer organizations will ascertain the qualifications and eligibility of each representative of a cotton producer organization or cotton importer organization to participate in said meeting and to make nominations.

(b) Each caucus will be conducted as follows:

(1) The representative from the Cotton Division will act as temporary chairperson and will explain the procedure for nominations and the duties of the Cotton Board;

(2) The representatives in attendance from the certified organizations will then select a chairperson and secretary;

(3) At each caucus there will be presented for nomination and there will be nominated not less than the number of nominees required under the provisions of §§ 1205.322, 1205.324, and 1205.402.

Dated: December 16, 1991.

Daniel Haley,

Administrator.

[FR Doc. 91-30445 Filed 12-19-91; 8:45 am]

BILLING CODE 3410-02-M

Farmers Home Administration

7 CFR Part 1944

Multi-Family Housing; Corrections

AGENCY: Farmers Home Administration, USDA.

ACTION: Final Rule; correction.

SUMMARY: The Farmers Home Administration (FmHA) is correcting errors in the final rule published on January 22, 1991 (56 FR 2198) concerning Multi-Family Housing.

EFFECTIVE DATE: October 31, 1991.

FOR FURTHER INFORMATION CONTACT: David J.Villano, Chief, Rural Rental Housing Branch, Multi-Family Housing Processing Division, Farmers Home Administration, USDA, room 5349—South Agriculture Building, Washington, DC 20250, telephone (202) 720-1608.

Accordingly, the final rule published on January 22, 1991, (56 FR 2198) is corrected as follows:

1. The amendatory language and amendatory text in Amendment No. 43 on pages 2236-2238 is corrected to read as follows:

43. Section 1944.215 is revised to read as follows:

§ 1944.215 Special conditions.

(a) *Cost containment.* To help assure low affordable rental and occupancy rates, projects must be economical in construction and not of elaborate design or materials. Cost containment is not to be interpreted as accepting poor design or cheap construction. Projects must provide the features and amenities necessary for the lifestyles of the tenants and members. Consideration must be given to the cost/benefit ratio when evaluating, recommending or requiring specific design features or construction techniques. The following guidelines should be followed when developing projects:

(1) Each State architect/engineer (A/E) should compile and maintain data or spreadsheets on cost/sq. ft., cost/unit, and cost/acre, A/E fees, etc., which are reasonable and customary for the State. Any proposal that exceeds these costs should be carefully evaluated for possible cost reductions. Final determinations must be realistic, interrelated to maintenance and operation costs, and based upon local conditions and common sense. The Building Cost Tracking System may prove helpful.

(2) The elimination or reduction of unnecessary delays in application processing can contribute to cost containment through lower interest and other business expenses on land, inventory, tests, design studies, etc. When reasonable processing timeframes are established, known and followed, appropriate time can be planned for preparing quality application and construction documents. This can result in better instructions to the builder, fewer errors and lower construction costs.

(3) Most materials and systems are available in a range of qualities and prices. The construction documents should be carefully reviewed for specifications that require qualities or grades higher than necessary. These specifications should be accepted only if fully justified and no reasonable alternatives are available.

(4) Designs which encourage standard building material dimensions and reduce waste will be used as much as possible.

(5) State Directors should encourage the use of sites that require a minimum amount of site development. State Directors should also encourage projects with a minimum of 14 units per acre unless the applicant provides documentation supporting a change,

such as local zoning requirements requiring a different density.

(6) Items such as covered parking and garages can be included in the FmHA loan only when they are required by local codes or ordinances.

(7) Sound judgment and common sense must also be used in construction inspections and final acceptance of projects. Field staff involved in these activities must be careful not to impose additional or unreasonable requirements on the builder that will increase construction costs.

(8) When evaluating projects, life cycle costs will be considered. These costs include: Initial costs, future replacement costs and operation and maintenance costs. The economic lives of alternative designs and materials will be considered. Reductions in initial costs may result in higher life cycle costs.

(9) Management, maintenance and community rooms should not exceed the limitations described in the FmHA Manual of Acceptable Practices (available in any FmHA office). Laundry rooms should be no larger than necessary to accommodate equipment, circulation and areas for sorting and folding clothes.

(b) *Type of housing.* All housing should be designed to:

(1) Be economically constructed and not of elaborate design or materials. All new construction will conform with the applicable development standards of § 1924.5(d)(1) of subpart A of part 1924 of this chapter. As a general rule, the gross square foot living area of new units and related facilities to be constructed with loan funds will be within the ranges listed below. Living area does not include outdoor storage space when unfinished or space for heating and cooling equipment.

Type of unit	Minimum/ maximum living area (square feet)
0-Bedroom	350–500.
1-Bedroom	500–650.
2-Bedroom	650–800.
3-Bedroom	800–950.
4-Bedroom	950–1100.

(i) An additional 100 to 120 square feet of living area may be added to the 4-bedroom unit guideline for each bedroom in excess of 4.

(ii) In townhouse units where living area is on two floor levels of the unit, the maximum gross square footage of living area may be exceeded by up to 70 square feet, but only to the extent necessary to accommodate interior stairways.

(iii) Room sizes must be in compliance with the applicable development standard. Minimum room sizes may be determined by the minimum areas in Guide 2 of subpart A of part 1924 of this chapter.

(iv) Additional area to accommodate energy conserving and solar heating elements such as vestibules, heat sinks, solar greenhouses, solar heat storage devices and the like may be allowed in excess of the stated maximum size guidelines. However, such devices, if included, must be justified on a cost effective basis.

(2) Consist of multi-unit type housing with two or more units and appropriate related facilities except for the conversion of section 502 inventory housing as covered in § 1944.212(o) of this subpart, manufactured homes and group homes. Single family structures may be considered for cooperative housing projects if economically feasible.

(3) Be residential in character and be designed to meet the needs of eligible tenants or members. Generally, structures should not be more than three stories high. However, low-rise structures with elevators can be considered when the following conditions exist:

(i) There is a serious shortage of suitable building sites, the number of units needed cannot be built due to lack of space on available suitable sites and other building sites are not available.

(ii) Land costs are such that one- to three-story construction would result in a unit cost and rental/occupancy rates in excess of what eligible tenants and members can afford.

(iii) The number of stories proposed for the structure is compatible with other rental structures in the community. If there are no other low-rise rental structures in the community, the proposed structure must be in character with surrounding structures.

(iv) The cost of the units should compare favorably with one- to three-story construction financed with RRH loans. If the costs are higher, the loan will not be approved until the FmHA State architect or engineer has reviewed the plans, specifications and cost data to assure that further cost savings cannot be achieved without sacrificing the quality and serviceability of the housing.

(v) Elevators will be provided in accordance with the applicable development standards. If elevators are included, the subsoil conditions of the site must be adequate for the installation of elevators and sufficient service personnel must be available in the area for service and repair work.

(4) Provide kitchen and bath facilities consistent with the size of the unit. For example, units with three or less bedrooms typically can be designed with one bath. However, townhouse units with three or more bedrooms where living area is on two floors may contain bath facilities on both levels. Kitchen facilities are required in all units; however, in congregate housing, some or all of the units may have limited facilities, such as a cooktop with a small oven and refrigerator.

(5) Give maximum consideration to energy conservation. To keep operating costs at a minimum, units should be individually metered for utilities unless adequate justification is provided to show that it would be infeasible.

(6) Meet the needs of handicapped tenants in rental projects. At least 5 percent of the units in the project or one unit, whichever is greater, must be accessible to or adaptable for physically handicapped persons. The percentage of the units provided may be modified if an applicant shows, through information obtained from a State, local or independent agency or organization serving handicapped people, that a different percentage of accessible or adaptable units is appropriate. However, at least one accessible unit will be provided. Adaptable units must be constructed in accordance with the Uniform Federal Accessibility Standards, sections 4.34.3 through 4.34.6.

(7) For covered dwellings, handicap accessibility requirements will be met as set forth in section 504 of the Rehabilitation Act of 1973 and the Fair Housing Amendments Act of 1988.

(c) *Deferred principal payments:* (1) When construction is funded by multiple advances from FmHA, principal payments on the loan will be deferred for the period of construction.

(2) When an interim financed loan is closed other than the first day of the month, principal payments will be deferred for the remaining period of the month in which the loan is closed.

(3) When construction is substantially complete and the project is ready for full operation, or the total of principal advances plus accrued interest reaches the MDL, interest on the advances will be accrued to the Amortization Effective Date (AED) and will be capitalized, establishing a new principal (loan) amount.

(4) At loan obligation, the MDL will be established according to § 1944.213(a) of this subpart. When the final advance on the loan is issued or the MDL is reached, the Finance Office will:

(i) Accrue interest on all advances through the last day of the month and capitalize the interest as of the AED. When there is a remaining obligation balance, it will be canceled by the Finance Office.

(ii) Establish the new loan amount and the borrower's monthly payments computed over the remaining term of the loan.

(5) The District Office will:

(i) Contact the applicant and complete Form FmHA 1944–52, "Multiple Family Housing Promissory Note."

(ii) Implement Form FmHA 1944–7, "Interest Credit and Rental Assistance Agreement," at AED or when the project is substantially complete and ready for full operation, whichever is later.

(d) *Refinancing Loans.* Each borrower, except those borrower(s) whose loans were made pursuant to contracts entered into on or after December 15, 1989, must agree to refinance the unpaid balance of the loan when requested by the Agency. The rates and terms of the refinanced loan must be considered reasonable by the Agency to enable the borrower to offer the units to eligible tenants and members at rates within their payment ability. The refinancing of a loan must comply with the restrictions indicated in § 1944.236(b)(5) of this subpart and subpart F of part 1951 of this chapter.

(e) *Loan resolution or loan agreement.* The loan resolution or loan agreement contains provisions of policy and procedure which should be carefully read and fully understood by the applicant. If any provisions are not appropriate to a particular case, proposed substitute language must be approved by FmHA and OGC. Subpart C of Part 1930 provides for the maintenance of certain accounts and the pledge of housing income as security. It contains regulatory provisions governing and giving FmHA power to impose requirements regarding the housing and related operations of the applicant. All sections and requirements determined applicable by OGC will form part of any other loan resolution or agreement that may be submitted by the applicant. These are:

(1) Form FmHA 1944–33, "Loan Agreement."

(2) Form FmHA 1944–34, "Loan Agreement."

(3) Form FmHA 1944–35, "Loan Resolution."

(f) *Cooperative management.* Consideration must be given to the special conditions of a cooperative housing structure concerning management. The following forms of management will be recognized for cooperative housing.

(1) Self-management. The primary management objective for small housing cooperatives. To achieve this, education and training efforts should be an on-going part of their early years of operation. Accordingly, modest educational costs will be permitted in the budget as a subheading under management expenses. It is understood that, in the beginning, it may be necessary to obtain some outside services, such as a bookkeeper. If so, then partial self-management can be considered. It will be necessary for a qualified nonmember (individual or organization) to advise the board during the formative years of the cooperative. Exhibits F and G to this subpart will be used as a guide for determining the qualifications of the adviser.

(2) Partial self-management. Certain management and/or supervisory services contracted from a technical service organization, housing authority, or management firm, etc. If this additional assistance does not enable the cooperative to manage itself, then the ultimate solution will have to be contract management.

(3) Contract management. Professional services contracted for the day-to-day supervision of cooperative operations. The board of directors would develop the policies which would then be administered by the management agent.

(g) *Cooperative membership fee.* Cooperative housing is a form of homeownership. In order to promote a commitment from prospective members, cooperatives will require a membership fee. The membership fee established by the board of directors will be equal to one month's occupancy charge. Once the fee has been established, that amount will be uniformly applied to all members. Members unable to pay a cash membership fee should be permitted to make monthly payments without interest, until the membership fee is paid; however, a cash payment of at least $25 should be required at occupancy. The period of payment on the membership fee should not exceed 12 months.

(h) *Cooperative limited equity.* (1) RCH loans will only be made to cooperatives which limit the accumulation of equity. The limitations are designed to maintain unit availability for low-income people. In addition, all prospective members must have received, prior to becoming an actual member, a statement of the objectives of the cooperative, debts and a declaration describing limited equity and what it will mean to them. Exhibit H of this subpart will be used for this purpose. Limited equity is further described in What is Cooperative Housing? Which is to be given to prospective members.

(2) Inflation equity which accrues on cooperative property is not considered part of members' limited equity and will not be taken from the project when a member vacates the project.

(i) *Interest credits and rental assistance (RA).* (1) Borrowers may receive interest credits if they meet the requirements outlined in exhibit B of subpart C to part 1930 of this chapter.

(2) RA may be provided to eligible tenants and members in eligible projects in accordance with exhibit E to subpart C of part 1930 of this chapter.

(3) At least 95 percent of RA units available for newly constructed projects must be used to assist very low-income tenants and members. Up to 5 percent can be used for low-income tenants and members.

(4) Cooperative members must have sufficient incomes to pay their management reserve charge. RA will not be used for this purpose. Management reserve charge is further described in exhibit A to this subpart.

(j) *Nondiscrimination in use and occupancy.* The borrower will not discriminate or permit discrimination by any agent, lessee or other operator in the use or occupancy of the housing or related facilities because of race, color, religion, age, sex, marital or familial status, handicap or national origin, in accordance with title VIII of the Civil Rights Act of 1968, as amended.

(k) *Eligibility for occupancy.* Loans will be made on the basis of the housing being occupied by eligible tenants and members as defined in § 1944.205 of this subpart. Eligible tenants and members must meet the requirements of exhibit B of subpart C of part 1930 of this chapter.

(l) *Tenant and member certification.* Initial certification and recertifications will be executed on Form FmHA 1944–8, "Tenant Certification," in accordance with exhibit B to subpart C of part 1930 of this chapter.

(m) *Supervision of borrowers.* Supervision will be provided borrowers under subpart C of part 1930 and subpart B of part 1965 of this chapter.

(n) *Establishing profit base on initial investment.* Applicants agreeing to operate on a limited profit basis will be permitted a return not to exceed 8 percent per annum on their initial investment determined at the time of loan approval. This amount will be reflected in the loan agreement or loan resolution and will not be changed once it is determined. The initial investment may exceed the required 3 percent in

§ 1944.213(b)(2) of this subpart and may include the following:

(1) Cash contributions made by the applicant which, when added to the FmHA loan amount, are not in excess of the security value of the project.

(2) The value of the building site or essential related facilities contributed by the applicant up to the amount which, when added to the FmHA loan amount, is not in excess of the security value of the project. An appraisal will be done by an FmHA employee authorized to make appraisals or an FmHA authorized representative in accordance with applicable FmHA regulations. Value of the applicant's contribution will be determined on an "as is" basis less any amount owed on the property.

(o) *Intergovernmental review.* FmHA will consider comments received in accordance with 7 CFR part 3015, "Intergovernmental Review of Department of Agriculture Programs and Activities," when making decisions on loan applications. (See FmHA Instruction 1940–J, available in any FmHA office.)

(p) *Guidelines for preparing environmental assessments and environmental impact statements.* All projects will comply with subpart G of part 1940 of this chapter.

(q) *National flood insurance.* The provisions of the National Flood Insurance Act of 1968, as amended by the Flood Disaster Protection Act of 1973 and Executive Order 11988, are applicable to FmHA authorities permitting financing of housing now located in, or to be located in, special flood or mudslide-prone areas as designated by the Federal Emergency Management Administration (FEMA). Subpart B of part 1806 of this chapter (FmHA Instruction 426.2) and subpart G of part 1940 of this chapter will apply.

(r) *Location of housing.* (1) The location of the project should expand the supply of decent, safe, and sanitary housing for very low-, low- and moderate-income elderly persons and families in a nondiscriminatory way. The location should promote a greater choice of housing opportunities in the housing market area.

(2) Project locations should promote an equal opportunity for the inclusion of all groups regardless of race, color, religion, sex, national origin, age, marital status or physical or mental handicap thereby opening up nonsegregated housing opportunities for minorities.

(3) Except as otherwise permitted by paragraph (s)(6) of this section, housing projects must be located in residential areas as part of established rural communities where essential public facilities (such as schools, hospitals and generally central water and sewer systems) and services (such as shopping, medical, and pharmaceutical) are readily available in close and convenient proximity to the site. Public facilities and services must be adequate to support the needs of the tenants and members and the housing project. (See FmHA Instruction 1922–B.)

(4) In order to provide housing at the lowest cost possible, preference will be given to loan requests in which specific tracts of land will be donated by States, units of local government, public bodies and nonprofit organizations. The land must be suitable for the proposed housing and meet all FmHA site criteria. In addition, affording such preference must be cost effective.

(5) Noncontiguous rental sites. (i) Noncontiguous sites within the same community may be considered if feasible. Each site must meet all FmHA site criteria and an appraisal must be made on each site in accordance with subpart B to part 1922 of this chapter (available in any FmHA office). The units must be managed under one management plan with one loan agreement/resolution.

(ii) If a small community cannot support a project containing enough units to make it cost effective or in cases involving conversion of 502 inventory units, FmHA will consider a project which includes more than one site in the same or different communities. The State Office and applicant must mutually agree that the location of the sites will not adversely effect the efficiency of management and servicing of the projects. The requirements of paragraph (r)(5)(i) of this section will also apply.

(6) FmHA will consider financing new construction or the purchase and rehabilitation of existing structures (in accordance with § 1944.212(b) of this subpart) located in the downtown business areas of rural communities that have established a comprehensive strategy for meeting their community development and housing needs. That strategy must include the redevelopment, rehabilitation, restoration or revitalization of the downtown business area. The proposed project site must be located within the downtown business redevelopment/revitalization area and the following conditions must be met:

(i) Essential public facilities (such as schools, hospitals and generally central water and sewer systems) and services (such as shopping, medical and pharmaceutical) must be readily available in close and convenient proximity to the site and must be adequate to support the needs of the tenants and members and the housing project.

(ii) The community must have an official short-term community development and housing plan which sets forth its comprehensive strategy for meeting identified community development and housing needs. The plan will include the need for eliminating and preventing economic decay, slums or blight; the need of benefiting the lower-income population; or other community development needs having a particular urgency. The strategy should include a community-wide component which describes the development strategy of the governing body, the major objectives the governing body seeks to accomplish, the priorities it has established, the factors taken into account in selecting areas for treatment and the anticipated public and private sources of funds necessary to conduct the treatment of each area selected. In addition, the plan should contain the following component strategies:

(A) *Neighborhood revitalization:* The strategy for alleviating physical deterioration, maintaining viable neighborhoods and stimulating investment to upgrade neighborhoods affected by blight and deterioration.

(B) *Housing:* The community-wide strategy to improve housing conditions and to meet the housing assistance needs that have been identified. Reference to any current Department of Housing and Urban Development approved housing assistance plan would be helpful as part of this component strategy.

(C) *Economic development:* The strategy for attracting private investment in the business community and for solving the critical problems which may be the result of a stagnating or declining tax base or from population outmigration.

(iii) Evidence must be presented from the local governing body verifying that the community has adopted, through resolution or other official act, the community development and housing plan referenced in paragraph (r)(6)(ii) of this section. A copy of the adopted plan should be made available to FmHA. While it is not necessary that the downtown redevelopment/revitalization area be formally designated as an urban renewal or other similar area, evidence supporting a local determination that the downtown business area meets the criteria established in the community development and housing plan must be maintained in the locality's records. Documentation received from the local governing body must also identify the

site or structure involved in the applicant's proposal as part of or essential to the downtown redevelopment/revitalization area.

(iv) Evidence must be presented to FmHA verifying the intended commitment of public and private resources which will be available for completing any other integrally related redevelopment/revitalization activities being undertaken in the downtown business area along with the applicant's proposed project.

(v) Prior review and concurrence must be received from the National Office before the State Director or District Director authorizes the applicant to develop a complete application. All of the information required in paragraph (r)(6) of this section must be provided by the applicant before National Office review.

(7) The property for which a loan is made must be located in a rural area as defined in § 1944.10 of subpart A of part 1944 of this chapter. However, if the area where the site is located has changed from rural to nonrural in accordance with the most current official census figures, preapplications received before the date the area was determined nonrural will be processed as expeditiously as possible and loans closed if the applicants are otherwise eligible.

(s) *Clean Air Act and Water Pollution Control Act Requirements.* When the contract exceeds $100,000, the contractor will comply with all applicable standards, orders or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency (EPA) regulations 40 CFR part 15 which prohibit the awarding of nonexempt Federal contracts, grants or loans to facilities included on EPA's list of violating facilities. The contractor will report violations to the EPA.

(t) *Concurrence with construction contracts.* A construction contract between the borrower and contractor for development of a project will contain a provision that it is not in full force and effect until the State Director concurs in writing in the form, content and execution of the contract. Before loan closing or before the start of construction, whichever occurs first, the State Director or his/her delegate will concur with the contract form, content and execution by including the following paragraph at the end of the contract:

"The Farmers Home Administration, as a potential lender or insurer of funds to defray the costs of this contract, and without liability for any payments thereunder, hereby concurs with the form, content, and execution of this contract."

Date _____

Farmers Home Administration

By: _____

Title: _____

(u) *Historic preservation requirements.* The District Director must take the necessary action to assure that the applicant will comply with the provisions of subpart F of part 1901 of this chapter. This regulation concerns compliance with the National Historic Preservation Act of 1966, the Archeological and Historic Preservation Act of 1974 (Public Law 93–291), and Executive Order 11593 dated May 13, 1971.

(v) *Uniform Relocation Assistance and Real Property Acquisition Act of 1970.* Public bodies and agencies which have the power of eminent domain and/or condemnation must comply with the requirements of this Act. The applicant must provide assistance for relocation of displaced persons from a site on which a project will be located. FmHA loan funds may be increased over and above the appraised value of the property to cover costs incurred in the relocation of displaced persons. Until instructions are published by the National Office, the Department regulations found at part 21 of this title should be followed and the National Office should be consulted for guidance in developing an RRH or RCH loan for a project affected by this Act. Generally, if there are alternative sites of equal quality which meet the Agency's requirements, the site with the least relocation impact will be selected.

(w) *Rental assistance (RA) and market feasibility.* (1) As evidence of market feasibility, an applicant that proposes a project which is expected to use FmHA RA units will only be required to demonstrate that a market exists for tenants or members eligible for the RA.

(2) To evidence market feasibility for projects which are expected to use RA from sources other than FmHA, applicants will be required to demonstrate that:

(i) The assistance will be provided for at least 5 years.

(ii) A market exists for persons and families eligible for the assistance. The amount of the RA to be provided must be considered when determining the number of families that would be income eligible for the project.

(iii) For the term of the loan remaining after RA is no longer available, an adequate rental market exists for the project without the assistance.

(iv) During the term of the RA contract, the provider will make available the amounts required at least annually.

(x) *Accountability.* Applicants should be made aware of the accountability requirements of persons paid to influence the making of an FmHA housing loan and/or grant as described in subpart S of part 1940 of this chapter.

2. The amendatory language in Amendment No. 58 on page 2245 and the heading preceding it are corrected to read as follows:

Exhibits A–4—A–9 to Subpart E [Redesignated as Exhibits A–5—A–10 to Subpart E]

58. Exhibits A–4, A–5, A–6, A–7, A–8, and A–9 to Subpart E are redesignated as Exhibits A–5, A–6, A–7, A–8, A–9, and A–10, respectively.

Dated: December 12, 1991.

La Verne Ausman,

Administrator, Farmers Home Administration.

[FR Doc. 91–30356 Filed 12–19–91; 8:45 am]

BILLING CODE 3410–07–M

Animal and Plant Health Inspection Service

9 CFR Part 82

[Docket No. 91–060]

Exotic Newcastle Disease

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Technical amendment.

SUMMARY: We are making a technical amendment to correct an error in the interstate transportation of animals and animal products regulations concerning areas quarantined because of exotic Newcastle disease.

EFFECTIVE DATE: December 20, 1991.

FOR FURTHER INFORMATION CONTACT: Dr. M. A. Mixson, Chief Staff Veterinarian, Emergency Programs Staff, VS, APHIS, USDA, room 746, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301–436–8073.

SUPPLEMENTARY INFORMATION:

Background

Exotic Newcastle disease is a contagious, infectious, and communicable disease of birds and poultry. Regulations to eradicate and to prevent the interstate spread of this and other diseases are contained in 9 CFR part 82.

Paragraph (c) of § 82.3 quarantines certain areas because the contagion or vectors of exotic Newcastle disease exist in these areas, or because animals

and/or live poultry affected with or exposed to exotic Newcastle disease exist in these areas.

During the 1970's and 1980's, certain premises within New York and California were quarantined because of exotic Newcastle disease and added to the list of quarantined areas in § 82.3(c). (At no time were New York and California quarantined in their entirety due to exotic Newcastle disease; only premises within these States were quarantined.)

The last quarantined premises in New York was removed from the list of quarantined areas in § 82.3(c) in a final rule effective May 13, 1983, and published in the **Federal Register** on May 19, 1983 (48 FR 22501, Docket Number 83–062). The last quarantined premises in California was removed from the list of quarantined areas in § 82.3(c) in a final rule effective May 17, 1983, and published in the **Federal Register** on May 23, 1983 (48 FR 22897), Docket Number 83–067).

It has come to our attention that New York and California continue to appear on the list in § 82.3(c), even though no quarantined premises remain in either State. This oversight could create confusion concerning the quarantine status of these States. We are therefore removing paragraph (c) of § 82.3. No areas in the United States are quarantined because of exotic Newcastle disease.

List of Subjects in 9 CFR Part 82

Animal diseases, Chlamydiosis, Exotic Newcastle disease, Ornithosis, Poultry and poultry products, Psittacosis, Salmonella, Quarantine, Transportation.

PART 82—EXOTIC NEWCASTLE DISEASE IN ALL BIRDS AND POULTRY: PSITTACOSIS AND ORNITHOSIS IN POULTRY: POULTRY DISEASE CAUSED BY SALMONELLA ENTERITIDIS

Accordingly, 9 CFR part 82 is amended as follows:

1. The authority citation for part 82 continues to read as follows:

Authority: 21 U.S.C. 111–113, 115, 117, 120, 123–126, 134a, 134b, 135f; 7 CFR 2.17, 2.51, and 371.2(d).

§ 82.3 [Amended]

2. In § 82.3, paragraph (c) is removed.

Done in Washington, DC, this 16th day of December 1991.

Robert Melland,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 91–30475 Filed 12–19–91; 8:45 am]

BILLING CODE 3410–34–M

FARM CREDIT ADMINISTRATION

12 CFR Parts 613 and 618

RIN 3052–AB28

Eligibility and Scope of Financing; General Provisions; Financing of Basic Processing and Marketing Activities; Authorized Insurance Services

AGENCY: Farm Credit Administration.

ACTION: Final rule.

SUMMARY: The Farm Credit Administration (FCA), by the Farm Credit Administration Board (Board), adopts final regulations amending parts 613 and 618 of FCA regulations, that were published as proposed regulations on September 9, 1991, 56 FR 45902. These regulations reflect certain amendments to the Farm Credit Act of 1971 (1971 Act) by the Food, Agriculture, Conservation and Trade Act of 1990 [1] (1990 Farm Bill) pertaining to the throughput requirements for processing and marketing loans and insurance services offered by Farm Credit System (System) institutions. The amendment to part 613 deletes the 20-percent minimum throughput requirement for loans financing and processing and/or marketing operations of eligible farmers, ranchers, and producers or harvesters of aquatic products, and imposes a statutory limitation on the volume of such loans where the throughput provided by the borrower is less than 20 percent. The amendment to part 618 modifies the requirement that all Farm Credit System institutions must offer more than two insurance carriers.

EFFECTIVE DATE: The regulations shall become effective upon the expiration of 30 days after publication during which either or both houses of Congress are in session. Notice of the effective date will be published in the **Federal Register.**

FOR FURTHER INFORMATION CONTACT:

Linda C. Sherman, Senior Credit Specialist, Policy and Risk Analysis Division, Office of Examination, Farm Credit Administration, McLean, VA 22102–5090, (703) 883–4498,

or

Richard A. Katz, Attorney, Regulatory and Legislative Law Branch, Office of General Counsel, Farm Credit Administration, McLean, VA 22102–5090, (703) 883–4020, TDD (703) 883–4444.

SUPPLEMENTARY INFORMATION:

I. General

Prior to the 1990 Farm Bill, sections 1.11(a) and 2.4(a)(1) of the 1971 Act authorized Farm Credit Banks (FCBs) and production credit associations (PCAs) respectively, to make processing and marketing loans to farmers, ranchers, and producers or harvesters of aquatic products if the borrower's agricultural or aquatic operations supplied at least 20 percent of the total processing or marketing (throughput) for which financing was extended. Section 1832 of the 1990 Farm Bill deleted the 20-percent throughput requirement from sections 1.11(a) and 2.4(a)(1) of the 1971 Act, and instead required the borrower's agricultural or aquatic operations to supply "some portion" of the throughput used in the borrower's processing and/or marketing operations. The 1990 Farm Bill also added the following provisions to the 1971 Act concerning processing and marketing loans to borrowers who provide less than 20 percent of the throughput: (1) Such loans by an FCB are limited to 15 percent of its total outstanding loans; and (2) such loans by any direct lender association in the district are restricted to 15 percent of all outstanding retail loans of all such direct lender associations in the district.

Section 1834 of the 1990 Farm Bill modified the requirement in section 4.29 of the 1971 Act that FCBs always approve more than two insurers for each type of insurance program offered to System borrowers throughout the district. Congress recognized "the possibility that System banks may be unable to satisfy the requirement that banks approve more than two insurers for each type of program." [2] As a result, Congress amended section 4.29 of the 1971 Act to require System banks to make a reasonable and good faith effort to attract and approve more than two qualified insurers for each insurance program offered in the district so that the bank or its related associations could offer borrowers at least two insurers.

In response to these statutory changes, the FCA proposed to amend § 613.3045 pertaining to processing and marketing loans, and § 618.8030 regarding insurance services. *See* 56 FR 45902 (September 9, 1991). Comments concerning the proposed amendments to the processing and marketing regulation were received from the Farm Credit Council (FCC), three FCBs, two agricultural credit associations (ACAs), and the American Bankers Association (ABA). The FCC also offered comments about the proposed amendments to § 618.8030 pertaining to insurance

[1] Pub. L. No. 101–624, 104 Stat. 3359 (1990).

[2] H.R. Conf. Rep. No. 916, 101st Cong. 1st Sess. 1133 (1990).

services, which were endorsed by all System commenters.

II. Processing and Marketing Loans

A. Minimum Throughput Requirement

1. Comments

The FCA proposed to amend § 613.3045(b)(2) to allow FCBs and direct lender associations to finance the processing and/or marketing operations of farmers, ranchers, and aquatic producers or harvesters whose agricultural or aquatic activities supply, on a sustained basis, some portion of the throughput. The FCA did not propose to otherwise amend § 613.3045(b)(2), which also imposes specific requirements on applicants whose agricultural or aquatic operations supply less than 50 percent of the throughput used in their processing and/or marketing operations. The proposed regulation would continue to require the applicant's processing and/or marketing activities to constitute a logical and actual extension of the borrower's agricultural or aquatic operations for financing vertical integration from the production stage through the processing and/or marketing stage, whenever the applicant's production supplies less than 50 percent of the throughput. Furthermore, FCA did not propose to amend existing § 613.3045(b)(2)(iii) which imposes specific requirements on applicants who supply less than 50 percent of the throughput whenever the ownership of the processing and/or marketing operation differs from the ownership of the basic agricultural or aquatic production operation.

The FCC commented (and the FCBs and ACAs concurred) that the additional requirements that § 613.3045(b)(2) imposes on loans to borrowers who supply less than 50 percent of the throughput, exceed the limits that Congress established by statute. The FCC argued that § 613.3020 imposes sufficient safeguards to prevent FCBs and associations from extending processing and marketing loans to parties who are not bona fide farmers, ranchers, or aquatic producers or harvesters.

The FCC also asserted that FCA would unnecessarily restrict the ability of FCBs and associations to make processing and marketing loans by requiring the borrower to supply some portion of the throughput "on a sustained basis." The FCC concedes, however, that the statute requires the processing and/or marketing operations to be a logical extension of an eligible borrower's agricultural or aquatic operations.

The FCC recommended that the final regulation add proposed §§ 613.3045(b)(2)(ii) and 613.305(c) to existing § 613.3045(a), and eliminate the remainder of the current regulation, including current § 613.3045(c) (redesignated as (e) in the final regulation), which requires all FCBs and associations to develop specific lending policies concerning processing and marketing loans.

2. FCA Response

The FCA disagrees with the FCC's contention that the proposed regulation violates the amended statute because it continues to distinguish between loans where the borrower's agricultural or aquatic activities supply more than 50 percent of the throughput, and loans where the borrower contributes a lesser amount of the throughput. Sections 1.11(a) and 2.4(a)(1) of the Act continue to require processing and marketing operations to be "directly related" to the agricultural or aquatic activities of eligible borrowers in order to be eligible for financing. The FCA interprets "directly related" to require that the processing and marketing operations be a "logical and actual extension" of the agricultural or aquatic activities of eligible borrowers.

When the borrower supplies 50 percent or more of the throughput, FCA's regulations presume that the processing and/or marketing operation is an actual and logical extension of the borrower's agricultural or aquatic production. Borrowers who supply 50 percent or more of the throughput are currently not required to demonstrate that their processing and/or marketing operations are an actual and logical extension of the agricultural or aquatic activities of eligible borrowers in order to qualify for credit from a Farm Credit System institution.

When the throughput declines to below 50 percent, the regulation does not presume that the borrower's marketing and processing operation is directly related to his or her agricultural or aquatic operation. Rather, the regulation requires additional evidence that the operation is directly related to the borrower's agricultural or aquatic production. The FCBs and associations are expected to screen carefully potential processing and marketing borrowers who supply less than 50 percent of the throughput so that the processing and marketing authorities are not used to finance enterprises that are only remotely connected with the financing of agricultural or aquatic production.

As noted above, the FCC requested that FCA delete existing § 613.3045(b)(2)(iii), which imposes certain requirements on borrowers who supply less than 50 percent of the throughput, whenever the ownership of the processing and/or marketing operation differs from the ownership of the basic agricultural or aquatic production operations.

This provision in the existing regulation is intended to qualify an applicant which is wholly owned by eligible borrowers, but may not produce throughput or meet the legal entity test of § 613.3020. Where the processing and/or marketing operation is separate from the basic production unit, the processing and marketing operation may not meet the eligibility requirements of § 613.3020 because it does not produce agricultural products or own agricultural land. However, where the basic processing and/or marketing entity is entirely owned by persons who would be eligible for such financing, individually or as joint borrowers, the existing and proposed regulations would consider the entity, together with its owners, as a "farmer, rancher, or aquatic producer or harvester" for the purposes of determining eligibility for a loan under processing and marketing authorities. The FCA intends to further clarify these issues when it undertakes a more comprehensive review of the eligibility requirements of part 613.

The FCA declines to delete the phrase "on a sustained basis" from the regulation, as eligible borrowers are expected to regularly supply some portion of the agricultural or aquatic produce used in the processing and/or marketing operation. Similarly, while the final regulation redesignates existing § 613.3045(c) as (e), no substantive change is made, as the need for each institution to appropriately monitor and control eligible marketing and processing loans continues to exist.

The FCA believes that the final regulation balances the objectives that Congress set forth in the 1990 Farm Bill. The successful and expanding processing and/or marketing operations of bona fide farmers, ranchers, and aquatic producers or harvesters will now qualify for continued System financing when the borrower's share of the throughput declines below 20 percent. At the same time, the regulation excludes borrowers whom Congress deemed ineligible for loans from FCBs and associations.

B. Restrictions on the Amount of Certain Processing and Marketing Loans

The FCA proposed to implement provisions in the 1990 Farm Bill limiting the amount of processing and marketing

loans that FCBs and direct lender associations can make to borrowers who supply less than 20 percent of the throughput by redesignating existing § 613.3045 (c) as (e) and adding § 613.3045 (c) and (d) to the existing regulation. Under proposed § 613.3045(c), processing and marketing loans to borrowers who supply less than 20 percent of the throughput would be subject to the three separate limitations below:

(1) Section 613.3045(c)(1) would limit such loans to 15 percent of all outstanding loans made in the district by the FCB and all direct lender associations during the preceding fiscal year;

(2) Section 613.3045(c)(2) would restrict processing and marketing loans (where the throughput is less than 20 percent) by a FCB to 15 percent of all outstanding loans made by the Bank during the preceding fiscal year; and

(3) Section 613.3045(c)(3) would limit such loans by any direct lender association to 15 percent of all outstanding loans made by all direct lender associations in the district during the preceding fiscal year.

In addition, § 613.3045(d) would require each FCB, in conjunction with all associations chartered in the district to identify and monitor eligible marketing and processing loans with less than 20-percent throughput prior to final loan approval in order to ensure that the 15-percent districtwide limit is not exceeded.

The FCC offered no comments on proposed § 613.3045 (c) and (d) because it was unable to forge a consensus position among its members. Instead, two FCBs submitted separate comments on proposed § 613.3045(c)(1). One of the two FCBs and the ABA offered comments on proposed § 613.3045(d).

One FCB suggested that the FCA delete § 613.3045(c)(1), contending the districtwide limit was not authorized by statute. This FCB argued that the 1990 Farm Bill only imposed a districtwide limit on processing and marketing loans (with less than 20-percent throughput) at the association level. The FCB argued that sections 1.11(a)(2) and 2.4(a)(1) of the 1971 Act imposed separate and unrelated limits on such processing and marketing loans by FCBs and associations. The legislative history to the 1990 Farm Bill expressly states that Congress intended to "allow the FCS to lend to marketers and processors" who supplied less than 20 percent of the throughput, but limited such loans to "15 percent of the portfolio of the district bank." However, the FCB commented that this is "an unclear and inconclusive expression of Congressional intent * * * that is in direct conflict with the plain language of the [s]ections 1.11(a)(2) and 2.4(a)(1)." This commenter opined that Congress would have written the statute differently if it really intended to impose a districtwide limitation on these loans.

The FCA disagrees that a districtwide limit on these loans is contrary to the plain language of sections 1.11(a)(2) and 2.4(a)(1) of the 1971 Act. The FCA declines to omit § 613.3045(c)(1) from the regulation because the legislative history clearly indicates that Congress intended to limit processing and marketing loans to borrowers who supply less than 20 percent of the throughput in each district to 15 percent of the portfolio of the district bank. Section 613.3045(c)(1) demonstrates that sections 1.11(a)(2) and 2.4(a)(1) of the 1971 Act can be interpreted together in a manner that is compatible with the legislative history.

Section 1342 of the 1990 Farm Bill establishes limits in both sections 1.11(a) and 2.4(a)(1) of the 1971 Act on processing and marketing loans to borrowers who supply less than 20 percent of the throughput. The Joint Conference Report explains that section 1342 of the 1990 Farm Bill "allows the FCS" to extend credit to the processing and/or marketing operations of borrowers who supply less than 20 percent of the throughput, but "limits the new authority to 15 percent of the portfolio of the district bank." [3] Since the Joint Conference Report describes both provisions as enforcing a single limitation, it is difficult to understand how the commenter can argue that there is a districtwide limit for associations without acknowledging that the Bank is also subject to it.

Comments concerning proposed § 613.3045(c) indicate that System institutions may be confused about which loans comprise the base of "total outstanding loans," for the purposes of determining the districtwide limit. The FCA interprets "total outstanding loans" to refer to bank loans made to borrowers, not loans to associations. Sections 1.11(a) and 2.4(a)(1) of the 1971 Act grant FCBs and associations authority to make retail loans. The FCA believes that the limitation was intended to be related to the Bank volume used in determining the 15-percent districtwide limit. This is similar to the interpretation of limits on rural housing loans in sections 1.11(b) and 2.4(b) of the 1971 Act, which refer to "total outstanding loans" of the FCBs and associations. At the time these retail lending authorities were granted, only the Federal land banks (FLBs) and PCAs could make retail loans. The FCA has always interpreted these limits on rural housing loans as referring to the total of outstanding retail loans. The FCA adopts this interpretation for processing and marketing loans.

According, the FCA has revised proposed § 613.3045(c) in the final regulation to specify that the districtwide limit on this category of processing and marketing loans is based upon the total of all outstanding retail loans made in the district during the preceding fiscal year. More specifically, § 613.3045(c)(1) limits processing and marketing loans where the throughput is less than 20 percent to 15 percent of all outstanding retail loans made by both the FCB and all associations in the district. Furthermore, § 613.3045(c)(2) of the proposed regulation was revised to state more clearly that processing and marketing loans by FCBs to borrowers who supply less than 20 percent of the throughput are restricted to 15 percent of the FCB's total outstanding retail loans.

The final regulation clarifies that "loans" include participation interests, and specifically addresses how the participation of processing and marketing loans between the FCB and its affiliated associations affect the districtwide limitations. Such participation interests may be counted in the loan totals of the FCB or the direct lender association, but not in both places. This change is designed to allow maximum flexibility to the district to make processing and marketing loans to eligible borrowers, wherever they may be located.

Another FCB, in conjunction with the districtwide ACA, expressed concern about the impact of proposed § 613.3045(c) in situations where the direct lending authority in a district was transferred to an ACA or a Federal land credit association (FLCA), but certain long-term mortgages remained at the FCB. These institutions recommended that the FCA amend the proposed regulation so that the association could count the FCB's loans as its own, and thus, increase the amount of processing and marketing loans that the association could make. These commenters suggest that the failure of the FCA to make an exception for this situation would create a "discriminatory and anomalous result [that] cannot be sustained on any legal or policy grounds."

In response to the above concerns, the FCA has revised § 613.3045(c)(3) in the final regulation to allow associations to count, as a part of the association loan total, all performing retail loans on the Bank's books that were originated

[3] *Id*

before the lending authority was transferred. The final regulation, however, excludes nonperforming loans that the FCB has either retained or purchased from an association as a form of financial assistance from the base of "total outstanding loans" that is used to determine the districtwide limit. This change is intended to avoid disadvantaging districts in which long-term lending authority has been transferred out of the Bank, but assets have not.

An FCB also expressed concern that § 613.3045(d) would enable one or two System institutions to monopolize processing and marketing loans (to borrowers who supply less than 20 percent of the throughput) in the district. This commenter felt a small association could become heavily concentrated in these loans without violating the 15-percent limit in § 613.3045(c), and suggested that the FCA amend § 613.3045(d) to require that each institution establish its own limit. Under the FCB's proposal, each FCB and association would base its individual limit on sound credit practices and risk diversification principles.

However, the 1990 Farm Bill clearly imposed districtwide limits on processing and marketing loans to borrowers who supply less than 20 percent of the throughput. The FCA proposed amending § 613.3045(d) to require each FCB and its affiliated associations to equitably allocate such processing and marketing loans among all institutions in the district. The final regulation enables, but does not require, the FCB and the associations in the district to establish specific percentage limits on the amount of processing and marketing loans that each institution can make to borrowers who supply less than 20 percent of the throughput. This equitable allocation of such loans among the direct lenders in the district is intended to prevent any association from concentrating its portfolio in processing and marketing loans or violating the districtwide limit in § 613.3045(c)(3).

The FCA has eliminated the requirement of § 613.3045(d) to develop policies and procedures for monitoring and implementing the limitations of § 613.3045(c). The final regulation merely requires FCBs and associations to identify and monitor loans to ensure that the 15-percent districtwide limit is not exceeded and that processing and marketing loans are equitably allocated among all lenders.

The ABA commented on ways to detect and punish "inadvertent" violations of the 15-percent limit on processing and marketing loans to borrowers who supply less than 20 percent of the throughput. The ABA suggested that the final regulation require all borrowers who obtain processing and marketing loans from Farm Credit System institutions to submit an annual affidavit stating the amount of throughput contributed during the year. The ABA proposed that every FCB, on a quarterly basis, calculate the amount of processing and marketing loans made to borrowers in the district with less than 20-percent throughput and submit a report to the FCA. The ABA recommended the regulations specify procedures for reporting, compiling, calculating, and reviewing information about these loans. The commenter suggested that the FCA add provisions to the regulation to impose personal liability on directors of Farm Credit System institutions that violate the 15-percent limit for processing and marketing loans to borrowers who supply less than 20 percent of the throughput. The ABA contends that loans which exceed the limit are null and void. The commenter further recommended that the contract should warn the borrower that any processing and marketing loan made in violation of the limit is void, and in such event, the borrower would be obligated to immediately refund the principal amount of the loan.

The FCA notes that current underwriting and reporting standards on processing and marketing loans are sufficient to detect any violation of limits on this category of loans. The FCA's enforcement powers are sufficient to remedy situations where System institutions exceed the 15-percent limit. The sanctions proposed by the ABA for inadvertent violations of the districtwide limit appear excessive and unnecessary. The FCA also has not adopted the ABA's suggestion that the regulation punish a borrower for the unintentional mistakes of the lender.

III. Insurance Services

The proposed amendments to § 618.8030 reflect changes to section 4.29 of the 1971 Act by no longer requiring that the banks always approve more than two insurers for each type of insurance program offered to Farm Credit System borrowers. The proposed regulation would require a bank to document its efforts to attract additional qualified insurers for each type of insurance offered whenever it had not approved more than two insurers for each insurance program offered in every State of its chartered territory.

The FCC approved of the proposed regulation and recommended two minor word changes. The FCC suggested the FCA change the word "offer" in the third sentence of § 618.8030(b)(2) to "approve," in order to reflect the requirement in section 4.29 of the 1971 Act that System banks approve, whenever possible, more than two insurers for each type of insurance offered to System borrowers. Similarly, the FCC suggested that the term "approved" in the final sentence of § 618.8030(b)(3)(v) be changed to "selected," because the direct lender "selects and offers" insurers that already have been "approved" by the bank. The FCA adopted these changes suggested by the FCC because they clarify the regulation.

List of Subjects in 12 CFR Parts 613 and 618

Aged, Agriculture, Banks, banking, Civil rights, Credit, Fair housing, Insurance, Marital status discrimination, Religious discrimination, Reporting and recordkeeping requirements, Rural areas, Sex discrimination, Signs and symbols, Technical assistance.

For the reasons stated in the preamble, parts 613 and 618 of chapter VI, title 12 of the Code of Federal Regulations is amended to read as follows:

PART 613—ELIGIBILITY AND SCOPE OF FINANCING

1. The authority citation for part 613 continues to read as follows:

Authority: Secs. 1.5, 1.7, 1.9, 1.10, 1.11, 2.2, 2.4, 2.12, 3.1, 3.7, 3.8, 3.22, 5.9, 5.17; 12 U.S.C. 2013, 2015, 2017, 2018, 2019, 2073, 2075, 2093, 2122, 2128, 2129, 2143, 2243, 2252.

Subpart B—Eligibility To Borrow From Farm Credit Banks, Agricultural Credit Banks, Production Credit Associations, Agricultural Credit Associations and Federal Land Credit Associations

2. Section 613.3045 is amended by revising the first sentence of paragraph (b)(2)(ii); redesignating paragraph (c) as new paragraph (e); and adding new paragraphs (c) and (d) to read as follows:

§ 613.3045 Financing of basic processing and marketing activities.

* * * * *

(b) * * *

(2) * * *

(ii) The applicant, or as provided for in paragraph (b)(2)(iii) of this section, the applicant processing or marketing unit and its owners, shall produce on a

sustained basis some portion of the throughput of the basic processing and/or marketing operation sufficient to demonstrate that such operation constitutes a logical and actual extension of the applicant's agricultural or aquatic operation for financing vertical integration from the production stage through the basic processing and/or marketing stage. * * *

* * * * *

(c) Processing and marketing loans to eligible borrowers, who supply on a sustained basis less than 20 percent of the throughput, are subject to the following restrictions:

(1) The aggregate of such marketing and processing loans provided by the Farm Credit Bank and all direct lender associations in each district shall not exceed 15 percent of the total of all outstanding retail loans in the district at the end of the bank's preceding fiscal year;

(2) The aggregate of such marketing and processing loans provided by any Farm Credit Bank shall not exceed 15 percent of all outstanding retail loans made by such bank as a direct lender at the end of its preceding fiscal year. For the purposes of this paragraph, "outstanding loans" may include loan participations bought from or sold to associations in the district, to the extent such participations are not considered as a part of the "aggregate of outstanding loans of all associations" for the purposes of determining the limitation under paragraph (c)(3) of this section; and

(3) The aggregate of such marketing and processing loans provided by any association shall not exceed 15 percent of all outstanding loans of all associations in the district at the end of the preceding fiscal year. For the purposes of this paragraph, "outstanding loans of all associations" may include, to the extent not considered as a part of the retail loan volume of the bank for the purposes of determining the limitations under paragraph (c)(2) of this section:

(i) All performing loans originated by or through associations to which long-term lending authority has been transferred; and

(ii) All loan participations sold by associations to the district bank and all participations purchased by the association from the bank;

(d) Each Farm Credit Bank, in conjunction with all direct lending associations chartered in the district, shall:

(1) Identify and monitor loans subject to the limitations of paragraph (c) of this section sufficiently to ensure that the 15-percent districtwide limit is not exceeded;

(2) Ensure that processing and marketing loans subject to the limitations of paragraph (c) of this section are equitably allocated among all direct lenders in the district; and

(3) Ensure that no retail loan or loan participation is double-counted for the purposes of determining the limitations of paragraph (c) of this section.

* * * * *

PART 618—GENERAL PROVISIONS

3. The authority citation for part 618 continues to read as follows:

Authority: Secs. 1.5, 1.11, 1.12, 2.2, 2.4, 2.5, 2.12, 3.1, 3.7, 4.12, 4.13A, 4.25, 4.29, 5.9, 5.10, 5.17; 12 U.S.C. 2013, 2019, 2020, 2073, 2075, 2076, 2093, 2122, 2128, 2183, 2200, 2211, 2218, 2243, 2244, 2252.

Subpart B—Member Insurance

4. Section 618.8030 is amended by revising paragraphs (b)(2) and (b)(3)(v) to read as follows:

§ 618.8030 Authorized insurance services.

* * * * *

(b) * * *

(2) In making insurance available through private insurers, each bank shall approve the programs of more than two insurers for each type of insurance offered in the bank's chartered territory, provided that more than two insurers for each type of insurance have proposed programs to the bank that will, in all likelihood, have long-term viability, and meet the requirements of § 618.8030(b)(3)(i) of this section. The banks shall make a reasonable and good faith effort to attract more than two qualified insurers for each insurance program offered to borrowers in all States of the bank's chartered territory. Where the bank is unable to approve more than two insurers, the bank shall document its efforts to attract additional qualified insurers for the affected insurance program and State. The banks may provide comparative information relating to costs and quality of approved programs and the financial condition of approved companies.

(3) * * *

(v) In making insurance available through approved insurers, the board of directors of the bank or association shall make a reasonable and good faith effort to select and offer at least two approved insurers for each type of insurance made available to the members and borrowers. In the event that the bank or association has selected less than two insurers for any insurance program, such bank or association shall document the reasons why it is unable to offer members and borrowers additional insurers for the affected insurance program.

* * * * *

Dated: December 16, 1991.

Curtis M. Anderson,

Secretary, Farm Credit Administration Board.

[FR Doc. 91-30479 Filed 12-19-91; 8:45 am]

BILLING CODE 6705-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Parts 2, 154, 157, 284, 375, and 380

[Docket No. RM90-1-003]

Revisions to Regulations Governing Authorizations for Construction of Natural Gas Pipeline Facilities

Issued: December 16, 1991.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule; notice of postponement of technical conference.

SUMMARY: By notice issued on November 26, 1991 (56 FR 63648, December 5, 1991), the Federal Energy Regulatory Commission (Commission) set January 7, 1992 as the date for a technical conference on the non-environmental aspects of the final rule issued on September 20, 1991 in Order No. 555. The Commission hereby is postponing the date of that conference until Friday, January 17, 1992. All interested persons are invited to attend and participate.

DATES: The conference will be held on Friday, January 17, 1992 beginning at 10 a.m.; notices of intent to participate should be filed by January 10, 1992 and should indicate the amount of time desired, if any, for a presentation.

ADDRESSES: The conference will be held at the Commission's offices at 810 First Street, NE., Washington, DC; notices of intent to participate should be filed with the Secretary of the Commission, 825 N. Capitol Street, NE., Washington, DC 20426.

FOR FURTHER INFORMATION CONTACT: Lois D. Cashell, Secretary of the Commission, (202) 208-0400.

Federal Energy Regulatory Commission

Revisions to Regulations Governing Authorizations for Construction of Natural Gas Pipeline Facilities

[Docket No. RM90-1-003]

Postponement of Technical Conference

December 16, 1991.

On November 26, 1991, the Commission issued a notice convening on January 7, 1992 a technical conference on the non-environmental aspects of Order No. 555.[1] Notice is hereby given that the Commission is postponing the date of that technical conference until January 17, 1992. The conference will commence on that date at 10 a.m., at 810 First Street, NE., Washington, DC.

All interested persons are invited to attend and participate. Those wishing to make a presentation must so advise the Secretary of the Commission on or before Friday, January 10, 1992, and indicate an amount of time desired for presentation. Participants will be restricted to lesser periods of time if necessary to afford each participant an opportunity to speak.

Lois D. Cashell,

Secretary

[FR Doc. 91-30402 Filed 12-19-91; 8:45 am]

BILLING CODE 6717-01-M

UNITED STATES INFORMATION AGENCY

22 CFR Part 514

Exchange Visitor Camp Counselor and Training Programs

AGENCY: United States Information Agency.

ACTION: Statement of policy and notice to sponsors of exchange visitor camp counselor and training programs.

SUMMARY: In response to a report of the General Accounting Office entitled "Inappropriate Uses of Educational and Cultural Exchange Visas," dated February 16, 1990, the Agency on July 23, 1990 imposed a moratorium on the designation of new camp counselor programs and directed that currently designated camp counselor programs not expand in any way during the moratorium, 55 FR 29643. A similar moratorium was imposed on exchange visitor training programs on August 13, 1990, 55 FR 32907. This policy statement partially lifts the two moratoria with regard to currently-designated training and camp counselor programs and allows said sponsors to expand their camp counselor and training programs with respect to Soviet and other Eastern European exchange participants. The moratoria on designation of new training and camp counselor programs and on expansion of currently-designated flight training programs shall remain in effect until enactment of the final general provisions and training regulations. Following enactment, priority attention shall be given to applications for designation of new training programs.

EFFECTIVE DATE: This policy statement is effective December 20, 1991.

ADDRESSES: Questions or comments regarding this notice should be addressed to Task Force on Regulatory Reform, Office of the General Counsel, room 700, United States Information Agency, 301 Fourth Street, SW., Washington, DC 20547. Tel. (202) 401-1707.

FOR FURTHER INFORMATION CONTACT: Task Force on Regulatory Reform, Office of the General Counsel, room 700, United States Information Agency, 301 Fourth Street, SW., Washington, DC 20547, Tel. (202) 401-1707.

SUPPLEMENTARY INFORMATION: On February 16, 1990 the General Accounting Office issued a report entitled "Inappropriate Uses of Educational and Cultural Exchange Visas." That report questioned the appropriateness of certain exchange activities conducted under Agency-designated camp counselor and training programs. In response to the GAO report the Agency imposed a moratorium on the designation of new camp counselor programs, 55 FR 29,643 (1990), and on new training programs, 55 FR 32,907 (1990). The moratoria also directed that designated camp counselor and training programs not expand their programs in any way while the moratoria were in effect.

The moratoria were imposed in order to implement a complete reform of the Exchange Visitor Program regulations. In June 1990 the Agency created a Task Force on Regulatory Reform to carry out a review and revision of the regulations, a process which is well underway. On November 25, 1991, the Agency published proposed training regulations as well as proposed "General Provisions" which will affect all exchange visitor programs. 56 FR 59,822 (1991). At the conclusion of the 90-day comment period, the Agency will review all comments submitted by interested parties and will then publish final "General Provisions" and training regulations. Other proposed regulations, such as those dealing with professors, researchers, bio-medical and medical exchangees, will follow shortly. It is anticipated that the entire regulatory reform of the Exchange Visitor Program (22 CFR part 514) will be completed by May, 1992.

The moratoria on exchange visitor training and camp counselor programs have now been in effect for approximately 15 months. During this period vast political and economic changes have taken place in the Soviet Union and in the former Eastern Bloc countries, including the former East Germany. A number of new foreign policy initiatives, such as the Support For East European Democracies (SEED) program, the President's East European Initiative, as well as many private sector initiatives, have demonstrated the need for expanding exchange activities involving those regions.

At the same time, the Agency has been reluctant to designate new programs or allow the expansion of existing programs while it is in the midst of a total regulatory reform effort. It is entirely possible that, if new programs were designated at the present time, those same programs would not be able to comply with the final regulations eventually promulgated by the Agency and would therefore not be able to continue in operation.

Nevertheless, foreign policy considerations override this concern and the Agency has determined that it is in the foreign policy interests of the United States to lift the moratoria on the expansion of currently-designated exchange visitor training and camp counselor programs. Therefore, effective the date of publication of this Notice in the **Federal Register**, currently-designated training and camp counselor programs, with the exception of flight training programs, are permitted to expand the scope of their programs numerically and in terms of the types of exchange activities they offer.

Because the Agency expects to promulgate final "General Provisions" and final training regulations by the Spring of 1992, the moratoria on the designation of new camp counselor and training programs will continue in effect until these final regulations are promulgated. As noted above, the moratorium on expansion of currently-designated flight training programs continues in effect. When such final regulations are promulgated the remainder of the moratoria will be lifted. At such time, all designated programs must re-apply for designation and

[1] Revisions to Regulations Governing Authorizations for Construction of Natural Gas Pipeline Facilities. III FERC Stats. & Regs. ¶ 30,928 (1991).

demonstrate that they are able to comply with the new regulations. Such programs will be permitted to continue their exchange activities pending review of their application for re-designation by the Agency. Those camp counselor and training programs which had applied for designation at the time the moratoria were imposed must also re-apply for designation. The Exchange Visitor Program Services office will give priority to the review of those applications which were pending at the time the moratoria were imposed.

List of Subjects in 22 CFR Part 514

Cultural exchange programs, Practical trainees, International camp counselors, Reporting and recordkeeping requirements.

Dated: December 16, 1991.

R. Wallace Stuart,

Acting General Counsel.

[FR Doc. 91-30416 Filed 12-20-91; 8:45 am]

BILLING CODE 8230-01-M

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

31 CFR Part 500

Foreign Assets Control Regulations

AGENCY: Office of Foreign Assets Control, Department of the Treasury.

ACTION: Final Rule, amendments.

SUMMARY: This rule authorizes travel service providers subject to U.S. jurisdiction to engage in certain transactions, for profit or otherwise, concerning the arrangement, promotion, or facilitation of group and individual tours and travel to Vietnam, and limits reimbursement by U.S. subsidiaries incorporated abroad to their foreign national employees for expenses incurred in Vietnam.

EFFECTIVE DATE: December 17, 1991.

FOR FURTHER INFORMATION CONTACT: Willaim B. Hoffman, Chief Counsel (tel.: 202/535-6020), or Steven I. Pinter, Chief of Licensing (tel.: 202/535-9449), Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220.

SUPPLEMENTARY INFORMATION: On March 8, 1988, the Office of Foreign Assets Control ("FAC") amended the Foreign Assets Control Regulations ("FACR") in response to the heightened interest in travel to Vietnam. The amendments clarified the restrictions on the transactions in which travel service providers subject to U.S. jurisdiction ("TSP") may engage with respect to travel to and in Vietnam. Authorized transactions were limited to the booking of passage aboard a third-country carrier's flight to or from Vietnam. Sections 500.201 and 500.563 of the FACR prohibited other transactions, such as the arrangement, promotion, or facilitation of group or individual tours, hotel accommodations, ground transportation, local tours and similar travel activities in Vietnam, the entry into business arrangements with Vietnam or its nationals, and the acceptance of fees, commissions, or other compensation with respect to travel to Vietnam. These restrictions applied both to commercial and noncommercial TSP's.

This amendment lifts these restrictions with respect to TSP's both commercial and noncommercial, to permit the arrangement, promotion or facilitation of travel to, from, and within Vietnam by individuals, groups and organizations. TSP's must file monthly reports on certain financial transactions incident to such arrangements. Travel costs prepaid through a TSP must be taken into account in complying with the $200 per diem restriction on a traveler's travel-related expenses pursuant to § 500.563 of the FACR, as amended at 55 FR 31178, August 1, 1990, and 55 FR 49997, December 4, 1990.

This final rule does not authorize TSP's to open offices in Vietnam, nor does it permit TSP's to charter, or sell tickets for use of, American-owned or controlled aircraft to fly into Vietnam. In addition, no direct or single-plane through flights between the United States and Vietnam may be organized or offered for sale, i.e., a change of flight number and equipment in a third country is required. American-owned or controlled aircraft may be used by charter or otherwise, however, to provide transportation for all portions of travel to or from Vietnam except for that leg of the journey going into or out of Vietnam. This final also does not affect the specific licensing requirement for TSP's seeking to conduct tours and private exchange programs to Cambodia, as set forth in § 500.563 of the FACR, 53 FR 7354, March 8, 1988, or to North Korea, as set forth in § 500.569 of the FACR, 54 FR 21, January 3, 1989, as amended in 54 FR 11185, March 17, 1989.

Finally, this final rule amends § 500.564 of the Regulations to clarify that reimbursement by American-owned or controlled foreign firms for expenditures incidental to travel to and in Cambodia, North Korea and Vietnam by their foreign-national employees is limited by the per diem established in § 500.563(a)(2), currently set at $200. *See:* 55 FR 31178, August 1, 1990; 55 FR 49997, December 4, 1990.

Because the FACR involve a foreign affairs function, Executive order 12291 and the provisions of the Administrative Procedure Act, 5 U.S.C. 553, requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date, are inapplicable. Because no notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, does not apply.

List of Subjects in 31 CFR Part 500

Cambodia, North Korea, Reporting and recordkeeping requirements, Travel restrictions, Vietnam.

For the reasons set forth in the preamble, 31 CFR part 500 is amended as follows:

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

1. The authority citation for part 500 continues to read as follows:

Authority: 50 U.S.C. App. 5, as amended; E.O. 9193, 7 FR 5205, 3 CFR 1938-1943 Cum. Supp., p. 1174; E.O. 9989, 13 FR 4891, 3 CFR 1943-1948 Comp., p. 748.

Subpart E—Licenses, Authorizations, and Statements of Licensing Policy

2. The section heading of § 500.563 is revised as follows: the first sentence of paragraph (c)(1) of § 500.563 is removed and the following two new sentences are added in its place; the first sentence of paragraph (c)(2) of § 500.563 is revised as follows; the second sentence of paragraph (c)(2) of § 500.563 is revised by replacing the words "any foreign country designated under § 500.201 of this part" and "a designated country" with the words "Cambodia and North Korea"; and a new paragraph (c)(3) is added to § 500.563, to read as follows:

§ 500.563 Certain transactions incident to travel to and within Cambodia, North Korea, and Vietnam.

* * * * *

(c) *Travel Service Providers.* (1) Except as provided in paragraph (c)(3) of this section, all transactions by travel service providers are authorized in connection with travel to Vietnam. With respect to Cambodia and North Korea, transactions by travel service providers are authorized only in connection with the booking of passage to and from these countries on behalf of individuals aboard a third-country carrier, i.e., a carrier that is neither owned, controlled, nor chartered by a person subject to the jurisdiction of the United States, an

embargoed country, or a national of an embargoed country. * * *

(2) The provision of any service related to travel by individuals to Cambodia and North Korea is prohibited, other than that licensed by paragraph (c)(1) of this section. * * *

(3) Travel service providers are not authorized under this section to enter into transactions incident to opening or maintaining an office in Vietnam, nor may they charter or sell space aboard aircraft owned or controlled by persons subject to the jurisdiction of the United States for any flight to or from Vietnam. Such aircraft may be chartered for travel to points outside Vietnam, but entry into or exit from Vietnam, by charter or otherwise, must be aboard a third-country carrier. No direct or single-plane through flights between the United States and Vietnam may be organized or offered for sale, *i.e.*, a change of flight number and equipment in a third country is required. Travel service providers transferring funds directly or indirectly to Vietnam for purposes authorized in paragraph (c)(1) of this section must submit a monthly report, within 10 days of the end of each calendar month in which such transfers occur, to the Licensing Compliance Section, Office of Foreign Assets Control, U.S. Department of the Treasury, 1500 Pennsylvania Avenue NW., Annex, Washington, DC 20220, stating for each such transfer: The amount and nature or purpose of the transfer, the date of the transfer, the financial institution effecting the transfer, and the party to whom the funds were transferred.

* * * * *

§ 500.564 [Amended]

3. Section 500.564 is amended by adding the following words to the end of the paragraph: ", in accordance with the per diem limitation applicable to individuals subject to the jurisdiction of the United States that is set forth in § 500.563(a)(2)."

Dated: December 10, 1991.

R. Richard Newcomb,

Director, Office of Foreign Assets Control.

Approved: December 13, 1991.

Peter K. Nunez,

Assistant Secretary (Enforcement).

[FR Doc. 91-30416 Filed 12-17-91; 11:19 am]

BILLING CODE 4810-25-M

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31 CFR Part 550

Libyan Sanctions Regulations

AGENCY: Office of Foreign Assets Control, Department of the Treasury.

ACTION: Final rule; Amendment to the list of specially designated nationals of the Government of Libya.

SUMMARY: The Libyan Sanctions Regulations, 31 CFR part 550 (the "Regulations"), are being amended to remove one name from appendix B, the list of Individuals Determined To Be Specially Designated Nationals of the Government of Libya. Appendix B contains the names of individuals whom the Director of the Office of Foreign Assets Control has determined to be acting or purporting to act directly or indirectly on behalf of the Government of Libya. This list may be expanded or amended at any time.

EFFECTIVE DATE: December 20, 1991.

ADDRESSES: Copies of this list are available upon request at the following location: Office of Foreign Assets Control, U.S. Department of the Treasury, Annex, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

FOR FURTHER INFORMATION CONTACT: Richard J. Hollas, Chief, Enforcement Section, Office of Foreign Assets Control, Tel.: (202) 566-5021.

SUPPLEMENTARY INFORMATION: The Regulations were issued by the Treasury Department to implement Executive Orders No. 12543 (51 FR 875, Jan. 9, 1986) and 12544 (51 FR 1235, Jan. 10, 1986), in which the President declared a national emergency with respect to Libya, invoking the authority, *inter alia*, of the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), and ordering specific measures against the Government of Libya. The Regulations were amended by a final rule published in the **Federal Register** (56 FR 20540, May 6, 1991) which added appendix A, the list of Organizations Determined To Be Within the Term "Government of Libya" (Specially Designated Nationals of Libya). The Regulations were amended further by a final rule published in the **Federal Register** (56 FR 37156, Aug. 5, 1991) which removed numerical designations and merged the separate categories in appendix A, added the names of twelve companies to appendix A, and added a new appendix B, "Individuals Determined To Be Specially Designated Nationals of the Government of Libya," to the end thereof.

This rule removes one name from appendix B to part 550. The list consists of individuals whom the Director of the Office of Foreign Assets Control has determined to be acting or purporting to act directly or indirectly on behalf of the Government of Libya, and who thus fall within the definition of the "Government of Libya" contained in § 550.304(a) of the Regulations. The persons included in appendix B are subject to all prohibitions applicable to other components of the Government of Libya. All unlicensed transactions with such persons, or in property in which they have an interest, are prohibited.

The list of specially designated nationals is a partial one since FAC may not be aware of all the persons that might be owned or controlled by the Government of Libya or acting as officers, agents or front organizations for Libya, and which thus qualify as specially designated nationals of the Government of Libya. Therefore, persons engaging in transactions may not rely on the fact that any particular person is not on the specially designated nationals list as evidence that it is not owned or controlled by, or acting or purporting to act directly or indirectly for, the Government of Libya. The Treasury Department regards it as incumbent upon all U.S. persons to take reasonable steps to ascertain for themselves whether persons they enter into transactions with are owned or controlled by the Government of Libya or are acting or purporting to act on its behalf, or on behalf of other countries subject to blocking or transportation-related restrictions (at present, Cambodia, Cuba, Haiti, Iraq, North Korea, and Vietnam).

Pursuant to the Regulations, Dr. Ralf Wojtek was included in appendix B to the Regulations, published in the **Federal Register** on August 5, 1991 (56 FR 37156), as a specially designated national of the Government of Libya. Following a review of additional information it has been determined that Dr. Ralf Wojtek is not within the scope of the definition of the "Government of Libya" as defined in § 550.304(a) of the Regulations; and, therefore, is removed from the list of specially designated nationals of the Government of Libya.

Because the Regulations involve a foreign affairs function, Executive Order 12291 and the provisions of the Administrative Procedure Act, 5 U.S.C. 553, requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date, are inapplicable. Because no notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, does not apply.

List of Subjects in 31 CFR Part 550

Administrative practice and procedure, Banks, Banking, Blocking of assets, Foreign trade, Libya, Penalties, Reporting and recordkeeping requirements, Securities, Specially

designated nationals, Travel restrictions.

PART 550—LIBYAN SANCTIONS REGULATIONS

For the reasons set forth in the preamble, 31 CFR part 550 is amended as set forth below:

1. The "Authority" citation for part 550 continues to read as follows:

Authority: 50 U.S.C. 1701 *et seq.*; 22 U.S.C. 2349aa–8 & –9; 49 U.S.C. 1514; E.O. 12543, 51 FR 875 (Jan. 9, 1986); E.O. 12544, 51 FR 1235 (Jan. 10, 1986).

APPENDIX B [AMENDED]

2. Appendix B to part 550 is amended by removing the following name: Wojtek, Dr. Ralf, Germany.

Dated: November 14, 1991.

R. Richard Newcomb,

Director, Office of Foreign Assets Control.

Approved: November 20, 1991.

John P. Simpson,

Acting Assistant Secretary (Enforcement).

[FR Doc. 91–30412 Filed 12–17–91; 9:40 am]

BILLING CODE 4810–25–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 60 and 61

[FRL–4085–3]

Standards of Performance for New Stationary Sources, National Emission Standards for Hazardous Air Pollutants; Supplemental Delegation of Authority to Nashville

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; delegation of authority.

SUMMARY: On April 18, 1991, Nashville/Davidson County Metropolitan Health Department requested delegation of authority for the implementation and enforcement of additional categories of Standards of Performance for New Stationary Sources (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAPS). EPA's Review of Nashville/Davidson County's laws, rules, and regulations showed them to be adequate for the implementation and enforcement of these federal standards, and the agency made the redelegation as requested.

EFFECTIVE DATE: The effective date of the delegation of authority is June 28, 1991.

ADDRESSES: Copies of the request for delegation of authority and EPA's letter of delegation are available for public inspection at EPA's Region IV Office, 345 Courtland Street, NE., Atlanta, Georgia 30365. All reports required pursuant to the newly delegated standards should not be submitted to the Region IV Office, but should instead be submitted to the following address: Mr. Paul J. Bontrager, P.E., Director, Air Pollution Control Division, Metropolitan Health Department, Nashville/Davidson County, 311 23rd Avenue, North, Nashville, Tennessee 37203.

FOR FURTHER INFORMATION CONTACT: Leslie Cox of the EPA Region IV Air Programs Branch, 345 Courtland Street, NE., Atlanta, Georgia 30365. Telephone (404) 347–2864, (FTS) 257–2864.

SUPPLEMENTARY INFORMATION: Section 301, in conjunction with sections 110, 111(c)(1), and 112(d)(1) of the Clean Air Act as amended authorizes the Administrator to delegate his authority to implement and enforce the National Standards of Performance for New Sources and the National Emission Standards for Hazardous Air Pollutants to any state which has submitted adequate implementation and enforcement procedures.

On March 25, 1977, EPA initially delegated to Nashville/Davidson County the authority to implement the NSPS and NESHAP. On April 18, 1991, Nashville/Davidson County requested a delegation of authority for implementation and enforcement of the following recently promulgated or revised (denoted by R) NSPS and NESHAP categories found in 40 CFR parts 60 and 61:

40 CFR Part 60

Subpart D—Fossil-Fuel Fired Steam Generator (R)
Subpart Da—Electric Utility Steam Generating Unit (R)
Subpart Db—Industrial-Commercial-Institutional Steam Generating Units (R) except § 60.44b(f), § 60.44b(q), and § 60.49b(a)(4)
Subpart Dc—Small Industrial-Commercial-Institutional Steam Generating Units except § 60.48c(a)(4)
Subpart E—Incinerators (R)
Subpart Ea—Municipal Waste Combustors
Subpart F—Portland Cement Plants (R)
Subpart G—Nitric Acid Plants (R)
Subpart H—Sulfuric Acid Plants (R)
Subpart I—Asphalt Cement Plants (R)
Subpart J—Petroleum Refineries (R) except § 60.105(a)(13)(iii) and § 60.106(i)(12) (Revised in 10/2/90 FR, was § 60.106(g)(12))
Subpart K—Storage Vessels For Petroleum Liquids (R)
Subpart Ka—Storage Vessels For Petroleum Liquids (R) except § 60.114(a)
Subpart L—Secondary Lead Smelters (R)
Subpart M—Secondary Brass and Bronze Production Plants (R)
Subpart N—Primary Emissions From Basic Oxygen Process Furnaces (R)
Subpart Na—Secondary Emissions From Basic Oxygen Process Steelmaking Facilities (R)
Subpart O—Sewage Treatment Plants (R) except § 60.153(e)
Subpart P—Primary Copper Smelters (R)
Subpart Q—Primary Zinc Smelters (R)
Subpart R—Primary Lead Smelters (R)
Subpart S—Primary Aluminum Reduction Plants (R)
Subpart T—Phosphate Fertilizer Industry; Wet Process Phosphoric Acid Plants (R)
Subpart U—Phosphate Fertilizer Industry: Superphosphoric Acid Plants (R)
Subpart V—Phosphate Fertilizer Industry: Diammonium Phosphate Plants (R)
Subpart W—Phosphate Fertilizer Industry: Triple Superphosphate Plants (R)
Subpart X—Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities (R)
Subpart Y—Coal Preparation Plants (R)
Subpart Z—Ferroalloy Production Facilities (R)
Subpart AA—Steel Plants: Electric Arc Furnaces (R)
Subpart AAa—Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarbonization Vessels (R)
Subpart BB—Kraft Pulp Mills (R)
Subpart CC—Glass Manufacturing Plants (R)
Subpart DD—Grain Elevators (R)
Subpart GG—Stationary Gas Turbines (R) except § 60.333(b)(2) and § 60.335(f)(1)
Subpart HH—Lime Manufacturing Plants (R)
Subpart KK—Lead Acid Battery Manufacturing Plants (R)
Subpart LL—Metallic Mineral Processing Plants (R)
Subpart NN—Phosphate Rock Plants (R)
Subpart PP—Ammonium Sulfate Manufacturing (R)
Subpart TT—Metal Coil Surface Coating (R) except § 60.466(d)
Subpart UU—Asphalt Processing and Asphalt Roofing Manufacturing (R) except § 60.474(g)
Subpart VV—Equipment Leaks of Volatile Organic Compounds (R) except § 60.482–1(c)(2) and § 60.484
Subpart XX—Bulk Gasoline Terminals (R) except § 60.502(e)(6)
Subpart BBB—Rubber Tire Manufacturing Industry (R) except § 60.543(C)(2)(iii)(B)

Subpart DDD—Polypropylene, Polyethylene, Polystyrene and Poly(ethyleneterephthalate) Manufacturing Industries except § 60.562–2(c)
Subpart III—Volatile Organic Compound Emissions from the Synthetic, Organic, Chemical Manufacturing Industries (SOCMI), Air Oxidation process except § 60.613(e)
Subpart LLL—Onshore Natural Gas Processing
Subpart NNN—Volatile Organic Compound Emissions from Synthetic, Organic, Chemical Manufacturing Industries (SOCMI), Distillation Operations except § 60.663(e)
Subpart OOO—Nonmetallic Mineral Processing Plants (R)
Subpart PPP—Wool Fiberglass Installation Manufacturing Plants (R)
Subpart SSS—Magnetic Tape Coating Facilities except § 60.711(a)(16), § 60.713(b)(1)(i), § 60.713(b)(1)(ii), § 60.713(b)(5)(i), § 60.713(d), § 60.715(a), and § 60.716
Subpart TTT—Industrial Surface Coating (R) except § 60.743(a)(3)(v)(A) and (B), § 60.745(e), § 60.743(a), and § 60.746
Subpart VVV—Polymeric Coating of Supporting Substrates Facilities

40 CFR Part 61

Subpart J—Benzene Equipment Leaks (R) except (a)(B)(iii) and § 60.106(i)(12)
Subpart L—Coke Byproduct Recovery Plants
Subpart Y—Benzene Storage Vessels

After a thorough review of the Request, the Regional Administrator determined that such a delegation was appropriate for these source categories with the conditions set forth in the original delegation letter of May 25, 1977, and subsequent letters on February 20, 1986; January 28, 1987; September 30, 1987; May 31, 1989; and June 18, 1990.

Nashville/Davidson County sources under the requirements of the subparts listed above will not be under the jurisdiction of the Nashville/Davidson County Metropolitan Health Department.

ACTION: Since review of the pertinent Nashville/Davidson County Laws, Rules, and Regulations showed them to be adequate for the implementation and enforcement of the aforementioned categories of NSPS and NESHAPS, I delegated to the Nashville/Davidson County Metropolitan Health Department my authority for the source categories listed above on June 28, 1991.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

This notice is issued under the authority of sections 101, 110, 111, 112, and 301 of the Clean Air Act, as amended (42 U.S.C. 7401, 7410, 74121, 7412, and 7601).

List of Subjects in 40 CFR Parts 60 and 61

Air pollution control, Intergovernmental relations, Reporting and recordkeeping requirements.

Authority: Sections 111 and 112 of the Clean Air Act, as amended (42 U.S.C. 7411 and 7412).

Dated: December 9, 1991.

Patrick M. Tobin,

Acting Regional Administrator.

[FR Doc. 91–30465 Filed 12–19–91; 8:45 am]

BILLING CODE 6560–50–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Part 414

[BPD–730–IFC]

RIN 0938–AF49

Medicare Program; Payment for Customized Wheelchairs

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Interim final rule with comment period.

SUMMARY: Section 4152(c)(4)(B) of the Omnibus Budget Reconciliation Act of 1990 (Pub. L. 101–508) amended section 1834(a)(4) of the Social Security Act to provide that a wheelchair furnished on or after January 1, 1992 is treated as a customized item for payment purposes under part B of Medicare if it meets the definition provided in that paragraph, unless the Secretary develops specific criteria before January, 1, 1992, in which case the Secretary's criteria go into effect. This interim final rule with comment period sets forth the Secretary's criteria that a wheelchair must meet to be considered a customized item.

DATES: *Effective Date:* This final rule is effective on January 1, 1992.

Comment Date: Comments will be considered if we receive them at the appropriate address, as provided below, no later than 5 p.m. on February 18, 1992.

ADDRESSES: Mail comments to the following address: Health Care Financing Administration, Department of Health and Human Services, Attention: BPD–730–IFC, P.O. Box 26676, Baltimore, Maryland 21207.

If you prefer, you may deliver your comments to one of the following addresses:

Room 309–G, Hubert H. Humphrey Building, 200 Independence Ave., SW., Washington, DC 20201.
Room 132, East High Rise Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Due to staffing and resource limitations, we cannot accept audio, visual, or facsimile (FAX) copies of comments.

If comments concern information collection or recordkeeping requirements, please address a copy of comments to: Office of Management and Budget, Office of Information and Regulatory Affairs, Room 3001, New Executive Office Building, Washington, DC 20503, Attention: Allison Herron Eydt.

In commenting, please refer to file code BPD–730–IFC. Comments received timely will be available for public inspection as they are received, generally beginning approximately three weeks after publication of a document, in Room 309–G of the Department's offices at 200 Independence Ave., SW., Washington, DC, on Monday through Friday of each week from 8:30 a.m. to 5 p.m. (phone: (202) 245–7890).

FOR FURTHER INFORMATION CONTACT: William Long, (301) 966–5655.

SUPPLEMENTARY INFORMATION:

I. Background

A. Current and Prior Methods of Payment for Durable Medical Equipment

Prior to January 1, 1989, payment for durable medical equipment (DME) was made on the basis of reasonable charges. The reasonable charge was defined as the lowest of: (1) The actual charge for the item; (2) the customary charge; (3) the prevailing charge for the item in the locality; or (4) the inflation-indexed charge (IIC). Medicare carriers were also authorized by regulations at § 405.502(a)(7) to take into account any other factors that may have been relevant in determining the reasonable charge. Further, the charges a carrier deemed reasonable for Medicare payment purposes were not to exceed the comparable charges that were applicable to policyholders and subscribers under that carrier's own private insurance plan. In the case of expensive equipment, carriers were also required to determine whether it would be more economical to rent or purchase the equipment. In the case of customized equipment, payment was not based on customary and prevailing charges, but

rather, on reasonable charge determinations made by carriers on an item-by-item basis.

Section 4062(b) of the Omnibus Budget Reconciliation Act of 1987 (Pub. L. 100–203) added section 1834 to the Act. Section 1834(a)(1)(B) of the Act limits Medicare payment for durable medical equipment (DME) to the lower of the actual charge for the item or the fee schedule amount effective January 1, 1989. Under sections 1834 (a)(2) through (a)(7) of the Act, equipment is classified into one of six classes for payment purposes: inexpensive or other routinely purchased DME; items requiring frequent and substantial servicing; customized items; prosthetics and orthotics; other expensive items of DME (capped rental); and oxygen and oxygen equipment. Payment for a piece of equipment is determined by the fee schedule for the class into which the piece of equipment falls. The methodology for computing fee schedules and for classifying equipment as belonging to a particular class is also provided for in sections 1834(a) (2) through (10) of the Act.

Under Section 1834(a)(4) of the Act, a lump sum payment for customized equipment continues to be based "upon the carrier's individual consideration" for the customized equipment. Before revision by section 4152(c)(4)(B) of the Omnibus Budget Reconciliation Act of 1990 (Pub. L. 101–508), enacted on November 5, 1990, section 1834(a)(4) of the Act defined customized equipment as equipment "* * * that is uniquely constructed or substantially modified to meet the specific needs of an individual patient, and for that reason cannot be grouped with similar items for purposes of payment. * * *"

B. New Legislation

Section 4152(c)(4)(B) of Public Law 101–508 amended section 1834(a)(4) of the Act of provide that a wheelchair furnished on or after January 1, 1992 is treated as a customized item only if it meets the definition added at the end of section 1834(a)(4) of the Act, that is, "* * * if the wheelchair has been measured, fitted, or adapted in consideration of the patient's body size, disability, period of need, or intended use, and has been assembled by a supplier or ordered from a manufacturer who makes available customized features, modifications, or components for wheelchairs that are intended for an individual patient's use in accordance with instructions from the patient's physician." However, under section 4152(c)(4)(B)(ii) of Public Law 101–508, if the Secretary develops specific criteria before January 1, 1992, the Secretary's criteria apply instead.

II. Provisions of This Interim Final Rule

Carriers have historically used a definition of customized wheelchair in making payment under the reasonable charge system. In deciding whether to incorporate that definition for purposes of the fee schedule payment methodology or to use the definition in section 1834(a)(4) of the Act for wheelchairs furnished after January 1, 1992, we considered the advantages and disadvantages connected with use of each definition:

A. Previous Reasonable Charge and Current Fee Schedule Definition of Customized Equipment

Under the first sentence of section 1834(a)(4) of the Act, we make lump-sum payments for certain items (including wheelchairs) that are uniquely constructed or substantially modified to meet the specific needs of an individual patient. Because of the unique aspects of these items, they cannot be grouped with similar items for purposes of Medicare payment. Payments are based on the carrier's individual consideration of the item. We used this definition of customized equipment before January 1, 1989, and we have continued to use it since the fee schedule methodology became effective on January 1, 1989. Congress' decision in 1987 not to revise the definition or the payment methodology for customized equipment but to continue to use the reasonable charge definition and payment methodology is explained in the House Committee Report (H.R. Rep. No. 391, 100th Cong., 1st Sess. 392 (1987)):

> Some items, consisting primarily of orthotics and prosthetics, must be tailor-made on an individual basis for each patient. They cannot be used by other patients. Consequently, these items should be purchased. Moreover, they may occasionally require some maintenance or servicing, beyond that covered by the manufacturer's or supplier's warranty, and it is appropriate for Medicare to pay these costs as well. However, because each item is unique, these are not easily classified within the existing procedure coding system used by the carriers to process claims. Carriers typically use special codes for this purpose and have to determine the proper payment amount individually for each item. This approach had been working in a reasonably satisfactory manner and would be preserved under the Committee bill.

We note that the basis (both before and after January 1, 1989) for determining whether equipment should be classified as customized was not only that it was tailor-made on an individual basis for each patient but, in addition, that the costs and charges for construction or modification varied widely from one patient to another for the same item. Certain items, while individually constructed (for example, a plaster or foam orthosis molded for a particular patient), may have standard costs and charges. These items can be identified using the HCFA Common Procedure Coding System (HCPCS) or the carrier's local coding system and grouped together for purposes of determining uniform payment. (The HCPCS is a coding system used to describe physician and non-physician services and supplies and is used by carriers for processing claims.) Under the reasonable charge methodology in effect prior to January 1, 1989, carriers calculated customary and prevailing charges in the ordinary way to pay for these items, rather than considering these items customized and making a payment determination on an individual basis. Under the payment methodology in the first sentence of section 1834(a)(4) of the Act, if an item is contained in the HCPCS or is locally coded, and the carrier has established customary and prevailing charges for the item, it is not subject to a carrier's individual consideration since the carrier has demonstrated that it can establish a valid charge screen for the item (that is, the item can be grouped with similar items for payment purposes).

B. Definition of Customized Wheelchair in the Second Sentence of Section 1834(a)(4) of the Act

It appears to us that many standard wheelchairs could fit the definition of customized equipment if the definition in the second sentence of section 1834(a)(4) of the Act were adopted. The first requirement, that "* * * the wheelchair has been measured, fitted, or adapted in consideration of the patient's body size, disability, period of need, or intended use * * *", would appear to apply to all wheelchairs. Even a person of average weight and height would be fitted to a standard size wheelchair (HCPCS code E1130) rather than fitted to a wide, heavy duty wheelchair (HCPCS code E1092). Therefore, a standard size wheelchair meets the first requirement in the section 1834(a)(4) of the Act definition. Similarly, under that definition, a standard amputee wheelchair (HCPCS code E1170) fitted in consideration of the patient's disability as an amputee also would meet the first statutory condition. With regard to the second requirement, that the wheelchair "* * * has been assembled by a supplier or ordered from a manufacturer who makes available customized

features, modifications, or components for wheelchairs that are intended for an individual patient's use in accordance with instructions from the patient's physician", the definition in section 1834(a)(4) of the Act only requires that the wheelchair be "ordered from a manufacturer" who makes available customized features for an individual patient. It does not require that a specific wheelchair be customized to an individual patient's particular needs. Virtually all manufacturers make special features or modifications for wheelchairs available for a patient's use. Additionally, we do not believe that "off the shelf" special features or modifications, or components such as a brake extensive, would make the wheelchair a customized product any more than ordering a car with a heavy duty suspension or a larger engine would make the car a customized vehicle. However, we are interested in receiving comments offering suggestions for elaborating and more fully defining the terms "uniquely constructed" and "substantially modified."

C. Administration of Medicare

Although we considered the probable effects of adopting the definition of customized equipment in the second sentence of section 1834(a)(4) of the Act, we see no reason to change the long standing definition of customized wheelchairs. It has worked well. The HCPCS contains 43 different codes to categorize wheelchairs. In addition, we have long recognized, through additional payments, modifications in wheelchairs, such as attachments to convert a wheelchair to a one-arm drive, brake extensions, wheelchair hand rims, anti-tipping devices, adjustable-height detachable arms, reinforced seat upholstery, and safety belts, among others. Should a supplier furnish a wheelchair that cannot be defined by one of the 43 various codes available under the current system or cannot be defined by one of the 43 codes plus the existing codes for modifications, the pricing will be individually considered. HCFA is, in fact, in the process of considering modifications to the wheelchair codes in the HCPCS system, as well as developing utilization guidelines and policies (to be effective no earlier than 1993) which could have the effect of reducing the number of customized wheelchair claims that require individual carrier review.

We estimate that any departure from using the HCPCS system, such as subjecting all claims to an individual consideration, would result in a substantial increased medical equipment cost of $75 million dollars over 5 years, in substantial and unwarranted processing delays, and in an increased carrier workload and administrative cost of approximately $3.37 million over the next 5 fiscal years, because an individual consideration requires both a manual review of each claim and an individual payment determination. Increased individual considerations by carriers would also result in increased variability in payment allowances among carriers.

For these reasons, we will continue using the definition of customized wheelchairs that carriers have always used under the fee schedule payment methodology. Under this definition, customized wheelchairs must be uniquely constructed or substantially modified for a specific patient and, most importantly, be so sufficiently different from one another that they cannot be grouped together for pricing purposes.

As a result of our decision not to use the optional definition of customized wheelchairs in section 1834(a)(4) of the Act, we are adding a new § 414.224 to provide in regulations text a definition for "customized items" (including wheelchairs), based on our discussion above. In addition, this same section allows for a payment for the purchase of certain customized items based on the carrier's case-by-case determination.

We expect that this individual consideration will be a process under which the carrier makes its best judgment concerning the reasonableness of the payment amount. At a minimum, we expect carriers to consider such factors as written documentation on the costs of the item including at least the cost of labor and types of materials used in customizing an item.

III. Regulatory Impact Statement

A. Executive Order 12291

Executive Order 12291 (E.O. 12291) requires us to prepare and publish a regulatory impact analysis for any final rule that meets one of the E.O. critieria for a "major rule"; that is, that will be likely to result in—

- An annual effect on the economy of $100 million or more;
- A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or
- Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-base enterprises in domestic or export markets.

The impact on the Medicare program and on DME distributors and manufacturers is expected to be less than $100 million per year over the next five fiscal years. For this reason, we have determined that a regulatory impact analysis meeting the requirements of E.O. 12291 is not required. Therefore, we have no prepared one.

B. Regulatory Flexibility Act

We generally prepare a regulatory flexibility analysis that is consistent with the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 through 612) unless the Secretary certifies that a final rule will not have a significant economic impact on a substantial number of small entities.

The overall impact of this final rule on the DME industry is expected to be less than $100 million annually; and, in light of the nearly $4.0 billion in annual industry sales of DME, we believe this final rule will not have a significant impact on a substantial number of small entities. Thus, we have determined, and the Secretary certifies, that this final rule does not meet the criteria in the RFA for requiring a regulatory flexiblity analysis. Therefore, we have not prepared one.

Section 1102(b) of the Act requires the Secretary to prepare a regulatory impact analysis if a final rule may have a significant impact on the operations of a substantial number of small rural hospitals. Such an analysis must conform to the provisions of section 604 of the RFA. Since we have determined, and the Secretary certifies, that this final rule will not have a significant economic impact on the operations of a substantial number of small rural hospitals, we have not prepared a rural hospital impact statement.

IV. Other Required Information

A. Waiver of Prior Public Comment Period and 30-Day Delay in the Effective Date

Because the Secretary is exercising discretion in implementing section 1834(a)(4) of the Act, ordinarily we would publish a notice of proposed rulemaking and afford a period for public comment. However, section 4207(j) of Public Law 101–508 provides that we may issue regulations on an interim final or other basis as may be necessary to implement the provisions of Public Law 101–508. Therefore, in accordance with section 4207(j) of Public Law 101–508, we find good cause to waive the notice of proposed rulemaking and to issue this final rule on an interim basis. We are providing a 60-day period

for public comment as indicated at the beginning of this rule.

Because of the large number of items of correspondence we normally receive concerning regulations, we cannot acknowledge or respond to the comments individually. However, we will respond to any comments that we receive in the preamble of the final rule.

We also normally provide a delay of 30 days in the effective date for documents such as this. However, we can waive the delay in the effective date for good cause. We find good cause to waive the usual 30-day delay in this instance. The statutory effective date for the provisions included in this rule is January 1, 1992. Moreover, as explained above, it is essential that these provisions have immediate effect so that the long standing definition of customized wheelchairs will remain in effect without interruption. A 30-day delay in the effective date for this rule would cause the optional definition of customized wheelchiars in section 1834(as)(4) of the Act to go into effect on January 1, 1992, resulting in increased cost to the program, as discussed above, as well as administrative difficulties and confusion for suppliers and beneficiaries. Thus, a 30-day delay in the effective date would be contrary to the public interest. Therefore, we find good cause to waive the usual 30-day delay in effective date.

B. Paperwork Reduction Act

Regulations at § 414.224(b) contain information collection requirements that are subject to review by the Office of Management and Budget under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501–3511). The information collection requirements concern the written documentation on the costs of customized items based on the carrier's individual consideration and judgment of a reasonable payment amount for each item. The respondents who will provide the information include suppliers and manufacturers. This data may also be obtained from wholesale price lists and other such sources of information. Public reporting burden for this collection of information is estimated to be less than 3 minutes per response for photocopying of invoices if the carrier does not already have written documentation, and less than 3 minutes for an estimate of the amount of labor needed to assemble the customized equipment. A document will be published in the **Federal Register** after approval is obtained. Organizations and individuals desiring to submit comments on the information collection requirements should direct them to the OMB official whose name appears in the "**ADDRESSES**" section of this preamble.

List of Subjects in 42 CFR Part 414

End-stage renal disease (ESRD), Health professions, Laboratories, Medicare, Reporting and recordkeeping requirements.

42 CFR chapter IV is amended as set forth below:

CHAPTER IV—HEALTH CARE FINANCING ADMINISTRATION, DEPARTMENT OF HEALTH AND HUMAN SERVICES

SUBCHAPTER B—MEDICARE PROGRAM

PART 414—PAYMENT FOR PART B MEDICAL AND OTHER HEALTH SERVICES

1. The heading for part 414 is revised to read as set forth above.

2. The authority citation for part 414 continues to read as follows:

Authority: Secs. 1102, 1833(a), 1834(a), 1871, and 1881 of the Social Security Act (42 U.S.C. 1302, 1395l(a), 1395m(a), 1395hh, and 1395rr).

3. A new § 414.224 is added to subpart D to read as follows:

§ 414.224 Customized items.

(a) *Criteria for a customized item.* To be considered a customized item for payment purposes under paragraph (b) of this section, a covered item (including a wheelchair) must be uniquely constructed or substantially modified for a specific beneficiary and be so different from another item used for the same purpose that the two items cannot be grouped together for pricing purposes.

(b) *Payment rule.* Payment is made on a lump sum basis for the purchase of a customized item based on the carrier's individual consideration and judgment of a reasonable payment amount for each customized item. The carrier's individual consideration takes into account written documentation on the costs of the item including at least the cost of labor and materials used in customizing an item.

(Catalog of Federal Domestic Assistance Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: September 22, 1991.

Gail R. Wilensky,

Administrator, Health Care Financing Administration.

Approved: November 1, 1991.

Louis W. Sullivan,

Secretary.

[FR Doc. 91–30351 Filed 12–19–91; 8:45 am]

BILLING CODE 4120–01–M

FEDERAL MARITIME COMMISSION

46 CFR Part 550

[Docket No. 91–42]

Tariff Filing Notice Requirements; Domestic Offshore Trades; Exemption Under Section 35 of the Shipping Act, 1916

AGENCY: Federal Maritime Commission.

ACTION: Final rule.

SUMMARY: The Federal Maritime Commission amends its regulations governing the publishing, filing and posting of tariffs in domestic offshore commerce pursuant to the Shipping Act, 1916, as amended by the Intercoastal Shipping Act, 1933. This amendment of part 550 partially exempts carriers providing port-to-port service in the domestic offshore trades from the thirty-day notice requirements of 46 U.S.C. app. 844, for any new or amendatory tariff matter that does not increase the shipper's cost of transportation. Carriers may now file such tariff matter on one day's notice. Provisions of the Shipping Act and the Commission's regulations that pertain to any "general decrease in rates" are not affected by this amendment and carriers must continue to comply with those provisions.

DATES: This action is effective December 20, 1991.

FOR FURTHER INFORMATION CONTACT:

Robert D. Bourgoin, General Counsel, Federal Maritime Commission, 1100 L Street NW., Washington, DC 20573, (202) 523–5740.

Bryant L. VanBrakle, Director, Bureau of Tariffs, Certification and Licensing, Federal Maritime Commission, 1100 L Street NW., Washington, DC 20573, (202) 523–5796.

SUPPLEMENTARY INFORMATION: Section 2 of the Intercoastal Shipping Act, 1933, 46 U.S.C. app. 844, requires ocean carriers providing port-to-port service in the domestic offshore trades to file on thirty days' notice any new or amendatory tariff matter, even if it decreases the shipper's cost of transportation. Ocean carriers operating in the foreign commerce of the United States are not subject to this restriction. Section 8 (d) of the Shipping Act of 1984, *id.* 1707, provides that a change in an existing rate that results in a decreased cost to the shipper may become effective upon filing. Moreover, domestic offshore water carriers filing joint-through rates with the Interstate Commerce Commission may file new or reduced

rates on one day's notice (49 CFR 112.39(h)(1)).

The Federal Maritime Commission ("FMC" or "Commission") has granted several exemptions to the thirty-day notice requirement to permit carriers serving between the contiguous United States and Puerto Rico, the U.S. Virgin Islands, Alaska and Hawaii to compete with carriers that are not subject to that requirement. *Matson Navigation Co., Inc.—Application for Section 35 Exemption,* —— F.M.C. ——, 24 S.R.R. 1518 (1989); *Tariff Filing Periods—Exemption,* —— F.M.C. ——, 24 S.R.R. 1604 (1989); *Application of Sea-Land Service Inc. For Exemption Under Section 35 of the Shipping Act, 1916,* —— F.M.C. ——, 25 S.R.R. 660 (1990) and *Tropical Shipping & Construction Co. Ltd.—Application for Section 35 Exemption,* —— F.M.C. ——, 25 S.R.R. 1471 (1991); *Application of Trailer Marine Transport Corporation Under Section 35 of the Shipping Act, 1916,* —— F.M.C. ——, 25 S.R.R. 1660 (1991); *Puget Sound Tug & Barge Co.—Application for Section 35 Exemption: Hawaii and Alaska Trades,* No. 91–55 (F.M.C. Nov. 25, 1991).

The Commission believes that the exemptions referred to above have benefitted both shippers and carriers. Shippers benefit because carriers can respond more rapidly to their needs and desires; carriers benefit because they are able to move quickly to meet changes filed by competitors.

It appeared therefore appropriate to grant a general exemption for all carriers in the domestic offshore trades that would supersede the above exemptions and extend their provisions to all domestic offshore trades. To that end, the Commission by notice of October 9, 1991, 56 FR 50,841, proposed to amend its regulations governing the publishing, filing and posting of tariffs in domestic offshore commerce pursuant to section 35 of the Shipping Act, 1916 ("1916 Act"), 46 U.S.C. app. 833a,[1] to partially exempt carriers from the thirty-day requirement. The exemption would permit carriers in the FMC-regulated domestic offshore trades to publish on one day's notice any new or amendatory tariff matter, including rates, charges, regulations, rules and notices, that does not result in an increased cost to the shipper.

Three brief comments on the proposed rule were filed by Crowley Maritime Corporation, Matson Navigation Company, Inc., and Tropical Shipping & Construction Co., Ltd. The comments all supported the proposed rule and suggested no changes. The Commission concludes that the proposed rule meets the standards of section 35 of the 1916 Act, in that it will not substantially impair effective regulation, be unjustly discriminatory, or be detrimental to commerce. Accordingly, subject to the limitation described below, the Commission will adopt the exemption as a final rule.

Although the exemption will permit a carrier to make a change to a tariff rule, regulation or note that could affect a large number of rate items, a carrier may not use the exemption to institute a general decrease in rates on one day's notice.[2] The exemption does not apply to any of the provisions of the 1933 Act and the Commission's regulations that pertain to a general rate decrease. The 1933 Act includes a requirement that any such decrease be filed on sixty days' notice. Rule 67 of the Commission's Rules of Practice and Procedure requires the carrier to accompany any general decrease in rates with testimony and exhibits of such composition, scope and format that they will serve as the carrier's entire direct case in the event the matter is set down for hearing. This exemption does not relieve carriers from complying with those provisions.

Although the Commission, as an independent regulatory agency, is not subject to Executive Order 12291, dated February 17, 1981, it has nonetheless reviewed the rule in terms of this Order and has determined that this rule is not a "major rule" as defined in Executive Order 12291 because it will not result in:

(1) An annual effect on the economy of $100 million or more;

(2) A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

(3) Significant adverse effects on competition, employment, investment, productivity, innovations, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The Federal Maritime Commission certifies, pursuant to section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 605(b), that this rule will not have a significant economic impact on a substantial number of small entities, including small businesses, small organizational units and small government jurisdictions.

List of Subjects in 46 CFR Part 550

Maritime carriers, Reporting and recordkeeping requirements.

Therefore, pursuant to 5 U.S.C. 553, sections 18, 35 and 43 of the Shipping Act, 1916, 46 U.S.C. app. 817, 833a and 841a, and section 2 of the Intercoastal Shipping Act, 1933, 46 U.S.C. app. 844, part 550 of title 46, Code of Federal Regulations, is amended as follows:

1. The authority citation for part 550 continues to read as follows:

Authority: 5 U.S.C. 553, 46 U.S.C. app. 812, 814, 815, 817, 820, 833a, 841a, 843, 844, 845, 845a, 845b, and 847.

2. Section 550.1 paragraph (b) is revised to read as follows:

§ 550.1 Exemptions.

(a) * * *

(b) Carriers engaged in the transportation by water of passengers or property on the high seas or the Great Lakes on regular routes from port to port between Alaska, Hawaii, a Territory, District of possession of the United States and any other State, Territory, District or possession of the United States, or between places in the same Territory, District, or possession, may publish on one day's notice any new or amendatory tariff matter that does not result in an increased cost to the shipper. This exemption shall not apply to any decrease which is part of a "general decrease in rates" as defined by section 1 of the Intercoastal Shipping Act, 1933, 46 U.S.C. app. 843.

§ 550.1 [Amended]

3. Section 550.1, paragraphs (c), (d), (e) and (f) are removed.

By the Commission.

Joseph C. Polking,

Secretary.

[FR Doc. 91–30375 Filed 12–19–91; 8:45 am]

BILLING CODE 6730–01–M

[1] Section 35 provides in pertinent part: The Federal Maritime Commission, upon application or on its own motion, may by order or rule exempt for the future any class of agreements between persons subject to this Act or any specified activity of such persons from any requirement of the Shipping Act, 1916, or Intercoastal Shipping Act, 1933, where it finds that such exemption will not substantially impair effective regulation by the Federal Maritime Commission, be unjustly discriminatory, or be detrimental to commerce.

[2] Section 1 of the 1933 Act, 46 U.S.C. app. 843, defines a "general decrease in rates" as:

* * * any change in rates, fares, or charges which will (A) result in a decrease in not less than 50 per centum of the total rate, fare, or charge items in the tariffs per trade of any common carrier by water in intercoastal commerce; and (B) directly result in a decrease in gross revenue of such carrier for the particular trade of not less than 3 per centum.

FEDERAL COMMUNICATIONS COMMISSION

47 CFR 25

[CC Docket No. 90-219; FCC No. 91-388]

Routine Licensing of Large Networks of Small Antenna Earth Stations Operating in the 12/14 GHz Frequency Bands

AGENCY: Federal Communications Commission (FCC).

ACTION: Final rule.

SUMMARY: This report and order adopts certain revisions and additions to part 25 of the FCC's rules governing the power limitations on very small aperture terminals (VSATs). The Commission initiated this proceeding in the VSAT Notice, 5 FCC Rcd 2778 (1990), 55 FR 18918, May 7, 1990 to consider whether increases beyond the established VSAT power limits could be accommodated. In considering the issue, the Commission surmised that the best method of allowing increases beyond our VSAT power limits was through a mechanism that would also safeguard operations not exceeding our VSAT power limits. We also believed that codifying a VSAT power limitation would help to eliminate any confusion regarding the licensing of non-compliant stations and would increase Commission staff efficiency in processing these applications.

EFFECTIVE DATE: February 3, 1992.

FOR FURTHER INFORMATION CONTACT: Wilbert E. Nixon, Jr. at (202) 634-1624.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order in the Matter of Routine Licensing of Large Networks of Small Antenna Earth Stations Operating in the 12/14 GHz Frequency Bands, Common Carrier Docket No. 90-219, FCC No. 91-388, adopted November 21, 1991 and released December 17, 1991. The full text of this document is available for inspection and copying during normal business hours at the Public Reference Room at its headquarters, room 239, 1919 M Street NW., Washington, DC 20554. The complete text of this decision may also be purchased from the FCC's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street NW., suite 140, Washington, DC 20037.

Public reporting burden for the collections of information is estimated to average 120 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of the collections of information, including suggestions for reducing the burden, to the Federal Communications Commission, Office of Managing Director, Paperwork Reduction Project (3060-0447), Washington, DC 20554 and to the Office of Management and Budget, Paperwork Reduction Project (3060-0447), Washington, DC 20503.

Summary of Report and Order

1. This report and order adopts certain modifications to part 25 of the Commission's rules governing the power limitations on very small aperture terminals (VSATs). A VSAT network consists of a large number of technically identical small fixed-satellite earth stations that meet specified technical requirements and communicate only with other earth stations in that network through a satellite operating in the 12/14 GHz frequency band. The Commission has approved the operation of many VSAT networks in various network configurations. The most commonly used configuration is the star network configuration in which small remote earth stations communicate among themselves and their central headquarters through a large hub earth station.

2. To avoid interference, particularly to users of adjacent fixed-satellites, the VSAT Order, 51 FR 15067 (April 22, 1986), established an equivalent isotropically radiated power (e.i.r.p.) density limit for digital VSAT inbound transmissions of −14.0 dBW/4 KHz and outbound transmissions of +6.0 dBW/4 KHz per carrier. The Declaratory Order, 2 FCC Rcd 2149 (1987), established an inbound uplink analog transmitter power density limit of −8.0 dBW/4 KHz with a bandwidth of 200 KHz into a 1.2 meter earth station antenna and a maximum outbound transmitted satellite carrier power density of +13.0 dBW/4 KHz. Typically, inbound transmissions entail the use of small remote earth stations transmitting into a larger hub earth station through a satellite. Outbound transmissions typically entail the use of a larger hub earth station transmitting to a smaller remote earth station through a satellite. Several applicants proposed to exceed these limits.

3. In order to accommodate these applicants and protect all other operators, we proposed in the VSAT Notice, among other things, to classify all VSAT station authorization applications in two categories. The first category contained applications for VSATs which are compliant with our current policies as enunciated in the VSAT Order and the Declaratory Order. The second category contained all other VSAT applications. We proposed that Category 2 applicants would be required to conduct the Sharp, Adjacent Satellite Interference Analysis (ASIA) or its equivalent to determine whether and to what degree their non-compliant operation would affect compliant Category 1 operations. As a further safeguard, we proposed that Category 2 applicants be required to provide proof that all potentially affected parties consent to the use of the applicant's higher power density. Also, Category 2 licensees would bear the burden of obtaining operational agreements with future Category 1 potentially affected parties as those parties brought their compliant systems into operation. We adopt the rules proposed in the VSAT Notice with some minor modifications.

Conclusion and Ordering Clauses

4. We take this action today to further streamline our VSAT application processing procedures and to make these procedures more efficient while maintaining adequate safeguards for established compliant operations.

5. Accordingly, pursuant to sections 151. 303 and 403 of the Communications Act, *It is ordered* That part 25 of chapter I of title 47 of the Code of Federal Regulations is amended as set forth below effective February 3, 1992.

6. *It is further ordered* That the Secretary shall cause this Report and Order to be published in the **Federal Register.**

7. *It is further ordered* That the proceedings in CC Docket No. 90-219 are terminated.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

Rule Changes

Part 25 of the Commission's Rules and Regulations (chapter I of title 47 of the Code of Federal Regulations) is amended as follows:

PART 25—SATELLITE COMMUNICATIONS

1. The authority citation for part 25 continues to read as follows:

Authority: Sections 25.101-25.531 issued under sec. 4, 48 stat. 1066, as amended; 47

U.S.C. 154. Interpret or apply secs. 101–404, 76 stat. 419–427; 47 U.S.C. 701–744.

2. A new § 25.134 is added to read as follows:

§ 25.134 Licensing Provisions of Very Small Aperture Terminal (VSAT) Networks.

(a) All applications for digital VSAT networks with maximum outbound downlink power densities of +6.0 dBW/4 kHz per carrier and maximum antenna input power densities of −14 dbw/4 kHz will be processed routinely pursuant to Declaratory Order in the Matter of Routine Licensing of Large Networks of Small Antenna Earth Stations Operating in the 12/14 GHz Frequency Bands, 51 FR 15067 (April 22, 1986) (VSAT Order). All applications for analog VSAT networks with maximum outbound downlink power densities of +13.0 dBW/4 kHz per carrier and maximum antenna input power densities of −8.0 dBW/4 kHz shall be processed routinely in accordance with Declaratory Order in the Matter of Routine Licensing of Earth Stations in the 6 GHz and 14 GHz Bands Using Antennas Less than 9 Meters and 5 Meters in Diameter, Respectively, for Both Full Transponder and Narrowband Transmissions, 2 FCC Rcd 2149 (1987) (Declaratory Order).

(b) Each applicant for digital and/or analog VSAT network authorization proposing to use transmitted satellite carrier power densities in excess of +6.0 dBW/4 kHz per carrier and +13.0 dBW/4 kHz, respectively, and/or maximum antenna input power densities of −14.0 dBW/4 kHz and −8.0 dBW/4 kHz, respectively, shall conduct an engineering analysis using the Sharp, Adjacent Satellite Interference Analysis (ASIA) program. Applicants shall submit a complete description of those baseline parameters they use in conducting their analysis and tabular summaries of the ASIA program's output detailing potential interference shortfalls. Applicants shall also submit a narrative summary which must indicate whether there are margin shortfalls in any of the current baseline services as a result of the addition of the new applicant's high power service, and if so, how the applicant intends to resolve those margin shortfalls. Applicants shall submit link budget analyses of the operations proposed along with a detailed written explanation of how each uplink and each transmitted satellite carrier density figure is derived. Applicants shall provide proof by affidavit that all potentially affected parties acknowledge and do not object to the use of the applicant's higher power density.

(c) Licensees authorized pursuant to paragraph (b) of this section shall bear the burden of coordinating with any future applicants or licensees whose proposed compliant VSAT operations, as defined by paragraph (a) of this section, is potentially or actually adversely affected by the operation of the non-compliant licensee. If no good faith agreement can be reached, however, the non-compliant licensee shall reduce its power density levels to those compliant with the VSAT Order or the Declaratory Order, whichever is applicable.

[FR Doc. 91–30486 Filed 12–9–91; 8:45 am]

BILLING CODE 6712–01–M

47 CFR Part 94

[General Docket No. 82–243]

Service and Technical Rules for Government and Non-Government Fixed Service Usage of the Frequency Bands 932–935 and 941–944 MHz

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: This document corrects a final rule, 56 FR 63662 (December 5, 1991), that establishes the licensing procedure for the 932–932.5/941–941.5 MHz point-to-multipoint channels.

EFFECTIVE DATE: December 20, 1991.

FOR FURTHER INFORMATION CONTACT: Tom Mooring, 202–653–8114.

SUPPLEMENTARY INFORMATION: In FR Doc. 91–29098, published at 56 FR 63662 (December 5, 1991), the following corrections are made:

1. On page 63662, column 1, sentence 2 of the Summary is corrected to read: "The objective of this action is to facilitate Commission processing of the 932–932.5/941–941.5 MHz applications."

2. On page 63663, column 1, in the Rule Changes, the introductory text of III is corrected to read: "III. Part 94 of title 47 of the Code of Federal Regulations is amended as follows:"

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 91–30488 Filed 12–19–91; 8:45 am]

BILLING CODE 6712–01–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 298

[Docket No. 910660–1270]

United States-Canada Fisheries Enforcement Agreement

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of effective date.

SUMMARY: NMFS published a final rule at 56 FR 58184 on November 18, 1991, to implement an agreement between the United States and Canada in which each nation agrees to take appropriate measures to ensure that its nationals do not violate the fisheries laws of the other nation that apply within the other nation's waters. The rule was not made effective at that time, but indicated it would become effective when the United States and Canada exchanged notes.

On December 16, 1991, the United States and Canada exchanged diplomatic notes to bring the United States-Canada Fisheries Enforcement Agreement into force. Therefore, the final rule implementing the United States-Canada Fisheries Enforcement Agreement is made effective at 12:01 a.m., G.m.t., December 17, 1991.

EFFECTIVE DATE: The final rule published November 18, 1991 (56 FR 58184) is effective at 12:01 a.m., G.m.t., December 17, 1991.

FOR FURTHER INFORMATION CONTACT: John D. Kelly, Office of Fisheries Conservation and Management, (301) 427–2337.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: December 16, 1991.

David S. Crestin,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 91–30392 Filed 12–16–91; 5:05 am]

BILLING CODE 3510–22–M

50 CFR Part 642

[Docket No. 910650–1218]

Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of closure.

SUMMARY: NMFS closes the commercial fishery in the exclusive economic zone (EEZ) for Spanish mackerel from the Atlantic migratory group. NMFS has determined that the commercial allocation for Atlantic group Spanish mackerel was reached on December 16, 1991. This closure is necessary to protect the overfished Atlantic Spanish mackerel resource.

EFFECTIVE DATES: Closure is effective on December 17, 1991, through March 31, 1992.

FOR FURTHER INFORMATION CONTACT: Mark F. Godcharles, 813–893–3161.

SUPPLEMENTARY INFORMATION: The Fishery Management Plan for Coastal Migratory Pelagic Resources of the Gulf of Mexico and the South Atlantic (FMP), as amended, was developed by the South Atlantic and Gulf of Mexico Fishery Management Councils (Councils) under authority of the Magnuson Fishery Conservation and Management Act, and is implemented by regulations at 50 CFR part 642. Catch limits recommended by the Councils and implemented by NMFS for the Atlantic migratory group of Spanish mackerel for the current fishing year (April 1, 1991, through March 31, 1992) set the commercial allocation at 3.50 million pounds.

Under § 642.22(a), NMFS is required to close any segment of the Spanish mackerel commercial fishery when its allocation has been reached, or is projected to be reached, by publishing a notice in the **Federal Register**. NMFS has determined that the commercial allocation of 3.50 million pounds for the Atlantic migratory group of Spanish mackerel was reached on December 16, 1991. Hence, the commercial fishery for Atlantic group Spanish mackerel is closed effective December 17, 1991, through March 31, 1992, the end of the fishing year. The closure applies in the EEZ from the Connecticut/New York border southward to a line extending directly east from the Dade/Monroe County, Florida boundary (25°20.4'N. latitude).

Except for a person aboard a charter vessel, during the closure, no person aboard a vessel permitted to fish under a commercial allocation may fish for, retain, or have in possession in the EEZ Spanish mackerel from the Atlantic migratory group. A person aboard a charter vessel may continue to fish for Spanish mackerel from the Atlantic migratory group under the bag limits set forth in § 642.28(a)(1)(iv), provided the vessel is under charter and the vessel has an annual charter vessel permit issued under § 642.4(a)(3). A charter vessel with a permit to fish on a commercial allocation is under charter when it carries a passenger who fishes for a fee or when there are more than three persons aboard, including operator and crew.

During the closure, Spanish mackerel from the Atlantic migratory group taken in the EEZ, including those harvested under the bag limit, may not be purchased, bartered, traded, or sold. This prohibition does not apply to trade in Spanish mackerel from the Atlantic migratory group that were harvested, landed, and bartered, traded, or sold prior to the closure and held in cold storage by a dealer or processor.

Other Matters

This action is required by 50 CFR 642.22(a) and complies with E.O. 12291.

Authority:16 U.S.C. 1801 *et seq.*

List of Subjects in 50 CFR Part 642

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: December 16, 1991.

David S. Crestin,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 91–30391 Filed 12–16–91; 5:05 am]

BILLING CODE 3510–22–M

Proposed Rules

Federal Register
Vol. 56, No. 245
Friday, December 20, 1991

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Parts 795, 870, 872, 873, 874, 875, 876 and 886

RIN 1029-AB49

Abandoned Mine Land Reclamation Fund Reauthorization Implementation

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule; extension of public comment period.

SUMMARY: In response to requests for more time to submit public comments, the Office of Surface Mining Reclamation and Enforcement (OSM) of the U.S. Department of the Interior (DOI) extends until February 21, 1992, the public comment period scheduled to close on January 7, 1992, on the proposed rule published in the November 8, 1991, **Federal Register** (56 FR 57376). The proposed rule amends the abandoned mine land regulations, 30 CFR subchapter R in light of recently enacted changes to title IV of the Surface Mining Control and Reclamation Act of 1977 (SMCRA) of 1977, Public Law 95–87, as amended by Public Law 101–508 (November 5, 1990).

DATES: Written Comments: OSM will accept written comments on the proposed rules until 5 p.m. Eastern Time, February 21, 1992.

Public Hearings: OSM will hold a public hearing on the proposed rules in Washington, DC, St. Louis, Missouri, and Denver, Colorado on February 19, 1992 at 9 a.m. local time. These hearings will supersede both the hearing request process and the January 6, 1992 hearing date as specified in the proposed rule notice of November 8, 1991.

ADDRESSES: Written Comments: Hand deliver to the Office of Surface Mining, Administrative Record, room 5131, 1100 L Street, NW., Washington, DC. Or mail to the Office of Surface Mining, Administrative Record, room 5131L, 1951 Constitution Avenue, Washington, DC 20240.

Public Hearings: Department of the Interior Auditorium, 18th and C Streets, NW., Washington, DC; 1520 Market Street, St. Louis, Missouri; and Brooks Towers, 2nd Floor Conference Room, 1020 15th Street, Denver, Colorado.

FOR FURTHER INFORMATION CONTACT: D.M. Lytton, Office of Surface Mining Reclamation and Enforcement, U.S. Department of the Interior, 1951 Constitution Avenue, NW., Washington, DC 20240; Telephone: 202–208–5365 (Commercial) or 268–5365 (FTS).

SUPPLEMENTARY INFORMATION:

Written Comments

Written comments submitted on the proposed rule should be specific, should be confined to issues pertinent to the proposed rule, and should explain the reason for any recommended change. Where practical, commenters should submit three copies of their comments (see **ADDRESSES**). Comments received after the closer of the comment period (see **DATES**) may not be considered or included in the Administrative Record for the final rule.

Public Hearings

OSM will hold public hearings on the proposed rule. The time, dates, and addresses scheduled for hearings at three locations are specified in this notice (see **DATES** and **ADDRESSES**).

Any person interested in participating at a hearing at a particular location should inform Mr. Lytton (see **FOR FURTHER INFORMATION CONTACT**) either orally or in writing of the desired hearing location by 5 p.m. Eastern Time on January 21, 1992. If no one has contacted Mr. Lytton to express an interest in participating in a hearing at a given location by that date, the hearing will not be held. If only one person expresses an interest, a public meeting rather than a hearing may be held and the results included in the Administrative Record.

If a hearing is held, it will continue until all persons wishing to testify have been heard. To assist the transcriber and ensure an accurate record, OSM requests that persons who testify at a hearing give the transcriber a written copy of their testimony.

Availability of Copies

Copies of these proposed regulations may be obtained from the U.S. Department of the Interior, Administrative Record Room, 1100 L Street, NW., room 5131, Washington, DC 20240, Telephone 202–343–5492 or any of OSM's Field Offices.

Dated: December 16, 1991.

Brent Wahlquist,

Assistant Director, Reclamation and Regulatory Policy.

[FR Doc. 91–30434 Filed 12–19–91; 8:45 am]

BILLING CODE 4310–05–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[IL10–1–5123; FRL–4085–6]

Approval and Promulgation of Implementation Plans; Illinois

AGENCY: Environmental Protection Agency (USEPA).

ACTION: Proposed rule.

SUMMARY: USEPA is proposing to approve a request by the State of Illinois to revise its State Implementation Plan (SIP) for sulfur dioxide (SO_2). This proposed revision would correct several defects in the SO_2 compliance determination methodology. USEPA today is proposing to approve this SIP revision because the compliance methodology meets USEPA policy requirements. The approval of this rule would allow USEPA to reinstate the 1.8 pounds SO_2 per million British Thermal Units (lbs SO_2/MMBTU) emission limit for combustion sources in the Chicago and East St. Louis metropolitan areas of Illinois.

USEPA's action is based on a revision request submitted by the State on February 8, 1991, to satisfy the requirements of the Clean Air Act (CAA).

DATES: Comments on this revision and on the proposed USEPA action must be received by January 21, 1992.

ADDRESSES: Copies of the SIP revision request and USEPA's analysis are available for inspection at the following address: (It is recommended that you telephone Mary Onischak at (312) 353–5954 before visiting the Region V Office.)

U.S. Environmental Protection Agency, Region V, Regulation Development Branch, 230 South Dearborn Street, Chicago, Illinois 60604.

Written comments should be sent to: Jay Bortzer, Chief, Regulation Development Section, Regulation Development Branch (5AR–26), U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Mary Onischak, Regulation Development Section (5AR–26), U.S. Environmental Protection Agency, Region V, Chicago, Illinois 60604, (312) 353–5954.

SUPPLEMENTARY INFORMATION: Section 110(a) of the CAA requires each State to submit to USEPA to a plan to provide for attainment and maintenance of the national ambient air quality standards (NAAQS) within the State. These SIPs are to provide attainment of the primary NAAQS as expeditiously as practicable, but in no case later than three years from the date of plan approval. These requirements have been adopted in 40 CFR part 51, subpart F.

On February 8, 1991, the Illinois Environmental Protection Agency submitted amendments to 35 Illinois Administrative Code (IAC) 214 (sulfur limitations) to USEPA as a revision to the Illinois SIP §§ 214.101 and 214.104). The purpose of this revision is to correct several defects in the SO_2 compliance test methodology. These defects include the lack of a short-term test method, the lack of independent compliance measurements, and the inclusion of "director's discretion" in the SIP.

I. Background/History

USEPA approved the Illinois SO_2 plan on May 31, 1972, (37 FR 10862). The plan included a compliance test methodology which allows most sources to demonstrate compliance with their emission limits through either a stack test or a 2 month average of the sulfur content of their fuel supply. USEPA's policy guidance on compliance testing has gradually evolved since the time Illinois' SO_2 plan was approved. Illinois had not, however, been required by notice of SIP deficiency to update its compliance test methodology.

On September 28, 1978, the Illinois Appellate Court vacated most of the rules in the SO_2 SIP on procedural grounds (*Illinois Chemical Company* v. *PCB, No. 77382 Ill App 3d.*) The compliance test methodology was not among the vacated rules. USEPA issued Illinois a notice of SIP deficiency on July 12, 1979, (44 FR 40723), which ordered the State to submit SIP revisions to replace the vacated SO_2 rules. In 1985 and 1986, the State submitted several SIP revision packages. However, in reviewing these rule packages, USEPA found that the current compliance test methodology would not suffice to enforce the new rules or the NAAQs. USEPA cannot approve SIP revisions which rely on unsatisfactory compliance methods. USEPA then informed Illinois that their new SO_2 rule submittals could not be federally approved until the compliance methodology was updated to meet current policy guidance. In order to comply with the requirements of the July 12, 1979, notice of SIP deficiency, therefore, the State of Illinois had to replace the vacated SO_2 rules and amend the compliance test methodology. This SIP revision was submitted on February 8, 1991, to correct the deficiencies in the current compliance test methodology.

II. SIP Defects Corrected by this Submittal

Short-term Compliance Method Requirements

SIPs must prescribe methods of compliance which can ensure that the short-term NAAQS are not exceeded. The present Illinois SO_2 plan allows sources to demonstrate compliance with their emission limits through 2 month averaging of fuel samples, notwithstanding the existence of stack test results demonstrating noncompliance. Two month fuel averaging cannot ensure attainment and maintenance of the 3 hour and 24 hour SO_2 standards. A July 29, 1987, policy memorandum from the Director of the Office of Air Quality Planning and Standards (OAQPS) to the USEPA Regional Air Division Directors stated that in order to be approvable, SIPs must contain provisions for a stack gas compliance test, and USEPA accepts Method 6 (40 CFR 60, appendix A) stack gas testing as a compliance method for SO_2. Illinois' February 8, 1991, submittal, which specifies stack test Methods 6, 6A, 6B, 6C, and any method established by 40 CFR 60.8, for determining compliance, satisfies this requirement. Furthermore, under 35 IAC 201.282, Illinois can order any source to conduct such stack testing. Stack testing can demonstrate maintenance of the short-term SO_2 standards. Occasional stack testing does not ensure that a source will be in compliance with the NAAQS at all times. Through State rule correction efforts, USEPA is currently working to require all sources to show continuous compliance. In the interim, however, USEPA is proposing to approve Illinois' February 8, 1991, submittal.

Compliance Method Independence

The current SIP implies that results of 2 month fuel averaging which indicate compliance with emission limit requirements may refute a finding of noncompliance by stack gas testing. This is unacceptable, as it could allow a source to exceed its emission limits for short time periods without penalty. As already noted, 2 month fuel supply averaging cannot ensure the protection of the 3 hour primary or 24 hour secondary SO_2 standards. The 1991 submittal states that neither method may refute the other for the determination of noncompliance.

On October 27, 1987, USEPA testified before the IPCB regarding Illinois' compliance test methodology. USEPA recommended that IPCB adopt the proposed compliance test method, which was subsequently submitted to USEPA on February 8, 1991.

On January 19, 1988, USEPA approved a similar compliance test methodology submitted by the State of Indiana. (See 53 FR 1354.) An earlier SIP submittal by Indiana had been disapproved by USEPA because the submittal contained a 30-day fuel quality averaging compliance method which could be used to refute stack test evidence of noncompliance. The subsequently revised Indiana rule included stack testing as an independently enforceable compliance method. Illinois' February 8, 1991, submittal specifies a federally enforceable short-term method of determining compliance, and holds that findings of noncompliance with one compliance method may not be refuted by findings of compliance through the use of other compliance methods.

Director's Discretion

The current SIP allows the Director of the Illinois Environmental Protection Agency to determine other methods of stack gas testing without submitting these methods to USEPA as revisions to the SIP. SIPs which allow "director's discretion" are not approvable by USEPA today. The February 8, 1991, submittal does not allow director's discretion.

III. Relationship to Emission Limits of Rural Illinois SO_2 Sources

There are thirteen sources in rural Illinois that have approved plantwide pounds per hour (lb/hr) SO_2 emission limits, which are coupled with the compliance test methodology in the current SIP. Current USEPA guidance states that compliance test methods

must show plantwide compliance with the SO_2 ambient standards, and sources with plantwide "bubbles" must be a better method of determining compliance than stack tests. However, the plantwide lb/hr SO_2 emission limits, rather than the compliance methods specified, are the underlying problem with the Illinois SIP, as it pertains to the thirteen rural SO_2 sources. Compliance with a lb/hr emission limit does not ensure compliance with the standards. A company with a lb/hr limit may use high-sulfur fuel to run plant processes at below-normal capacity. While the facility would be in compliance with its emission limit, the decrease in pollutant plume rise from the lowered operating volume could reduce dispersion and cause NAAQS violations near the plant. Thus, neither a simple stack test nor a continuous emission monitor would ensure protection of the standards at facilities with lb/hr emission limits. USEPA will soon request that Illinois revise the lb/hr limits by incorporating pounds SO_2 per million British Thermal Units (lb/MMBTU) emission limits as well, as discussed below.

IV. Proposed Rulemaking Action and Solicitation of Comments

USEPA proposes to approve the incorporation of 35 IAC §§ 214.101 and 214.104 into the Illinois SIP. This revision meets USEPA policy requirements and satisfactorily corrects several defects in Illinois' SIP, including the lack of a short-term compliance test method, the test methods' ability to refute other noncompliance findings, and the provision for director's discretion.

It is noted that in a May 31, 1991, memorandum entitled "SO_2 Nonattainment Area SIP Guidance: Final Staff Work Product," from John Calcagni, Director, Air Quality Management Division, OAQPS, to the Regional Air Directors, it is stated that all future SO_2 nonattainment area SIPs should specify continuous emission monitoring (CEM) for determining compliance. However, current USEPA policy holds that method involving stack gas tests are acceptable to USEPA. Therefore, USEPA is proposing to approve Illinois' SIP revision. This approval does not insulate Illinois from future compliance policy requirements. Titles I, IV, and V of the 1990 Clean Air Act Amendments will effect changes in the implementation of the SO_2 NAAQS program. In order for all three titles to be carried out as efficiently as possible, USEPA is requiring States nationwide to correct existing enforceability deficiencies in the SIPs. USEPA released the "Yellow Book" in June 1991, which discussed various types of enforcement deficiencies. There are "Yellow Book" deficiencies in the approval portions of the Illinois SO_2 rules; however, these deficiencies will be corrected as part of the upcoming national process to rectify these types of enforceability deficiencies. The State of Illinois was notified by USEPA on June 28, 1991, of the enforceability deficiencies in the SIP and was asked to submit a schedule for correcting them and submitting the corrections as a revision of the SIP.

Public comment is solicited on the proposed SIP revision and USEPA's proposed rulemaking action. Comments received by the date indicated above will be considered in the development of USEPA's final rulemaking action.

The Agency has reviewed this request for revision of the federally approved SIP for conformance with the provisions of the Clean Air Act Amendments enacted on November 15, 1990.

Under 5 U.S.C. 605(b), the Administrator has certified that SIP approvals do not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709.)

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

List of Subjects in 40 CFR Part 52

Air pollution control, Environmental protection, Intergovernmental relations, Reporting and recordkeeping requirements, Sulfur oxides.

Authority: 42 U.S.C. 7401–7642.

Dated: August 23, 1991.

Valdas V. Adamkus,

Regional Administrator.

[FR Doc. 91–30484 Filed 12–19–91; 8:45 am]

BILLING CODE 6560–50–M

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40 CFR Parts 72, 73, 75, and 77

[FRL–4084–3]

Acid Rain Program: Announcement of Open Meeting on Acid Rain Program Forms

AGENCY: U.S. Environmental Protection Agency (EPA), Office of Air and Radiation (OAR).

ACTION: Proposed rules; forms workshop.

SUMMARY: On December 3, 1991, the EPA published the proposed Acid Rain Program "core" rules pursuant to title IV of the Clean Air Act Amendments of 1990, announcing its intent to conduct public hearings in Washington, DC, San Francisco, CA, and Chicago, Ill. the week of January 6, 1992. (56 FR 63001–63351, Tuesday, December 3, 1991). EPA is adding one additional public meeting in Washington on January 8, 1992, for the sole purpose of reviewing and receiving public comments on the proposed Acid Rain Program standardized forms. The workshop will be a working session for input by the public at large, and in particular will give the regulated community an opportunity to discuss their comments and concerns in detail.

The forms to be discussed include the Acid Rain permit application and compliance plan forms, Acid Rain monitoring plan and emissions monitoring report formats, as well as Acid Rain allowance transfer and new account/new authorized account representative forms. Use of these standardized forms will be required in both Phase I and Phase II of the Acid Rain program in order to ensure national consistency in the program and streamlined processing. Meeting participants should focus their comments on form quality, including identification of inconsistencies between the forms and requirements in the proposed "core" rules, redundancies, and ambiguities in terminology or instructions. EPA urges members of the public to review the forms in advance of the meeting, and to submit completed forms (using real or hypothetical information), with their written comments to the appropriate EPA Air Dockets (*see* references below). These submissions will help EPA assess paperwork burdens, and provide EPA with concrete examples to use for further development of the forms and form completion instructions.

Public comments regarding the substantive provisions of the Acid Rain "core" rules are beyond the scope of the forms meeting, and should be made separately at the public hearings or submitted to the appropriate EPA Air Dockets announced in the **Federal Register** notice of the "core" rules package on December 3, 1991.

DATES: Notice is hereby given that the Environmental Protection Agency will hold an open meeting to discuss Acid Rain program standard forms, from 8:30 a.m. to 5 p.m. on January 8, 1992.

ADDRESSES: The Acid Rain forms public meeting will be held at the Sheraton Crystal City Hotel, 1800 Jefferson Davis Highway, Arlington, Virginia.

FOR FURTHER INFORMATION CONTACT: Brian McLean, Director, Acid Rain Division (ANR–445), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460 (617) 641–5377.

SUPPLEMENTARY INFORMATION:

Documents: The proposed Acid Rain forms are included in the proposed Acid Rain "core" rules package proposed on Tuesday, December 3, 1991 (56 FR 63001–63351). They are also publicly available for viewing in EPA Air Dockets Number "A–90–38" (Permits Rule), "A–91–43" (Allowance System rule), "A–90–51" (Continuous Emissions Monitoring rule), and "A–91–51" (Continuous Emissions Monitoring rule), and "A–91–68" (Excess Emission rule), in room 1500 of EPA headquarters, 401 M St. SW., Washington, DC. Hours for inspection of the Dockets are 8:30 a.m. to 12 noon and 1:30 p.m. to 3:30 p.m., Monday through Friday. Additional copies of the forms will be available in limited numbers at the public meeting along with a more detailed meeting agenda.

Registration Anyone wishing to present oral comments on the Acid Rain forms and participate in the forms meeting must register not later than January 3, 1991, by calling Gayle Kline at (703) 671–0400. Only limited seating will be available for persons who have not pre-registered, and seats will be provided on a first-come, first-served basis. Oral presentations will be limited to 10 minutes, and will be followed by a roundtable discussion.

Dated: December 13, 1991.

Eileen B. Claussen,

Director, Office of Atmospheric and Indoor, Air Programs, Office of Air and Radiation.

[FR Doc. 91–30323 Filed 12–19–91; 8:45 am]

BILLING CODE 6560–50–M

FEDERAL MARITIME COMMISSION

46 CFR Part 514

[Docket No. 90–23]

Tariffs and Service Contracts

AGENCY: Federal Maritime Commission.

ACTION: Proposed rule; extension of time for comments.

SUMMARY: On September 9, 1991, the Federal Maritime Commission published (56 FR 46044) a Proposed Rule (new 46 CFR part 514) which solicited public comment omits proposal for implemention of the Automated Tariff Filing and Information System ("ATFI"). Time for filing comments to the proposed rule was extended to November 8, 1991, for that portion of the proposed rule concerning user charges, proposed § 514.21, and to December 16 with respect to the remainder of the proposed rule (56 FR 55860, October 30, 1991). On December 2, 1991, the Commission published (56 FR 61184) a final rule establishing certain user charges. Twelve conferences have now requested a 14 day extension of time for filing comments to the remainder of the proposed rule. The conferences cite the length and complexity of the proposed rule, a recent need to retain new consultants, and the timing of a meeting scheduled to make final decisions for the conferences. The Commission has determined to grant the conferences' request and extend the comment period to December 30, 1991.

DATES: Comments (original and fifteen copies) due on or before December 30, 1991.

ADDRESSES: Send comments to: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW., Washington, DC 20573–0001, (202) 523–5725.

FOR FURTHER INFORMATION CONTACT: John Robert Ewers, Deputy Managing Director, Federal Maritime Commission, 1100 L Street , NW., Washington DC 20573–0001, (202) 523–5800.

By the Commission.

Joseph C. Polking,

Secretary.

[FR Doc. 91–30376 Filed 12–19–91; 8:45 am]

BILLING CODE 6730–01–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 91–348; FCC 91–385]

FM Table of Allotments

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This Notice of Proposed Rulemaking was initiated to explore changes in the Commission's procedures governing conflicts between rulemaking petitions to amend the FM Table of Allotments and applications for new or modified FM facilities. Currently, there are policies and rules specifying "cut-off" dates with respect to mutually exclusive petitions for rulemaking and with respect to mutually exclusive applications, but none with respect to conflicts between petitions and applications. This approach has often permitted subsequently-filed rulemaking petitions to delay the processing of pending applications. The Commission seeks comment on whether it now imposes undue expense to applicants and costs to the public in delay of service.

DATES: Comments are due by January 22, 1992, and reply comments are due by February 6, 1992.

ADDRESSES: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Beverly McKittrick, Mass Media Bureau, Policy and Rules Division, (202) 632–5414.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rulemaking in MM Docket No. 91–348, FCC 91–385, adopted November 21, 1991, and released December 16, 1991. The complete text of the Notice of Proposed Rulemaking is available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street, NW., Washington, DC, and also may be purchased from the Commission's copy contractor, Downtown Copy Center, (202) 452–1422, 1114 21st Street, NW., Washington, DC.

Synopsis of Notice of Proposed Rulemaking

1. In this Notice of Proposed Rulemaking, the Commission seeks comment on a number of proposals regarding conflicts between rulemaking petitions to amend the FM Table of Allotments and applications for new or modified FM facilities. Currently, the Commission has policies and rules specifying "cut-off" dates with respect to mutually exclusive petitions for rulemaking and with respect to mutually exclusive applications, but none with respect to conflicts between petitions and applications.

2. The Commission proposes to use the deadline for filing petitions to deny against new and major change FM applications as the cut-off point for rulemaking petitions that conflict with those applications. The Commission seeks comment on this proposal and on whether an earlier cut-off point, such as the close of the filing window or the end of the amendment as of right period, would be preferable. The Commission also proposes to retain cut-off protection for applications that are dismissed until the dismissal is no longer subject to Commission review.

3. For minor change applications, the Commission also proposes to use as the cut-off point for the filing of conflicting petitions a date 30 days after acceptance of the application, unless the application is earlier granted. Finally, the Commission seeks comment on whether the criteria developed in Revision of FM Assignment Policies and Procedures should be applicable in determining whether an application

receives cut-off protection. For example, should the Commission decline to extend cut-off protection to an application for an upgrade against a petition that would provide a first local aural transmission service for a community? The Commission's initial conclusion is that no distinction should be made among various types of applications or petitions. The equities appear to be the same on the applicant's side, *i.e.* investment of time and money in pursuing the application, whether the applicant is seeking a new allotment or an upgrade. The Commission also tentatively concludes that adjudication of whether a particular petition falls within any exception the Commission might adopt would so complicate the administration of a cut-off rule as to obviate the benefits of adopting any such rule. Commenters who disagree should indicate what distinctions the Commission should make and the justifications therefor.

4. Finally, the Commission proposes to make any procedural change effective 30 days after publication in the **Federal Register**. Rulemaking petitions already filed, or filed within 30 days after publication in the **Federal Register** of any rule changes in this proceeding, would be handled under the current procedure. The Commission believes that this 30-day period would provide adequate notice to potential petitioners for new allotments or upgrades while expediting the benefits to the public of any new procedure. The Commission seeks comment on this tentative conclusion.

Initial Regulatory Flexibility Statement

I. Reason for the Action

5. This review is initiated to consider whether it is advisable to adopt new procedures governing conflicts between rulemaking petitions to amend the FM Table of Allotments and applications for new or changed FM facilities.

II. Objectives of the Action

6. The objective of this proceeding is to ensure that such conflicts are settled with minimal expense for applicants and minimal delay in new or improved service to the public.

III. Legal Basis

7. Authority for this action may be found in 47 U.S.C. 154 and 303.

IV. Reporting, Recordkeeping and Other Compliance Requirements

8. Such requirements will vary according to the actions that are adopted as a result of the record established in response to this Notice of Proposed Rulemaking.

V. Federal Rules Which Overlap, Duplicate or Conflict With These Rules

9. There are no rules which would overlap, duplicate or conflict with these rules.

IV. Description, Potential Impact and Number of Small Entities Involved

10. There are a number of radio licensees and potential applicants who would be affected by this proceeding.

VII. Any Significant Alternatives Minimizing the Impact on Small Entities Consistent With Stated Objectives

11. In initiating this review of our procedures for settling FM application/petitions for rulemaking disputes, it is intended to reduce the expense and delay that FM applicants now face when conflicting petitions for rulemaking are filed. We seek to minimize the possibility for such conflicts through our proposal to adopt a cut-off point for later-filed conflicting petitions and to retain cut-off protection for applications that are dismissed until the dismissal is final. Although the Commission tentatively finds that the current procedures are no longer the best procedures, the Notice of Proposed Rulemaking invites comments on the validity of this conclusion and on alternative methods for resolving such disputes.

12. The Secretary shall send a copy of this Notice of Proposed Rulemaking, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(a) of the Regulatory Flexibility Act (Pub. L. No. 96–354, 94 Stat. 1164, 5 U.S.C. 601 *et seq.* (1981).

Ex Parte Consideration

13. This is a non-restricted notice and comment rulemaking proceeding. *Ex parte* presentations are permitted, except during the Sunshine Agenda period, provided they are disclosed as provided in Commission rules. *See generally* 47 CFR 1.1202, 1.1203, and 1.1206(a).

Comment Information

14. Pursuant to applicable procedures set forth in §§ 1.415 and 1.419 of the Commission's Rules, 47 CFR 1.415 and 1.419, interested parties may file comments on or before January 22, 1992, and reply comments on or before February 6, 1992. To file formally in this proceeding, you must file an original and five copies of all comments, replay comments, and supporting comments. If you want each Commissioner to receive a personal copy of your comment, you must file an original plus nine copies. You should send comments and reply comments to Office of the Secretary, Federal Communications Commission, Washington, DC 20554. Comments and reply comments will be available for public inspection during regular business hours in the Dockets Reference Room of the Federal Communications Commission, 1919 M Street, NW., Washington, DC 20554.

15. Authority for this action is contained in sections 4(i) and 303 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Amendatory Text

It is proposed to amend part 73 of title 47 of the Code of Federal Regulations as follows:

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154 and 303.

2. Section 73.208 is amended by revising paragraph (a)(1) and adding a new paragraph (a)(3) to read as follows:

§ 73.208 Reference points and distance computations.

(a)(1) The following reference points must be used to determine distance separation requirements when petitions to amend the Table of Allotments (§ 73.202(b)) are considered:

(i) First, transmitter sites if authorized, or if proposed in applications with cut-off protection pursuant to paragraph (a)(3) of this section;

(ii) Second, reference coordinates designated by the FCC;

(iii) Third, coordinates listed in the United States Department of Interior publication entitled Index to the National Atlas of the United States of America; or

(iv) Last, coordinates of the main post office.

(The community's reference points for which the petition is submitted will normally be the coordinates listed in the above publication.)

* * * * *

(3) Petitions to amend the Table of Allotments that do not meet minimum distance separation requirements to transmitter sites specified in applications will not be considered unless they are filed before:

(i) The deadline for filing Petitions to Deny the application, if the application is for a new facility or major change; or

(ii) 30 days after acceptance or grant of the application, whichever occurs earlier, if the application is for a minor modification.

* * * * *

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 91-30430 Filed 12-19-91; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF DEFENSE

Defense Logistics Agency

48 CFR Parts 5446 and 5452

DLA Acquisition Regulation; Statistical Process Control

AGENCY: Defense Logistics Agency, DOD.

ACTION: Proposed rule and request for comments.

SUMMARY: The Defense Logistics Agency (DLA) proposes to establish a new 48 CFR chapter 54 to contain Defense Logistics Agency acquisition regulations. New parts 5446 and 5452 provide regulatory coverage on the use of Statistical Process Control (SPC) in select contracts. Comments are hereby requested on the proposed coverage which supplements the contract quality requirements of the Federal Acquisition Regulation (FAR) and the Defense FAR Supplement (DFARS) by adding prescriptive language and a contract clause to satisfy the specific needs of DLA. It is required in order to standardize the use of SPC as a quality control tool by the various supply centers in DLA. The primary objective of the coverage, when required, is to encourage the use of SPC as an integral part of a total quality production initiative at contractor facilities aimed at controlling the manufacturing process to assure consistent production of conforming material. The proposed coverage is being published in the **Federal Register** because it is expected to have an effect beyond the internal operating procedures of DLA and, in some cases, a significant cost and administrative impact on contractors, when required.

DATES: Comments should be submitted to the address shown below on or before January 21, 1992, to be considered in the formulation of a final rule.

ADDRESSES: Interested parties should submit written comments to: Defense Logistics Agency, Directorate of Contracting, Policy Branch (DLA-PPR), ATTN: Ms. Ynette Shelkin, Cameron Station, Alexandria, VA 22304-6100.

FOR FURTHER INFORMATION CONTACT: Ms. Ynette Shelkin, Defense Logistics Agency, DLA-PPR (703) 274-6431.

SUPPLEMENTARY INFORMATION:

A. Background

DLA is committed to achieving productivity and quality improvements in the materials it purchases to equip and support its military customers. In the past, DLA relied on end-item inspection to assess the quality of the products it purchased. Now, however, emphasis is being placed on controlling quality in the early stages of product manufacture. SPC is a widely recognized technique that provides for continuous quality assessment and improvement by focusing on the manufacturing process rather than the end-product. Under SPC, contractors periodically monitor their processes by selectively measuring characteristics to determine which processes, if any, should be adjusted so that corrective action can be taken before defects in end-products are produced. This represents a shift away from reliance on detecting defects during end-item inspection to an effective process control that prevents defects during the manufacturing process—part of a continuous quality improvement concept; however, neither the FAR nor the DFARS currently contains regulatory coverage on SPC. The proposed coverage will be included in DLAR 4105.1, which implements and supplements the FAR, the DFARS, and other DOD publications and, pursuant to FAR 1.304, establishes DLA procedures relating to the acquisition of supplies and services under the authority of 10 U.S.C. 137. The supplementary coverage, which includes a new clause, is designed to give contracting officers an effective tool to improve quality when there is a need to control manufacturing operations, processes, characteristics and/or parameters using statistical techniques. The proposed rule will be submitted to the Director of Defense Procurement (DDP) for approval following receipt of public comments in accordance with the Deputy Assistant Secretary of Defense (Procurement) (now DDP) memorandum of 15 September 1989 which states, in part, that "* * * Military Departments and Defense Agencies must submit regulations developed on or after July 22, 1989 directly [to DDP] for approval prior to their becoming effective. This requirement applies to all procurement policies, regulations, procedures, clauses, or forms that have any effect beyond the internal operating procedures of the agency or have a significant impact on contractors or offerors * * *."

B. Regulatory Flexibility Act

The proposed addition of 48 CFR parts 5446 and 5452 may have a significant economic impact on a substantial number of small businesses within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, because of the additional time and cost involved initially for a contractor to implement an acceptable SPC plan. An Initial Regulatory Flexibility Act (IRFA) Statement has been prepared and is on file at the Defense Logistics Agency, Directorate of Contracting, Policy Branch (DLA-PPR), Cameron Station, Alexandria, VA 22304-6100. In summary, the proposed coverage is required in order to standardize the use of SPC by the various supply centers in DLA. The proposed rule is expected to impact on those small businesses that receive awards for which there is a need to require control of manufacturing operations and processes using statistical techniques, and that are implementing such techniques for the first time. A copy of the IRFA has been submitted to the DLA Defense Acquisition Regulatory (DAR) Council Legal Member. Copies may also be obtained by contacting Ms. Ynette Shelkin at (703) 274-6431. Comments are invited. Comments from small businesses concerning the proposed DLAR coverage will be considered in accordance with section 610 of the Act. Such comments must be submitted separately and cite DLAR Parts 5446 and 5452—Statistical Process Control (SPC) in correspondence.

C. Paperwork Reduction Act

The proposed rule does not impose any reporting or recordkeeping requirements which require the approval of OMB under 44 U.S.C. 3501 *et. seq.* and, as such, the Paperwork Reduction Act does not apply.

List of Subjects in 48 CFR Parts 5446 and 5452

Government procurement.

Therefore, it is proposed that 48 CFR chapter 54, consisting of parts 5446 and 5452, be added to read as follows:

Chapter 54—Defense Logistics Agency, Department of Defense

PART 5446—QUALITY ASSURANCE

PART 5452—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

PART 5446—QUALITY ASSURANCE

Authority: 10 U.S.C. 137, FAR subpart 1.3 and DFARS subpart 201.3.

5446.202-90 Statistical process control.

Use the clause at 5452.246-9002, or a similar version, in solicitations and contracts when there is a need to control manufacturing operations, processes, characteristics and/or parameters using statistical techniques.

PART 5452—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

Authority: 10 U.S.C. 137, FAR subpart 1.3 and DFARS subpart 201.3

Subpart 5452.2—Texts of Provisions and Clauses

5452.246-9002 Statistical Process Control (SPC).

As prescribed in 5446.202-90, insert the following clause:

Statistical Process Control (SPC) (XXX 1991)

In addition to the quality requirements cited in this contract, the contractor shall manage and improve process performance through the evaluation of the quality of the product at the prime contractor and/or subcontractor/vendor facilities, using Statistical Process Control (SPC) techniques. Minimum criteria are established in the American National Standards Institute (ANSI) Z1.1, Z1.2 and Z1.3 or American Society of Quality Control (ASQC) B.1, B.2, and B.3 documents. The use of alternate SPC techniques will be allowed only after information substantiating their adequacy for the particular product/process involved has been forwarded to, and determined to be acceptable by the cognizant Contract Administration Office (CAO). This review and determination of acceptability must be completed prior to implementation of the proposed alternative SPC techniques.

The contractor shall identify the characteristics that it has selected to be controlled through the application of SPC control techniques to the CAO Government Representative for a determination of acceptability prior to the initiation of First Article or normal production. The characteristics requiring control will be those providing the greatest assurance of product conformance to contract requirements. These will be determined through the review of previous production/inspection records and analysis of the processes involved. In addition to the characteristics identified by the contractor, the following Contracting Office designated characteristics will be subjected to SPC control techniques:

Any changes to the initial group of characteristics being controlled through SPC (either contractor or Government designated) will be identified to the CAO Government Representative in writing for review and a determination of acceptability. Proposed changes to Contracting Office designated characteristics will not be implemented until written approval has been received from the Contracting Officer.

A documented plan implementing SPC techniques shall be prepared by the contractor. This plan must be available for review by the Government prior to initiation of First Article or normal production and shall identify as a minimum: Operations where SPC will be implemented; SPC methods to be applied; process capability studies to be completed; methods for control of vendor quality; the sample size and frequency of measurements; the criteria to be used for modifying sample size and frequency of measurements; the audit procedures used to validate the accuracy, adequacy, and interpretation of control charts; training and qualification requirements for personnel involved in SPC; criteria for determining an out-of-control condition; identification of the responsibility for performing measurements and corrective actions; general policy for applying SPC along with goals and commitments regarding SPC; documents and records utilized in the SPC program; and the corrective action procedures to be used and actions to be taken upon statistical signal or an out-of-tolerance condition. This plan is subject to disapproval by the Government following a determination that it lacks the capability to provide control of contract requirements.

All documents/records required by the SPC plan shall be maintained current and be made available for Government review at any time throughout the life of the contract and for five years after final delivery on the contract.

When processes reach a state of statistical control and the product conforms completely to contract requirements, the contractor may request to the Procuring Contracting Officer (PCO), through the CAO, that the contract/specification acceptance sampling requirements be reduced. Previous contractual acceptance sampling criteria will not be changed until the PCO provides written approval. The Government reserves the right to return to original acceptance sampling requirements at any indication of a loss of process control or a degradation in product conformance to contract requirements.

[End of clause]

By Order of the Director.

Gary C. Tucker,

Colonel, USA Staff Director, Administration.

[FR Doc. 91-30224 Filed 12-19-91; 8:45 am]

BILLING CODE 3620-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 672 and 675

[Docket No. 911215-1315]

RIN 0648-AD50

Foreign Fishing; Groundfish of the Gulf of Alaska; Groundfish Fishery of the Bering Sea and Aleutian Islands

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS publishes a proposed rule that would implement proposed Amendment 8 to the Fishery Management Plan (FMP) for the Groundfish Fishery of the Bering Sea and Aleutian Islands (BSAI) and proposed Amendment 23 to the FMP for Groundfish of the Gulf of Alaska (GOA), if the amendments are approved by the Secretary of Commerce (Secretary) after review and consideration of public comments. Amendments 18 and 23 to the respective FMPs were prepared by the North Pacific Fishery Management Council (Council) and have been submitted to the Secretary for review under provisions of the Magnuson Fishery Conservation and Management Act (Magnuson Act).

These regulations are proposed to allocate Pacific cod and pollock between inshore and offshore components in the GOA and pollock between inshore and offshore components in the BSAI, as defined in the proposed amendments. Also, these regulations propose to establish a catcher vessel operation area in the BSAI within which pollock harvest by the offshore component during the first part of the fishing year is limited and, during the remainder of the year, prohibited. In addition, a Western Alaska Community Development Quota program is proposed to help develop commercial fisheries in communities on the Bering Sea coast by allowing them exclusive access to up to half of the pollock apportioned to nonspecific

reserve at the beginning of the fishing year (i.e., 7.5 percent of the total allowable catch (TAC) of pollock in the BSAI area). These actions are intended by the Council to promote management and conservation of groundfish and other fish resources and to further the goals and objectives contained in the FMPs that govern these fisheries.

DATES: Comments are invited on or before February 3, 1992.

ADDRESSES: Comments may be sent to Steven Pennoyer, Director, Alaska Region, National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802. Commenters are encouraged to submit copies of their comments on the amendments, proposed rule, and supporting analyses to Richard Schaefer, Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service, 1335 East-West Highway, SSMC1 Room 8472, Silver Spring, MD 20910. Individual copies of proposed Amendments 18 and 23 and the draft supplemental environmental impact statement/ regulatory impact review/initial regulatory flexibility analysis (DSEIS/ RIR/IRFA) may be obtained from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99520.

FOR FURTHER INFORMATION CONTACT: Jay J.C. Ginter, Fishery Management Biologist at 907–586–7228.

SUPPLEMENTARY INFORMATION:

Background

Domestic and foreign groundfish fisheries in the exclusive economic zone (EEZ) off Alaska are managed in accordance with the GOA and BSAI FMPs. Both FMPs were prepared by the Council under authority of the Magnuson Act. The GOA FMP is implemented by regulations appearing at 50 CFR 611.92 for the foreign fishery and at 50 CFR part 672 for the U.S. fishery. The BSAI FMP is implemented by regulations appearing at 50 CFR 611.93 for the foreign fishery and 50 CFR part 675 for the U.S. fishery. General regulations that also pertain to U.S. fisheries appear at 50 CFR part 620.

Substantial processing of pollock by several catcher/processor vessels contributed to an early closure of the pollock fishery in the Shelikof Strait District on March 21, 1989 (54 FR 12204; March 24, 1989), effectively preventing inshore components from realizing their anticipated economic benefit from pollock alter in the fishing year. At the April 1989 Council meeting, fishermen and processors from Kodiak Island requested the Council to consider inshore/offshore allocations to prevent future preemption of resources by one industry sector over another.

The Council considered the issues of coastal community development and shoreside preference at its June 1989 meeting and conducted at 45-day scoping process between October 13 and December 8, 1989, to obtain additional proposals from the public (54 FR 46100; November 1, 1989). In December of 1989, the Council adopted the Fishery Planning Committee's suggested management alternatives and added another alternative concerning establishment of an immediate moratorium.

The problem statement adopted by the Council at its April 1990 meeting stated in part, "The Council defines the problem as a resource allocation problem where one industry sector faces the risk of preemption by another." The view was expressed that specified allocations (proportions of TAC for a given target species established by regulation) for inshore and offshore components at the beginning of a fishing year would resolve the preemption problem and better enable operators within those components to plan harvesting and/or processing activity during the fishing year.

Between January 1990 and April 1991, the Council decided to include in its analysis only pollock in the BSAI and Pacific cod and pollock in the GOA. This allowed for more detailed analyses of an inshore/offshore allocation scheme for groundfish species believed to require immediate attention.

In April 1991, the Council rejected a motion to table the inshore/offshore amendment package until the moratorium issue was resolved, an individual fishing quota system based on historical participation in the fisheries was in effect, and an exclusive registration area for pollock was established for the central Gulf of Alaska. The Council reasoned that such a limited access program could not be implemented until 1994, and that the preemption problem needed to be addressed as early as 1992. Additionally, the Council believed that there was no evidence that a limited access program would be effective in resolving the preemption problem.

The first DSEIS/RIR/IRFA for Amendments 18 and 23 was reviewed initially by the Council and its advisory bodies at their April 22–26, 1991, meetings and approved for public distribution and comment. The public comment period began May 10, 1991, and ended June 24, 1991 (56 FR 21675; May 10, 1991). After receiving advice from its advisory bodies and hearing public testimony at its meeting of June 24–29, 1991, the Council constructed and adopted its preferred alternative. At that meeting, the Council also received verbal advice from the Director, Alaska Region, NMFS (Regional Director), and the NOAA Regional Attorney recommending further analyses to supplement the record. The Regional Director and Regional Attorney provided written advice to the Council on supplementing the record by letter dated July 25, 1991. At its August and September 1991 meetings, the Council rejected a motion to rescind its earlier adoption of the preferred alternative, as described below.

The Council has submitted Amendments 18 and 23 to the Secretary for review, approval, and implementation under section 304(a) of the Magnuson Act. A notice of availability for the FMP amendments that requested public comment on these amendments was published on December 12, 1991 (56 FR 64738). A notice of availability of the revised DSEIS was published in the **Federal Register** on November 22, 1991 (56 FR 58905).

A major concern identified during the preliminary review by the Secretary of Amendments 18 and 23 is that the economic analysis submitted by the Council may be fatally flawed. The economic analysis does not appear to contain a full qualitative analysis of costs and benefits expected, should these two amendments be approved by the Secretary. NMFS will conduct a separate economic analysis on the proposed management measures prior to final action to approve, disapprove, or partially disapprove the amendments.

Completion of the preliminary review with publication of the proposed rule for Amendments 18 and 23 does not mean that either of these two amendments will be approved by the Secretary. NMFS invites comment on the consistency of the amendments and the proposed regulations with the Magnuson Act's national standards and other applicable laws. Comments are specifically requested on the adequacy of the economic analysis to support findings of compliance with national standards 2 (best scientific evidence), 4 (fair and equitable allocations), 5 (justification for economic allocations), and 7 (net benefits to the Nation). Information and analysis that bolster or contradict the conclusions in any of the supporting documents are also welcome. Commenters may also address alternatives the Council did not consider but that may have resolved the concerns that prompted these two amendments.

Description of Proposed Management Measures

1. Application of Inshore and Offshore Definitions

The inshore component would be defined as that part of the U.S. groundfish fishery that includes: (a) All shoreside processing facilities; (b) all mothership operators who submit a check-in report under § 672.5(c)(1) during a fishing year that exhibits an intent to process, or actual processing of, Pacific cod or pollock in waters adjacent to the State of Alaska that are shoreward of the EEZ; and (c) all catcher/processors that process less than 18 metric tons of groundfish, round weight, per day and are less than 125 feet (38.1 m) in length overall. The offshore component would be defined as all processor vessels not included under the inshore definition.

Motherships operating under the inshore definition would be required to remain in the geographic location that they report on their first check-in report of the fishing year while they are processing pollock harvested from either the GOA or the BSAI, or Pacific cod harvested from the GOA. This restriction applies on a fishing-year basis and only to the processing of pollock and Pacific cod. A mothership could leave that location to process other species of groundfish not included under Amendments 18 and 23 or other species of fish. However, the mothership must return to the location reported on the first check-in report for processing EEZ pollock or GOA Pacific cod if it processes those species again during the same fishing year.

Processor vessels would not be allowed to catch or process pollock or Pacific cod as both an inshore and offshore operation during the same year. For purposes of this measure, it is the Council's intent that the BSAI area and the GOA are viewed as one area. For example, a mothership would not be allowed to process pollock in the GOA under the inshore definition and in the BSAI area under the offshore definition in the same fishing year. It could operate under the inshore definition to process GOA pollock and then move offshore in the BSAI area in the same fishing year to process Pacific cod caught in the BSAI area or flatfish, since these species are not included in the inshore definition for the BSAI area. However, it would have to return to its original location to process pollock caught in either the BSAI area or the GOA, or Pacific cod caught in the GOA.

2. Inshore/Offshore Allocation of Pollock and Pacific Cod in the GOA

For the GOA, 90 percent of the Pacific cod TAC and 100 percent of the pollock TAC for each fishing year, as specified in the annual notice of specifications for groundfish, is proposed to be allocated to the inshore component of the groundfish fishery. Ten percent of the Pacific cod TAC, and an appropriate percentage of the pollock TAC for bycatch purposes, is proposed to be allocated to the offshore component.

Only the inshore component would be allowed to conduct directed fishing for pollock in the GOA. Nevertheless, under current §§ 672.20 (g) and (h), catcher/processors from the offshore component would be able to retain bycatch amounts of GOA pollock. For a given fishing trip, pollock retention for a vessel in the offshore component must be less than 20 percent by weight (round weight equivalent) of other species retained under current management policies. This provision would allow for the retention and processing of pollock bycatch by the offshore component, until the pollock TAC is reached, and is intended to alleviate unnecessary discard and waste of the resource. Once the quarterly allowance of the GOA pollock TAC is reached for a given regulatory area and district, pollock would be treated as a prohibited species under current § 672.20(c)(3).

The offshore component would be allocated up to 10 percent of the Pacific cod TAC for each regulatory area in the GOA. The Regional Director would determine what proportion of this amount would be necessary as bycatch for directed fishing for other species by the offshore component. After this expected bycatch amount is subtracted from the offshore allocation, the remaining amount may be available to the offshore component for directed fishing purposes. For TAC monitoring purposes in the GOA, the retained bycatch of Pacific cod taken by the offshore component would differ from the retained bycatch of pollock. Retained bycatch of pollock taken by the offshore component in the GOA would be credited to the inshore component, but retained bycatch of Pacific cod by the offshore component would be credited to its 10 percent allocation.

If the Regional Director determines that the inshore component will not be able to process the entire amount of its allocation of pollock or Pacific cod during a fishing year, then NMFS will publish a notice in the **Federal Register** that reallocates the projected unused amount of pollock or Pacific cod to the offshore component.

3. Inshore/Offshore Allocation of Pollock in the BSAI Area

Under Amendment 18, the allocation of BSAI pollock between the inshore and offshore components would be phased in over a 3-year period. In the first year of implementation, the inshore component would receive 35 percent of the pollock TAC and the offshore component would receive the remaining 65 percent. In the second year, BSAI pollock would be allocated between the inshore and offshore components 40 and 60 percent, respectively. In the third and subsequent years, BSAI pollock would be allocated between inshore and offshore components 45 and 55 percent, respectively. The inshore and offshore allocations would be specified for each subarea and each pollock season defined at § 675.20(a)(2)(ii).

According to NMFS records, the inshore component has harvested approximately 16 to 36 percent of the BSAI pollock for domestic annual processing since 1986. Based on the 1990 pre-season domestic processing survey, the 3-year phased allocation scheme would result in a graduated increase in the pollock allocation to the inshore segment up to its late 1989 processing potential. If, during a fishing year, the Regional Director determines that either the inshore or offshore component will not be able to harvest and process the entire amount of pollock allocated to it, then the amount that the Regional Director projects will be unused by one component will be reallocated to the other fishery by notice in the **Federal Register.**

4. Bering Sea Catcher Vessel Operational Area (CVOA)

Amendment 18 proposes to establish a CVOA that would limit access to pollock within the area to catcher vessels delivering to the inshore component. This area is between 163° and 168° W. longitude, south of 56° N. latitude, and north of the Aleutian Islands. During the pollock roe season (January 1–April 15, commonly known as the "A" season), the offshore component would be allowed to take up to 65 percent of its seasonal allowance of pollock from the CVOA. After the offshore component attains 65 percent of its "A" season allowance of pollock from the CVOA, pollock caught within this area may be processed by the offshore component only if the pollock occurs as bycatch in directed fishing for other species. Except for the "A" season allowance of pollock to the offshore

component, only the inshore component would be permitted to conduct directed fishing for pollock in the CVOA. Pollock harvested outside the CVOA could be delivered to processors in either the inshore or offshore components.

Establishment of the CVOA is intended to address the dependence of the BSAI inshore component on nearby waters for pollock resources, but provides an allowance for some access to this area by the offshore component during the "A" season in recognition of the high economic value of pollock roe obtained by the at-sea processors from this area. The 65-percent allowable take is based on 1989–1990 reported harvests by the offshore sector in this operational area during the first quarter.

If the CVOA is implemented, several current statistical areas would be subdivided, creating new Statistical Areas 551, 557, 558, and 519. These new statistical areas would comprise the CVOA and would provide separate data for monitoring the catch of pollock and other species by inshore and offshore components during the "A" season for pollock in the BSAI.

5. Western Alaska Community Development Quota (CDQ)

If implemented, Amendment 18 would withhold half the amount of BSAI pollock assigned to the nonspecific reserve for allocation to qualifying community development projects in western Alaska. As a result, 7.5 percent of the BSAI pollock TAC would be set aside for purposes of this program at the beginning of the fishing year, and that amount would be reduced as allocations are made to community development projects. Following the end of the third quarter, any portion that is unallocated for western Alaska community development projects would be reapportioned to the nonspecific reserve. During the year, any apportionments from the reserve to pollock, but not for the CDQ program, would be allocated to the inshore and offshore components according to the allocation formula for BSAI pollock for that given fishing year as described under proposed § 675.20(a)(2)(iii).

To be eligible, a community must meet specified criteria and have an approved fisheries development plan. During the first year of implementation, criteria for community eligibility and fishery development plans would be established by the Governor of Alaska, in consultation with the Council, and would be announced in the **Federal Register** following approval by the Secretary.

Actual allocations of pollock to Bering Sea communities under the CDQ program would be announced annually in the **Federal Register** by the Secretary, beginning with the second year of implementation of Amendment 18.

To some extent, the rationale for this community development program is expressed in the Council's Comprehensive Fishery Management Goals that were adopted in 1984. A copy of these goals may be obtained from the Council (see ADDRESSES). Goal 3 calls for promotion of economic stability, growth and self-sufficiency in maritime communities, including the consideration of regional and national benefits derived from improving the opportunities for maritime communities to enhance their self-sufficiency. In addition, the Council concluded during adoption of the CDQ program that these communities would be unlikely to attract the capital investment necessary to develop processing facilities as long as the threat of preemption from offshore catcher/processors exists.

6. Linkage of Amendments 18 and 23 to a Comprehensive Limited Access System

The Council recognizes that Amendments 18 and 23 offer only an interim remedy to the preemption problem confronting the inshore component, including small coastal communities, that is highly dependent on fishing to maintain economic stability. Amendments 18 and 23 do not directly address the problem of overcapitalization in the groundfish fishery. Hence, preemption problems could occur within the inshore sector or even between communities. However, the motion approval by the Council in selecting its preferred alternative reiterates the intent of the Council to develop and implement immediately a moratorium on entry into the fisheries.

The Council made a first step towards limiting access in the groundfish, crab, and halibut fisheries by announcing its intent to develop measures to limit access to those fisheries (55 FR 36302, September 5, 1990; corrected at 55 FR 37729, September 13, 1990). If Amendments 18 and 23 are approved, the amendments and implementing regulations will expire on December 31, 1995. In the motion approving these amendments for Secretarial review, the Council also initiated a research plan for an additional, long-range analysis of problems in the fishery. The Council intends to link the proposed measures that address a preemption problem to a more comprehensive management regime that would address overcapitalization.

Classification

This proposed rule is published under section 304(a)(1)(D) of the Magnuson Act, as amended by Public Law 99–659, which requires the Secretary to publish regulations proposed by the Council within 15 days of receipt of a fishery management plan amendment and regulations. At this time, the Secretary has not determined that the amendments these regulations would implement are consistent with the national standards, other provisions of the Magnuson Act, and other applicable law. The Secretary, in making these determinations, will take into account the data and comments received during the comment period.

The Council prepared a DSEIS for the amendments which currently is under separate review under the requirements of the National Environmental Policy Act. A copy of the DSEIS may be obtained from the Council (see ADDRESSES).

This proposed rule is exempt from the procedures of E.O. 12291 under section 8(a)(2) of that order. Deadlines imposed under the Magnuson Act, as amended, by Public Law 99–659, require the Secretary to publish this proposed rule 15 days after its receipt. The proposed rule is being reported to the Director, Office of Management and Budget, with an explanation of why it is not possible to follow procedures of the order.

The Assistant Administrator for Fisheries, NOAA (Assistant Administrator), has initially determined that this proposed rule is not a "major rule" requiring a regulatory impact analysis under E.O. 12291. This determination is based on the DSEIS/RIR/IRFA prepared by the Council. The DSEIS/RIR/IRFA concludes that (1) the projected net change in direct income under the preferred alternative ranges from $5 to 15 million between the first and third year of the phased-in allocation, (2) the proposed amendment does not directly affect the technical efficiency of processing operations, (3) consumer prices are unlikely to experience major changes, and (4) the proposed allocation of resource shares in not expected to lead to significant changes in the overall competitiveness or innovative capabilities of the industry, in either the domestic or international market. However, NMFS/NOAA has serious concerns about whether the analyses submitted by the Council in support of the FMP amendments contain a sufficient description of the economic effects of the proposed allocation. Therefore, NMFS will conduct a separate economic

analysis of the effects of the proposed management measures on the fishing industry. A copy of the DSEIS/RIR/IRFA may be obtained from the Council see ADDRESSES).

The Assistant Administrator concludes that this proposed rule, if adopted, would have a significant economic impact on a substantial number of small entities. This determination is based on the DSEIS/RIR/IRFA prepared by the Council. The offshore harvesting sector of this industry has expanded under an open access policy, to a point where capacity far exceeds what is necessary to take the allotted quota. Costs are high, and for many vessels, returns are marginal. For some vessels in the offshore component, it is likely that revenue losses would induce business failure. The analysis in the RIR indicates that these revenue losses could be in excess of $20 million, in the aggregate. A copy of this document may be obtained from the Council (see ADDRESSES).

The proposed rule involves a collection-of-information requirement approved by the Office of Management and Budget under the Paperwork Reduction Act (control number 0648–0213).

The Council determined that this rule, if adopted, will be implemented in a manner that is consistent to the maximum extent practicable with the approved coastal management program of the State of Alaska. This determination has been submitted for review by the responsible State agencies under section 307 of the Coastal Zone Management Act.

This proposed rule does not contain policies with federalism implications sufficient to warrant preparation of a federalism assessment under E.O. 12612.

The Regional Director has determined that Amendment 18 and its proposed implementing regulations are likely to adversely affect Steller sea lions, a species listed as threatened under the Endangered Species Act. A section 7 consultation has been initiated under the requirements of section 7. A biological opinion is being prepared that will address the effects of Amendment 18 and its proposed implementing regulations. The Regional Director has determined that Amendment 23 and its proposed implementing regulations will not affect endangered or threatened species.

List of Subjects in 50 CFR Parts 672 and 675

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: December 16, 1991.

Michael F. Tillman,

Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR parts 672 and 675 are proposed to be amended as follows:

PART 672—GROUNDFISH OF THE GULF OF ALASKA

1. The authority citation for 50 CFR part 672 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

2. In § 672.2, new definitions of "catcher/processor", "catcher vessel", "inshore", "mothership", "offshore", and "shoreside processing facility", are added in alphabetical order, and the existing definition of "processor vessel" is revised to read as follows:

§ 672.2 Definitions.

* * * * *

Catcher/processor (applicable through December 31, 1995) means any vessel that catches, takes or harvests groundfish and processes groundfish at any time during the fishing year, regardless of whether the vessel engages in either activity jointly or separately.

Catcher vessel (applicable through December 31, 1995) means any vessel that catches, takes or harvests groundfish, but does not process groundfish at any time during any fishing year.

* * * * *

Inshore (applicable through December 31, 1995) means that part of the U.S. groundfish fishery off Alaska that includes:

(1) All shoreside processing facilities;

(2) All motherships that submit a check-in report under § 672.5(c)(1) during a fishing year that exhibits an intent to process pollock that were harvested in the EEZ adjacent to Alaska or Pacific cod that were harvested in the Gulf of Alaska, or actual processing of such pollock or Pacific cod, in waters adjacent to the State of Alaska that are shoreward of the EEZ; and

(3) All catcher/processors that process less than 18 metric tons of groundfish, round weight, per day, and are less than 125 feet (38.1 m) in length overall.

* * * * *

Mothership (applicable through December 31, 1995) means any vessel that processes groundfish, but does not catch, take or harvest groundfish at any time during any fishing year.

* * * * *

Offshore (applicable through December 31, 1995) means all processor vessels in the U.S. groundfish fisheries off Alaska not included in the definition of "inshore."

* * * * *

Processor vessel: (1) (Applicable through December 31, 1995) means, unless otherwise restricted, any vessel that is used for processing groundfish, including catcher/processors and mothership processors.

(2) (Applicable after December 31, 1995), unless otherwise restricted, includes any vessel that is used for, equipped to be used for, or of a type that is normally used for processing, including specifically catcher/processor vessels and mothership processor vessels.

* * * * *

Shoreside processing facility (applicable through December 31, 1995) means any building on land used for processing groundfish or any vessel that is substantially a land structure, taken out of navigation, and has no U.S. groundfish fishing permit, that is used for processing groundfish.

* * * * *

3. In § 672.7, a new paragraph (g) is added to read as follows:

§ 672.7 Prohibitions.

* * * * *

(g) *Applicable through December 31, 1995:* (1) Process pollock that were harvested in the EEZ adjacent to Alaska or Pacific cod that were harvested in the Gulf of Alaska on a mothership operating under the "inshore" definition at § 672.2 in a location other than the first location reported in any fishing year in a check-in notice.

(2) Operate any processor vessel to process pollock or GOA Pacific cod under the "inshore" and "offshore" definitions at §§ 672.2 and 675.2 during the same fishing year.

4. In § 672.20, existing paragraphs (c)(1)(i) and (c)(1)(ii) are redesignated as paragraphs (c)(1)(i)(A) and (c)(1)(i)(B), respectively; new paragraphs (a)(2)(v), (c)(1)(i) introductory text, and (c)(1)(ii) are added; and existing paragraph (c)(2) is revised to read as follows:

§ 672.20 General limitations.

(a) * * *

(b) * * *

(v) *Applicable through December 31, 1995:* (A) The DAP apportionment for pollock in all regulatory areas and for each quarterly reporting period described in paragraph (a)(2)(iv) of this section will be divided into inshore and offshore components. The inshore component will be equal to 100 percent of the pollock DAP in each regulatory area after subtraction of an amount,

determined by the Regional Director, projected to be caught by the offshore component incidental to directed fishing for other groundfish species. If the Regional Director determines that the inshore component will not be able to process the entire amount of its allocation of pollock during a fishing year, then NMFS will publish a notice in the **Federal Register** that reallocates the projected unused amount of pollock to the offshore component.

(B) The DAP apportionment of Pacific cod in all regulatory areas will be divided into inshore and offshore components. The inshore component will be equal to 90 percent of the Pacific cod DAP in each regulatory area. If the Regional Director determines that the inshore component will not be able to process the entire amount of its allocation of Pacific cod during a fishing year, then NMFS will publish a notice in the **Federal Register** that reallocates the projected unused amount of Pacific cod to the offshore component.

(C) All motherships that operate under the "inshore" definition in § 672.2 and process pollock or Pacific cod that were harvested in the EEZ adjacent to Alaska must remain at the first location reported in any fishing year in the check-in notice required at § 672.5(c)(1)(ii)(C) during the remainder of the fishing year when either pollock or Pacific code are being processed.

* * * * *

(c) * * *

(1) * * *

(i) *Applicable after December 31, 1995:*

* * * * *

(ii) *Applicable through December 31, 1995:* (A) As soon as practicable after consultation with the Council, NMFS will publish a notice in the **Federal Register** specifying for the succeeding fishing year proposed annual TAC amounts of each target species and the "other species" category and apportionments thereof among DAP, JVP, TALFF, and reserves; halibut prohibited species catch amounts; quarterly allowances of pollock; and allocations of Pacific cod TAC to inshore and offshore components for each regulatory area. This notice will also include the dates that directed fishing may commence for each quarterly allowance for pollock. The preliminary specifications will reflect as accurately as possible the projected changes in U.S. harvesting and processing will occur in the coming year. Public comment on these amounts will be accepted by the Secretary for 30 days after the notice is filed for public inspection with the Office of the Federal Register. One-fourth of the preliminary specifications (not including the reserves and the first quarterly allowance of pollock), one-fourth of the inshore and offshore allocations of Pacific cod in each regulatory area, and one-fourth of the habibut prohibited species catch amounts will be in effect on January 1 on an interim basis and will remain in effect until superseded by a notice of final specifications in the **Federal Register.**

(B) *Notice of final specifications.* NMFS will consider comments received on the proposed specifications during the comment period and, after consultation with the Council, will publish a notice in the **Federal Register** specifying the final annual TAC for each target species and the "other species" category and apportionments thereof, final halibut prohibited species catch amounts, final quarterly allowances for pollock, and inshore and offshore allocations of Pacific cod.

(2) *Notices prohibiting directed fishing*—(i) *Applicable after December 31, 1995:* If the Regional Director determines that the amount of a target species or "other species" category apportioned to a fishery or, with respect to pollock, to a quarterly allowance, is likely to be reached, the Regional Director may establish a directed fishing allowance for that species or species group. The amount of a species or species group apportioned to a fishery or, with respect to pollock, to a quarterly allowance, is the amount in Table 1 or, if applicable, Table 2, as these amounts are revised by inseason adjustments, for that species or species group, as identified by regulatory area or district and as further identified according to any allocation of TALFF, the apportionment for JVP, the apportionment for DAP, the quarterly allowance of pollock and, if applicable, as further identified by gear type. In establishing a directed fishing allowance, the Regional Director shall consider the amount of that species or species group or quarterly allowance of pollock that will be taken as incidental catch in directed fishing for other species in the same regulatory area or district. If the Regional Director establishes a directed fishing allowance and that allowance is or will be reached before the end of the fishing year or, with respect to pollock, before the end of the quarter, he will prohibit directed fishing for that species or species group in the specified regulatory area or district. No person may engage in directed fishing in violation of an applicable notice. If directed fishing is prohibited, the amount of any catch of that species or species group equal to or greater than the amount that constitutes directed fishing may not be retained and must be treated as a prohibited species under paragraph (e) of this section.

(ii) *Applicable through December 31, 1995: Notices prohibiting directed fishing.* If the Regional Director determines that the amount of a target species or "other species" category apportioned to a fishery; or with respect to pollock, to a quarterly allowance; or with respect to Pacific cod, to an allocation to the inshore or offshore component; is likely to be reached, the Regional Director may establish a directed fishing allowance for that species or species group. The amount of a species or species group apportioned to a fishery, or with respect to pollock, a quarterly allowance; or with respect to Pacific cod, to an allocation to the inshore or offshore component; is the amount in table 1 or, if applicable, in table 2. These amounts are revised by inseason adjustments, for a given species or species group, as identified by regulatory area or district and as further identified according to any allocation of TALFF, the apportionment of JVP, the apportionment of DAP, the quarterly allowance for pollock, or with respect to Pacific cod, to an allocation to the inshore or offshore component, and, if applicable, as further identified by gear type. In establishing a directed fishing allowance, the Regional Director should consider the amount of that species group, quarterly allowance of pollock, or allocation of Pacific cod to the inshore or offshore component that will be taken as incidental catch in directed fishing for other species in the same regulatory area or district. If the Regional Director establishes a directed fishing allowance and that allowance is or will be reached before the end of the fishing year or, with respect to pollock, before the end of the quarter, he will prohibit directed fishing for the species or species group in the specified regulatory area or district. No person may engage in directed fishing in violation of an applicable notice. If directed fishing is prohibited, the amount of any catch of that species or species group equal to or greater than the amount that constitutes directed fishing may not be retained and must be treated as a prohibited species under paragraph (e) of this section.

* * * * *

PART 675—GROUNDFISH OF THE BERING SEA AND ALEUTIAN ISLANDS

5. The authority citation for 50 CFR part 675 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

6. In § 675.2, the definitions of "catcher/processor", "catcher vessel", "inshore", "mothership", "offshore", and "shoreside processing facility" are added in alphabetical order; a new paragraph (l) is added to the definition of "statistical area"; and the introductory text of the definition of "statistical area" and the existing definition for "processor vessel" are revised to read as follows:

§ 675.2 Definitions.

* * * * *

Catcher/processor (applicable through December 31, 1995) means any vessel that catches, takes or harvests groundfish and processes groundfish at any time during any fishing year, regardless of whether the vessel engages in either activity jointly or separately.

Catcher vessel (applicable through December 31, 1995) means any vessel that catches, takes or harvests groundfish, but does not process groundfish at any time during any fishing year.

* * * * *

Inshore (applicable through December 31, 1995) means that part of the U.S. groundfish fishery off Alaska that includes:

(a) All shoreside processing facilities:

(b) All motherships that submit a check-in report under § 672.5(c)(1) during a fishing year that exhibits an intent to process pollock that were harvested in the EEZ adjacent to Alaska or Pacific cod that were harvested in the Gulf of Alaska, or actual processing of such pollock or Pacific cod, in waters adjacent to the State of Alaska that are shoreward of the EEZ; and

(c) All catcher/processors that process less than 18 metric tons of groundfish, round weight, per day and are less than 125 feet (38.1 m) in length overall.

* * * * *

Mothership (applicable through December 31, 1995) means any vessel that processes groundfish, but does not catch, take or harvest groundfish at any time during any fishing year.

Offshore (applicable through December 31, 1995) means all processor vessels in the U.S. groundfish fisheries off Alaska not included in the definition of "inshore."

* * * * *

Processor vessel: (a) (Applicable through December 31, 1995) means, unless otherwise restricted, any vessel that is used for processing groundfish, including catcher/processors and mothership processors.

(b) (Applicable after December 31, 1995), unless otherwise restricted, includes any vessel that is used for, or of a type that is normally used for processing, including specifically catcher/processor vessels and mothership processor vessels.

* * * * *

Shoreside processing facility (applicable through December 31, 1995) means any building on land used for processing groundfish or any vessel that is substantially a land structure, taken out of navigation, and has no U.S. groundfish fishing permit, that is used for processing groundfish.

* * * * *

Statistical area means any one of the statistical areas of the Bering Sea and Aleutian Islands management area defined as follows (Figure 2):

* * * * *

(l) *Applicable through December 31, 1995:* (1) Statistical Area 551—that part of Statistical Area 511 that is south of 56°00′ N. latitude, east of 165° W. longitude, west of 163° W. longitude and north of the Aleutian Islands.

(2) Statistical Area 557—that part of Statistical Area 517 bounded by straight lines connecting the following coordinates in the order listed: 56° N. latitude, 170° W. longitude; 56° N. latitude, 165° W. longitude; 54°30′ N. latitude, 165° W. longitude; 54°30′ N. latitude, 167° W. longitude; and 56° N. latitude, 170° W. longitude

(3) Statistical Area 559—that part of Statistical Area 515 that is east of 167°00′ W. longitude.

(4) Statistical Area 558—that part of Statistical Area 515 that is east of 168°00′ W. longitude and west of 167°00′ W. longitude.

* * * * *

7. In § 675.7, a new paragraph (h) is added to read as follows:

§ 675.7 Prohibitions.

* * * * *

(h) *Applicable through December 31, 1995:* (1) Process pollock that were harvested in the EEZ adjacent to Alaska or Pacific cod that were harvested in the Gulf of Alaska on a mothership operating under the "inshore" definition at § 675.2 in a location other than the first location reported in any fishing year in a check-in notice.

(2) Operate any processor vessel to process pollock or GOA Pacific cod under the "inshore" and "offshore" definitions at §§ 672.2 and 675.2 during the same fishing year.

8. In § 675.20, existing paragraphs (a)(7)(i) and (a)(7)(ii) are redesignated as paragraphs (a)(7)(i)(A) and (a)(7)(i)(B), respectively; new paragraphs (a)(2)(iii), (a)(3)(i), (a)(3)(ii), (a)(7)(i) introductory text, and (a)(7)(ii) are added; and paragraph (a)(8) is revised to read as follows:

§ 675.20 General limitations.

(a) * * *

(2) * * *

(iii) *Applicable through December 31, 1995,* the DAP apportionment of pollock in each subarea and each allowance specified according to paragraph (a)(2)(ii) of this section will be divided between inshore and offshore components of the pollock fishery according to the following schedule:

	Inshore (percent)	Offshore (percent)
1992	35	65
1993	40	60
1994	45	55
1995	45	55

(A) If, during a fishing year, the Regional Director determines that either the inshore or offshore component will not be able to harvest and process the entire amount of pollock allocated to it, then the amount that the Regional Director projects will be unused by one component will be reallocated to the other fishery by notice in the **Federal Register.**

(B) The maximum harvest of pollock by the offshore component within the catcher vessel operational area described at § 675.22, during the period January 1, until noon ALT, April 15, will not exceed 65 percent of the pollock allocation to the offshore component for that period.

(C) All motherships that operate under the "inshore" definition in § 675.2 and process pollock or Pacific cod that were harvested in the EEZ adjacent to Alaska must remain at the first location reported in any fishing year in the check-in notice required at § 675.5(c)(1)(ii)(C) during the remainder of the fishing year when either pollock or Pacific cod are being processed.

(3) * * *

(i) *Applicable through December 31, 1995:* One half of the amount of the pollock DAP placed in the reserve for each subarea will be assigned to a Western Alaskan Community Development Quota (CDQ) for each subarea. Portions of the CDQ for each area may be allocated for use by specific western Alaska communities in accordance with community fishery development plans developed by the State of Alaska and approved by the Secretary in consultation with the Council. Amounts of the CDQ that are unallocated on September 30 will

automatically be added back to the nonspecific reserve.

(ii) *Applicable through December 31, 1995:* Any amounts of the nonspecific reserve that are reapportioned to pollock as provided by paragraph (b) of this section must be divided between the inshore and offshore pollock fisheries in accordance with the allocation schedule described in paragraph (a)(2)(iii) of this section.

* * * * *

(7) *Notices.* (i) *Applicable after December 31, 1995:*

* * * * *

(iii) *Applicable through December 31, 1995:* (A) *Notice of proposed specifications and interim harvest amounts.* As soon as practicable after consultation with the Council, the Secretary will publish a notice in the **Federal Register** specifying, for the succeeding fishing year, proposed annual TAC and initial TAC amounts for each target species and "other species" category and apportionments thereof among DAP, JVP, and TALFF; prohibited species catch allowances established under § 675.21(b); and seasonal allowances of pollock with allocations of those seasonal allowances to inshore and offshore components. The initial TAC for each target species and the "other species" category will be 85 percent of the TAC as provided under paragraph (a)(3) of this section. The proposed specifications will reflect as accurately as possible the projected changes in U.S. harvesting and processing capacity and the extent to which U.S. harvesting and processing will occur during the coming year. The Secretary will accept public comment on the proposed specifications for 30 days after the notice is filed for public inspection with the Office of the Federal Register. One-fourth of each proposed initial TAC and apportionment thereof, one-fourth of each prohibited species catch allowance established under § 675.21(b), and one-fourth of the first seasonal allowance and inshore/offshore allocations of that allowance established under §§ 675.20(a)(2)(i) and (iii), respectively, will be in effect on January 1 on an interim basis and will remain in effect until superseded by a **Federal Register** notice of final specifications.

(B) *Notice of final specifications.* NMFS will consider comments on the proposed specifications received during the comment period and, after consultation with the Council, will publish a notice in the **Federal Register** specifying the final annual TAC for each target species and the "other species" category and apportionments thereof, final prohibited species catch allowances established under § 675.21(b), and final seasonal allowances of pollock DAP and allocations of those seasonal allowances to inshore and offshore components. These final specifications will supersede the interim specifications.

(8)(i) *Applicable after December 31, 1995:* If the Regional Director determines that the amount of a target species or "other species" category apportioned to a fishery, or a seasonal allowance of pollock, is likely to be reached, the Regional Director may establish a directed fishing allowance for that species or species group. The amount of a species or species group apportioned to a fishery is the amount annually specified under paragraph (a)(7) of this section, as revised by inseason adjustments, for that species or species group, or seasonal allowance of pollock as identified by subarea and as further identified according to any allocation of TALFF, the apportionment for JVP, the apportionment for DAP, the quarterly allowance of pollock and, if applicable, as further identified by gear type. In establishing a directed fishing allowance, the Regional Director shall consider the amount of that species or species group or seasonal allowance of pollock that will be taken as incidental catch in directed fishing for other species as the same subarea. If the Regional Director establishes a directed fishing allowance and that allowance is or will be reached before the end of the fishing year or, with respect to pollock, before the end of the fishing season, he will prohibit directed fishing for the species or species group in the specified subarea. No person may engage in directed fishing in violation of an applicable notice. If directed fishing is prohibited, the amount of any catch of that species or species group equal to or greater than the amount that constitutes directed fishing may not be retained and must be treated as a prohibited species under paragraph (c) of this section.

(ii) *Applicable through December 31, 1995:* If the Regional Director determines that the amount of a target species or "other species" category apportioned to a fishery, or a seasonal allowance of pollock, or an allocation of a seasonal allowance of pollock to the inshore or offshore component is likely to be reached, the Regional Director may establish a directed fishing allowance for that species or species group. The amount of a species or species group apportioned to a fishery is the amount specified under paragraph (a)(7) of this section, as revised by inseason adjustments, for that species or species group, or seasonal allowance for pollock as identified by subarea and allocation to inshore and offshore components, and as further identified according to any allocation of TALFF, the apportionment for JVP, the apportionment for DAP, and if applicable, as further identified by gear type. In establishing a directed fishing allowance, the Regional Director shall consider the amount of that species or species group or seasonal allowance for pollock to inshore and offshore components, that will be taken as incidental catch in directed fishing for other species in the same subarea. If the Regional Director establishes a directed fishing allowance, and that allowance is or will be reached before the end of the fishing year, or if the inshore or offshore pollock allocation will be reached before the end of the fishing season, the Regional Director will prohibit directed fishing for that species or species group in the specified subarea. No person may engage in directed fishing in violation of an applicable notice. If directed fishing is prohibited, the amount of any catch of that species or species group equal to or greater than the amount that constitutes directed fishing may not be retained and must be treated as a prohibited species under paragraph (c) of this section.

* * * * *

9. In § 675.22, a new paragraph (g) is added to read as follows:

§ 675.22 Time and area closures.

* * * * *

(g) *Catcher vessel operational area (applicable through December 31, 1995).* The offshore component of the groundfish fishery may not conduct directed fishing for pollock at any time in the Bering Sea subarea south of 56° N. latitude, and between 163° and 168° W. longitude, except that during the period January 1 through April 15, the offshore component may conduct directed fishing for pollock for up to 65 percent of the offshore allocation of the Bering Sea subarea for that season.

[FR Doc. 91-30374 Filed 12-16-91; 4:00 pm]

BILLING CODE 3510-22-M

Notices

Federal Register
Vol. 56, No. 245
Friday, December 20, 1991

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

COMMISSION ON CIVIL RIGHTS

Connecticut Advisory Committee; Agenda and Public Meeting

Notice is hereby given, pursuant to the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Connecticut Advisory Committee to the Commission will be convened at 1:30 p.m. on Monday, January 20, 1992, in the Nathan Hale Room of the Sheraton Hotel, 315 Trumbull Street, Hartford, Connecticut.

The purpose of the meeting is to orient the new members of the recently appointed Committee, discuss their civil rights issues, decide on final details for a mid-April forum on campus tensions, and commemorate the achievements of Dr. Martin Luther King, Jr. The meeting will begin at 1:30 p.m. and adjourn at 4:30 p.m.

Persons desiring additional information or wishing to address the Committee during the meeting should contact Committee Chairperson Ivor J. Echols (203/232–7274) or John I. Binkley, Director of the Eastern Regional Division (202/523–5264; TDD 202/376–8117). Hearing impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Eastern Regional Division at least five (5) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, DC, December 16, 1991.

Carol-Lee Hurley,

Chief, Regional Programs Coordination Unit.

[FR Doc. 91–30443 Filed 12–19–91; 8:45 am]

BILLING CODE 6335–01–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Gulf of Mexico Fishery Management Council; Public Meetings

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

The Gulf of Mexico Fishery Management Council (Council) and its Committees and Shrimp Advisory Panel (AP) will meet on January 13–16, 1992, at the Westin Galleria Hotel, 5060 West Alabama, Houston, TX.

Council

On January 15, 1992, the Council will convene at 8:30 a.m. and recess at 5:30 p.m. Council agenda items and the times allocated for discussion are as follows:

From 8:45 a.m. to 10:45 a.m.: Hear public testimony on Amendment #6 to the Shrimp Fishery Management Plan (FMP) and the Texas closure;

From 10:45 a.m. to noon: Discuss Amendment #6 to the Mackerel FMP;

From 1:30 p.m. to 3 p.m.: Discuss Amendment #6 to the Shrimp FMP;

From 3 p.m. to 3:30 p.m.: Discuss the Texas closure; and

From 3:30 p.m. to 5:30 p.m.: Discuss Amendment #6 to the Mackerel FMP.

The Council will reconvene at 8:30 a.m. on January 16 to continue the following agenda items and adjourn for the day at noon:

From 8:30 a.m. to 9:30 a.m.: Discuss Amendment #6 to the Mackerel FMP;

From 9:30 a.m. to 10 a.m.: Hear a report from the Spiny Lobster Management Committee;

From 10 a.m. to 10:20 a.m.: Hear a report from the Data Collection Committee;

From 10:20 a.m. to 10:30 a.m.: Hear a report from the Red Drum Management Committee;

From 10:30 a.m. to 10:45 a.m.: Hear a report from the Butterfish Management Committee;

From 10:45 a.m. to 11 a.m.: Hear a report from the Habitat Protection Committee;

From 11 a.m. to 12 noon: Hear a report from the Migratory Species Management Committee; the Enforcement and the Director's reports will follow. The Council's meeting will then adjourn.

Committees

On January 13 the Data Collection, Red Drum Management, Spiny Lobster Management, Law Enforcement, Habitat Protection, and the Butterfish Management Committees each will convene at 10 a.m. and adjourn at 5 p.m.

On January 14 the Migratory Species Management, Shrimp, and Mackerel Management Committees will convene at 8 a.m. and adjourn at 5 p.m.

Shrimp AP

On January 13 the Shrimp AP will meet from 8:30 a.m. to 3:30 p.m., to review the 1991 Texas closure analyses, discuss procedures for collecting effort data, and review public hearing comments on Amendment #6 to the Shrimp FMP.

For more information contact Wayne E. Swingle, Executive Director, Gulf of Mexico Fishery Management Council, 5401 West Kennedy Boulevard, suite 331, Tampa, FL; telephone: (813) 228–2815.

Dated: December 13, 1991.

Richard H. Schaefer,

Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 91–30346 Filed 12–19–91; 8:45 am]

BILLING CODE 3510–22–M

Endangered Marine Mammals

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

ACTION: Modification No. 2 to Permit No. 560 (P135B).

Notice is hereby given that pursuant to the provisions of Sections 216.33 (d) and (e) of the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216), and Section 222.25 of the Regulations Governing Endangered Species (50 CFR Part 217–222), Scientific Research Permit No. 560 was issued to James H.W. Hain, Ph.D., Associated Scientists at Woods Hole, Inc., P.O. Box 721, Woods Hole, Massachusetts 02548 on June 27, 1986. The Permit was modified on November 23, 1990, and is further modified as follows:

Delete Special Condition B.8. and replace with the following:

8. This Permit is valid with respect to the taking authorized herein until March 31, 1992.

All conditions currently contained in the Permit remain in effect.

This modification is effective on January 1, 1992.

Documents submitted in connection with Permit No. 518 and Modifications are available for review in the following offices:

Office of Protected Resources, National Marine Fisheries Service, 1335 East-West Highway, room 7330, Silver Spring, Maryland 20910; and
Director, Northeast Region, National Marine Fisheries Service, NOAA, One Blackburn Drive, Gloucester, Massachusetts 01930;
Director, Southeast Region, National Marine Fisheries Service, NOAA, 9450 Koger Boulevard, St. Petersburg, Florida 33702.

Dated: December 13, 1991.

Nancy Foster,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 91-30379 Filed 12-19-91; 8:45 am]

BILLING CODE 3510-22-M

Marine Mammals

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

ACTION: Issuance of a Scientific Research Permit (P4790).

On September 27, 1991, notice was published in the **Federal Register** (56 FR 49175) that an application has been filed by Dr. Marsha Green, Professor of Psychology, Albright College, P.O. Box 15234, Reading, Pennsylvania 19612-5234, for a Permit to harass up to 65 humpback whales (*Megaptera novaeangliae*) during research activities to assess the impact of vessel traffic on these animals.

Notice is hereby given that on December 13, 1991, as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407) and the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the National Marine Fisheries Service issued a Permit to the above applicant to harass up to 1200 humpback whales subject to certain conditions set forth therein. The number originally requested was determined insufficient inasmuch as it did not provide for the standard, quantifiable measure of approach effort required under the Permit (i.e., approaches <100 yards and those animals showing signs of being disturbed no matter what the distance are considered "taken" by harassment and counted against the number of animals authorized in the Permit). Consequently, the requested level of 65 takes was insufficient for the authorized studies.

Issuance of this Permit, as required by the Endangered Species Act of 1973, is based on the finding that the Permit: (1) Was applied for in good faith; (2) will not operate to the disadvantage of the endangered species which is the subject of the Permit; and (3) is consistent with the purposes and policies set forth in section 2 of the Act. This Permit was also issued in accordance with and is subject to Parts 220-222 of Title 50 CFR, the National Marine Fisheries Service regulations governing endangered species permits.

The Permit and associated documents are available for review in the following offices:

By appointment: Office of Protected Resources, National Marine Fisheries Service, 1335 East-West Hwy., Silver Spring, Maryland 20910 (301/427-2289);
Coordinator, Pacific Area Office, Southwest Region, National Marine Fisheries Service, 2570 Dole Street, Honolulu, Hawaii 96822-2396 (808/955-8831); and
Director, Southwest Region, National Marine Fisheries Service, 300 South Ferry Street, Terminal Island, California 90731-7415 (213/514-6196).

Dated: December 13, 1991.

Nancy Foster,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 91-30380 Filed 12-19-91; 8:45 am]

BILLING CODE 3510-22-M

Marine Mammals

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

ACTION: Modified Permit No. 677 (P442) (Modification No. 1).

Notice is hereby given that pursuant to the provisions of § 216.33 (d) and (e) of the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), Scientific Research Permit No. 677 was issued to Audrey Dianne Kopec, Romberg Tiburon Center for Environmental Studies, San Francisco State University, on July 27, 1989 (54 FR 31869). The Permit has been modified to authorize: Harassment of up to 300 additional harbor seals annually during collection of scats; collection of blood samples from an additional 30 of the 100 seals originally authorized to be taken annually; collection of 60cc rather than 30cc of blood from adult seals only; collection of bacterial swabs from 60 of the 100 seals originally authorized, and administration of a small dose of tetracycline to all seals captured. Special Condition B.3 is modified to include the requirement to notify the Southwest Regional Office prior to conducting modified research in order to coordinate activities between all other agencies.

All other conditions currently contained in the Permit remain in effect.

This Modification is effective upon publication in the **Federal Register**.

Documents submitted in connection with the above modification are available for review, by appointment, by interested persons in the following offices:

Office of Protected Resources, National Marine Fisheries Service, 1335 East-West Highway, SSMC1, Room 7324, Silver Spring, Maryland 20910 (301/427-2289); and
Southwest Region, National Marine Fisheries Service, NOAA, 300 South Ferry Street, Terminal Island, California 90731-7415 (213/514-6196).

Dated: December 13, 1991.

Nancy Foster,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 91-30381 Filed 12-19-91; 8:45 am]

BILLING CODE 3510-22-M

Marine Mammals

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

ACTION: Notice of correction regarding Application for Scientific Research Permit (P171B).

SUMMARY: This notice revises the paragraph under the "Species and Type of Take" section previously published in the **Federal Register** December 4, 1991 (56 FR 63498) to include the applicant's request for authorization to export from the United States to England sloughed skin samples from humpback whales.

Dated: December 13, 1991.

Nancy Foster,

Director, Office of Protected Resources.

[FR Doc. 91-30382 Filed 12-19-91; 8:45 am]

BILLING CODE 3510-22-M

Marine Mammals

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

ACTION: Modification No. 5 to Permit No. 629 (P10D).

Notice is hereby given that pursuant to the provisions of § 216.33 (d) and (e) of the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216, Public Display Permit No. 629 issued to Sea Life Park, Makapuu Point, Waimanalo, Hawaii 96795 and subsequent Modifications 1-4 is further modified as follows:

Add to Section B.3:

"The authority to import up to four (4) killer whales (*Pseudorca crassidens*), presently being held at Kamogawa Sea World, shall

extend from date of issuance through April 30, 1992."

All other conditions of the original Permit and subsequent modifications shall remain in force.

This modification is effective upon publication in the Federal Register.

Documents pertaining to the Permit and its modifications are available for review, by appointment, in the following offices:

Permits Division, Office of Protected Resources, National Marine Fisheries Service, 1335 East-West Highway, SSMC#1, Room 7324, Silver Spring, Maryland 29010, (301/427–2289);

Director, Southwest Region, National Marine Fisheries Service, 300 South Ferry Street, Terminal Island, California 90731–7415, (213/514–6196); and

Pacific Area Office, 2570 Dole Street, Room 106, Honolulu, Hawaii 96822–2396 (808/955–8831).

Dated: December 16, 1991.

Nancy Foster,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 91–30480 Filed 12–19–91; 8:45 am]

BILLING CODE 3510–22–M

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

Procurement List, Additions and Deletion

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Additions to and Deletion from Procurement List.

SUMMARY: This action adds to the Procurement List commodities and services to be furnished by nonprofit agencies employing persons who are blind or have severe disabilities, and deletes from the Procurement List a commodity previously furnished by such agencies.

EFFECTIVE DATE: January 21, 1992.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, Crystal Square 5, suite 1107, 1755 Jefferson Davis Highway, Arlington, Virginia 22202–3509.

FOR FURTHER INFORMATION CONTACT: Beverly Milkman (703) 557–1145.

SUPPLEMENTARY INFORMATION: On September 13, October 25, November 1, and December 2, 1991, the Committee for Purchase from the Blind and Other Severely Handicapped published notices (56 FR 46602, 55288, 56199 and 61234) of proposed addition to and deletion from the Procurement List:

Additions

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to produce the commodities and provide the services at a fair market price and impact of the additions on the current or most recent contractors, the Committee has determined that the commodities and services listed below are suitable for procurement by the Federal Government under 41 U.S.C. 46–48c and 41 CFR 51–2.4.

I certify that the following actions will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

a. The actions will not result in any additional reporting, recordkeeping or other compliance requirements.

b. The actions will not have a serious economic impact on any contractors for the commodities and services listed.

c. The actions will result in authorizing small entities to produce the commodities and provide the services procured by the Government.

Accordingly, the following commodities and services are hereby added to the Procurement List:

Commodities

Robe, Dressing
6532–01–098–8344
6532–01–098–8345

Services

Janitorial/Custodial
Maintenance, Line & Operations Buildings
Springfield, Missouri

Janitorial/Custodial
IRS Philadelphia Service Center
South and North Buildings
11501 and 11601 Roosevelt Boulevard
Philadelphia, Pennsylvania

Laundry Services
Naval Station
Long Beach, California

This action does not affect contracts awarded prior to the effective date of this addition or options exercised under those contracts.

Deletion

After consideration of the relevant matter presented, the Committee has determined that the commodity listed below is no longer suitable for procurement by the Federal Government under 41 U.S.C. 46–48c and 41 CFR 51–2.4.

Accordingly, the following commodity is hereby deleted from the Procurement List:

Ash Receiver, Tobacco
9920–00–682–6757

E.R. Alley, Jr.,

Deputy Executive Director.

[FR Doc. 91–30428 Filed 12–19–91; 8:45 am]

BILLING CODE 6820–33–M

Procurement List, Proposed Additions

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Proposed additions to procurement list.

SUMMARY: The Committee has received proposals to add to the Procurement List a commodity and a service to be furnished by nonprofit agencies employing persons who are blind or have severe disabilities.

COMMENTS MUST BE RECEIVED ON OR BEFORE: January 21, 1992.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, Crystal Square 5, suite 1107, 1755 Jefferson Davis Highway, Arlington, Virginia 22202–3509.

FOR FURTHER INFORMATION CONTACT: Beverly Milkman (703) 557–1145.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed actions.

If the Committee approves the proposed additions, all entities of the Federal Government (except as otherwise indicated) will be required to procure the commodity and service listed below from nonprofit agencies employing persons who are blind or have severe disabilities.

It is proposed to add the following commodity and service to the Procurement List:

Commodity

Preventive Dentistry Kit, Patient
6520–00–086–6554

Service

Janitorial/Custodial
#3 U.S. Army Reserve Center
400 Dry Hill Road
Beckley, West Virginia

E. R. Alley, Jr.,

Deputy Executive Director.

[FR Doc. 91–30429 Filed 12–19–91; 8:45 am]

BILLING CODE 6820–33–M

COMMODITY FUTURES TRADING COMMISSION

Chicago Mercantile Exchange Proposed Rule Amendments Relating to Deposit of Stock as Performance Bond

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of Proposed Contract Market Rule Amendments.

SUMMARY: The Chicago Mercantile Exchange ("CME" or "Exchange") has submitted proposed rule amendments to the Commodity Futures Trading Commission ("Commission") for its review. The purpose of the amendments is to add stock to the list of allowable performance bond assets that may be deposited with the CME's Clearing House.

Acting pursuant to the authority delegated by Commission Regulation 140.96, the Director of the Division of Trading and Markets ("Division"), with the concurrence of the General Counsel, has determined, on behalf of the Commission, that publication of the proposed rule amendments is in the public interest and will assist the Commission in considering the views of interested persons. Accordingly, the Division, on behalf of the Commission, is publishing the proposed rule amendments for public comment.

DATES: Comments must be received on or before January 21, 1992.

FOR FURTHER INFORMATION CONTACT: John C. Lawton, Associate Director, or Elizabeth A. Patterson, Special Counsel, Division of Trading and Markets, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581. Telephone: (202) 254–8955.

SUPPLEMENTARY INFORMATION: By letters dated January 7, 1991 and August 30, 1991, the CME submitted proposed amendments to Exchange Rules 821 and 825 for Commission approval pursuant to section 5a(12) of the Commodity Exchange Act. The proposed amendments to Rules 821 and 825 would add equity securities to the list of margin assets that clearing members are permitted to deposit with the Clearing House as margin. The amendments to Rule 825 also would provide that the posting of stock as margin would be subject to terms and conditions prescribed by the Exchange's Clearing House Committee.

The Exchange has stated that the proposed amendments would enable clearing firms that hold portfolios of equity securities to use the securities to meet their performance bond requirements at the CME Clearing House in either the house or customer origin. The proposal would allow clearing firms to meet margin requirements in the customer origin by passing through to the Clearing House securities deposited as margin by their customers.[1]

Under the CME proposal, the Clearing House would accept equity securities only to meet a clearing member's "reserve" performance bond requirement. The Exchange states that this "reserve" requirement would be an amount the CME Margin Committee and Board of Governors determined was advisable for the Clearing House to hold in excess of the "core" margin requirement.

Acting pursuant to the authority delegated pursuant to Commission Regulation 140.96, the Director of the Division, with the concurrence of the General Counsel, has determined, on behalf of the Commission, that publication of these proposed amendments is in the public interest and will assist the Commission in considering the views of interested persons. Accordingly, the Division, on behalf of the Commission, is publishing the proposed rule amendments for public comment. The Commission requests comments on any aspects of the proposed rule amendments that members of the public believe may raise issues under the Act or Commission regulations.

Copies of the CME's submissions are available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581. Copies may also be obtained through the Office of the Secretariat at the above address or by telephoning (202) 254–6314.

Any person interested in submitting written data, views or comments on the proposed rule amendments should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, Dc 20581 by the specified date.

Issued in Washington, DC on December 16, 1991.

Andrea M. Corcoran,

Director, Division of Trading and Markets.

[FR Doc. 91–30481 Filed 12–19–91; 8:45 am]

BILLING CODE 6351–01–M

[1] Existing CME Rule 827.B. permits clearing members to accept equity securities as margin assets from their customers.

Chicago Mercantile Exchange Proposed Rule Amendments Relating to Deposit of Shares of a Mutual Fund as Performance Bond

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of Proposed Contract Market Rule Amendments.

SUMMARY: The Chicago Mercantile Exchange ("CME" or "Exchange") has submitted proposed rule amendments to the Commodity Futures Trading Commission ("Commission") for its review. The purpose of the amendments is to add shares of mutual funds to the list of allowable performance bond assets that may be deposited with the CME's Clearing House and clearing members.

Acting pursuant to the authority delegated by Commission Regulation 140.96, the Director of the Division of Trading and Markets ("Division"), with the concurrence of the General Counsel, has determined, on behalf of the Commission, that publication of the proposed rule amendments is in the public interest and will assist the Commission in considering the views of interested persons. Accordingly, the Division, on behalf of the Commission, is publishing the proposed rule amendments for public comment.

DATES: Comments must be received on or before January 21, 1992.

FOR FURTHER INFORMATION CONTACT: John C. Lawton, Associate Director, or Christopher K. Bowen, Attorney, Division of Trading and Markets, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581. Telephone: (202) 254–8955.

SUPPLEMENTARY INFORMATION: By a letter dated April 29, 1991, the CME submitted proposed amendments to Exchange Rules 821, 825 and 827 under section 5a(12) of the Commodity Exchange Act. Currently, Rules 821 and 827 relate to margin requirements and specify the forms of margin that may be accepted by the Clearing House and clearing members. Current rule 825 enumerates the types of "Treasury securities" which may be deposited with the CME Clearing House as margin.

The proposed amendments to Rules 821, 825 and 827 would permit shares of mutual funds to be deposited with the Clearing House and with clearing members as margin. The amendments to Rule 825 and 827 also would require that acceptance of such shares would be subject to terms and conditions prescribed by the Exchange's Clearing House Committee.

The Exchange has stated that the usage of mutual fund shares as margin would offer clearing members and their customers an "income-producing alternative for use as a performance bond asset which will permit deposits and withdrawals (*i.e.*, transfers of shares) with complete finality between clearing members and their customers and between clearing members and the Clearing House at any time during the operating hours of the fund."

Acting pursuant to the authority delegated pursuant to Commission Regulation 140.96, the Director of the Division, with the concurrence of the General Counsel, has determined, on behalf of the Commission, that publication of these proposed amendments is in the public interest and will assist the Commission in considering the views of interested persons. Accordingly, the Division, on behalf of the Commission, is publishing the proposed rule amendments for public comment. The Commission requests comments on any aspects of the proposed rule amendments that members of the public believe may raise issues under the Act or Commission regulations.

Copies of the CME submission are available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581. Copies may also be obtained through the Office of the Secretariat at the above address or by telephoning (202) 254–6314.

Any person interested in submitting written data, views or comments on the proposed rule amendments should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581 by the specified date.

Issued in Washington, DC, on December 16, 1991.

Andrea M. Corcoran,

Director, Division of Trading and Markets.

[FR Doc. 91–30482 Filed 12–19–91; 8:45 am]

BILLING CODE 6351–01–M

DEPARTMENT OF DEFENSE

Office of the Secretary

Determinations; Excess Landing Craft Utility (LCUs)

Pursuant to the reporting requirements of section 517 of the Foreign Assistance Act of 1961 (FAA) this document provides notification that during Fiscal Year 1992 the United States Government will transfer to the Government of Colombia four excess Landing Craft Utility (LCU). The total value of the ships is estimated to be $571,000. The original acquisition value of the ships was $1,424,000.

This action is required to ensure that Colombia is afforded the opportunity of obtaining these ships at no cost. These ships are needed to enable the military forces in Colombia to participate in a comprehensive national anti-narcotics enforcement program, by conducting activities within Colombia to prevent the production, processing, trafficking, transportation, and consumption of illicit drugs or other controlled substances.

In accordance with section 517(c) FAA the recipient country will agree in the associated Letter of Offer and Acceptance that it will ensure that these ships will be used primarily in support of anti-narcotics activities.

The Acting Director, Defense Security Assistance Agency, Glenn A. Rudd, certifies that the LCUs are needed by Colombia and determines that there will be no adverse impact on U.S. military readiness as a result of these transfers.

Dated: December 16, 1991.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 91–30396 Filed 12–19–91; 8:45 am]

BILLING CODE 3810–01–M

Determinations; Excess Meals Ready to Eat (MREs)

Pursuant to the reporting requirements of section 517 of the Foreign Assistance Act of 1961 (FAA) this document provides notification that during Fiscal Year 1992 the United States Government will transfer to the Government of Colombia 209,000 excess meals ready to eat (MREs).

These items are required to enable the military forces in Colombia to participate in a comprehensive national antinarcotics enforcement program, by conducting activities within Colombia to prevent the production, processing, trafficking, transportation, and consumption of illicit drugs or other controlled substances. They will be provided at no cost with the exception of transportation charges.

In accordance with section 517(c) FAA the recipient country will agree in the associated Letter of Offer and Acceptance that it will ensure that these items will be used primarily in support of anti-narcotics activities.

The Acting Director, Defense Security Assistance Agency, Glenn A. Rudd, determines that there will be no adverse impact on U.S. military readiness as a result of these transfers.

Dated: December 16, 1991.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 91–30397 Filed 12–19–91; 8:45 am]

BILLING CODE 3810–01–M

Determinations; Excess Meals Ready to Eat (MREs)

Pursuant to the reporting requirements of section 517 of the Foreign Assistance Act of 1961 (FAA) this document provides notification that during Fiscal Year 1992 the United States Government will transfer to the Government of Peru 57,000 excess meals ready to eat (MREs).

These items are required to enable the military forces in Peru to participate in a comprehensive national anti-narcotics enforcement program, by conducting activities within Colombia to prevent the production, processing, trafficking, transportation, and consumption of illicit drugs or other controlled substances. They will be provided at no cost with the exception of transportation charges.

In accordance with section 517(c) FAA the recipient country will agree in the associated Letter of Offer and Acceptance that it will ensure that these items will be used primarily in support of anti-narcotics activities.

The Acting Director, Defense Security Assistance Agency, Glenn A. Rudd, determines that there will be no adverse impact on U.S. military readiness as a result of these transfers.

Dated: December 16, 1991.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 91–30395 Filed 12–19–91; 8:45 am]

BILLING CODE 3810–01–M

Public Information Collection Requirement Submitted to OMB for Review

ACTION: Notice.

The Department of Defense has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Title, Applicable Form, and Applicable OMB Control Number: Academic Certification for Marine Corps Officer Candidate Program, NAVMC Form 10469; OMB No. 0703–0011.

Type of Request: Reinstatement.

Average Burden Hours/Minutes per Response: 15 minutes.

Response per Respondent: 1.

Number of Respondents: 3,500.

Annual Burden Hours: 875.

Annual Responses: 3,500.

Needs and Uses: This form is used by the Marine Corps as a standardized method of determining the academic eligibility of applicants for all Reserve officer candidate programs.

Affected Public: Individuals or households, businesses or other for-profit.

Frequency: On occasion.

Respondent's Obligation: Required to obtain or retain a benefit.

OMB Desk Officer: Mr. Edward C. Springer. Written comments and recommendations on the proposed information collection should be sent to Mr. Springer at the Office of Management and Budget, Desk Officer for DoD, room 3235, New Executive Office Building, Washington, DC 20503.

DOD Clearance Officer: Mr. William P. Pearce. Written requests for copies of the information collection proposal should be sent to Mr. Pearce, WHS/DIOR, 1215 Jefferson Davis Highway, suite 1204, Arlington, Virginia 22202-4302.

Dated: December 16, 1991.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 91-30393 Filed 12-19-91; 8:45 am]

BILLING CODE 3810-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER92-118-000, et al.]

Florida Power Corporation, et al.; Electric rate, Small Power Production, and Interlocking Directorate Filings

December 13, 1991.

Take notice that the following filings have been made with the Commission:

1. Florida Power Corporation

[Docket No. ER92-118-000]

Take notice that on December 2, 1991, Florida Power Corporation ("Florida Power") made a filing to clarify information provided in the filing in the above docket made on October 11, 1991.

The filing clarifies the following points: (1) Present versus proposed fuel charges; (2) the difference between the fuel charge for Seminole Electric Cooperative, Inc. ("SECI") versus the fuel charge for the cities of Kissimmee/St. Cloud; (3) SECI's kW allocation; (4) actual versus projected billing comparisons.

Please permit the filing as amended above to become effective on January 1, 1991 as requested in Florida Power's original transmittal letter.

Comment date: December 27, 1991, in accordance with standard Paragraph E end of this notice.

2. PacifiCorp Electric Operations

[Docket No. ER91-553-000]

Take notice that PacifiCorp Electric Operations ("PacifiCorp"), on December 10, 1991, tendered for filing, in accordance with the Commission staff's request, an amended filing of the Electric Supply Agreement ("Agreement") between PacifiCorp and Brigham City Corporation ("Brigham").

The Amendment provides additional information relating to the initial charges for capacity and energy and the escalator used to establish future energy prices.

PacifiCorp respectfully re-news its request for a waiver of prior notice and that an effective date of October 1, 1989 be assigned by the Commission.

Copies of this filing have been supplied to Brigham and the Utah Public Service Commission.

Comment date: December 27., 1991, in accordance with Standard Paragraph E at the end of this notice.

3. Iowa Public Service Company

[Docket No. ER91-686-000]

Take notice that on December 10, 1991, Iowa Public Service Company (IPS) tendered for filing an amendment to the filing an executed Transmission Service Agreement whereby Iowa Public Service Company (IPS) will provide Cedar Falls Utilities (CPU) with transmission service, commencing January 1, 1985, for CFU's share of power and energy from George Neal Generating Station Unit No. 4. This amendment is in the form of a check for $13,080 for Class III rate filing.

IPS respectfully requests a waiver of the Commission's rules so that the Transmission Service Agreement may be approved retroactive to January 1, 1985.

IPS states that copies of this filing were served on Cedar Falls Utilities and the Iowa Utilities Board.

Comment date: December 27, 1991, in accordance with Standard Paragraph E at the end of this notice.

4. Montaup Electric Company

[Docket No. ER92-148-000]

Take notice that on November 20, 1991, as supplemented by letter of December 4, 1991, Montaup Electric Company ("Montaup") amended its filing in this docket (1) to clarify the relationship between the two alternative sets of rate schedules included with its filing and (2) to make clear that Montaup will true up its PCAC charges to the extent necessary to reflect the final charges to Montaup resulting from the Ocean State Power No. II proceeding in Docket No. ER91-576-000. Montaup continues to request that its filing be allowed to become effective on January 1, 1992.

Comment date: December 27, 1991, in accordance with Standard Paragraph E at the end of this notice.

5. Mississippi Power Company

[Docket No. ER92-218-000]

Take notice that Mississippi Power Company on the 11th day of December, 1991, tendered for filing a revision of the rates included in its FERC Electric Service Tariff, First Revised Volume No. 1. The revised rates would increase revenues from jurisdictional sales by $3,260,497 based on the 12-month period ending December 31, 1992. The charge per delivery point and the kW charge have been increased and the kWh charge has been reduced.

The Company estimates the rate of return on its properties devoted to serving its wholesale all requirements customers to be 7.9971% from revenues which it would receive under the existing rates during the 12-month period ending December 31, 1992. The Company states that such return would be increased to 10.3918% with the increased revenue under the tendered rates.

Posting of the filing has been accomplished with the public utility's jurisdictional customers and the Mississippi Public Service Commission.

Comment date: December 27, 1991, in accordance with Standard Paragraph E at the end of this notice.

6. PacifiCorp Electric Operations

[Docket No. ER92-185-000]

Take notice that PacifiCorp Electric Operations ("PacifiCorp"), on December 11, 1991, tendered for filing an amendment to its November 14, 1991 filing of the Operation and Maintenance Agreement ("Agreement") in this Docket.

The amended filing is being submitted to provide a revised determination of the Transmission Administrative and General Expense Factor utilized to determine the Annual Charge for operation and maintenance service under the Agreement.

PacifiCorp renews its request for waiver of the Commission's regulations

in order to allow an effective date of October 1, 1991 to be assigned to the Agreement.

Copies of this amended filing were supplied to Utah Associated Municipal Power Systems, the Utah Public Service Commission and the Public Utility Commission of Oregon.

Comment date: December 27, 1991, in accordance with Standard Paragraph E at the end of this notice.

7. Iowa Power Company

[Docket No. ER92-8-000]

Take notice that on December 11, 1991, Iowa Power Co. (Iowa Power) tendered for filing the second amendment to the original filing for this docket dated October 1, 1991.

Iowa Power states that the second amendment to the Interchange Agreement filing provides revised service schedules for Service Schedule B—Participation Power and Energy, Service Schedule C—Peaking Power and Energy, and Service Schedule H—Scheduled Outage and Energy. The amended filing also includes requested cost support for Service Schedule E—Short Term Power and Energy and Service Schedule G—Equalization Power and Energy.

Iowa Power requests an effective date of May 1, 1991, and therefore requests a waiver of the Commission's notice request requirements.

Comment date: December 27, 1991, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraphs

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 91-30404 Filed 12-19-91; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 2727-024 Maine]

Bangor Hydro-Electric Co.; Availability of Environmental Assessment

December 13, 1991.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's regulations, 18 CFR part 380 (Order No. 486, 52 FR 47910), the Office of Hydropower Licensing (OHL) has reviewed the application for amendment of license for the Ellsworth Hydroelectric Project. The amendment includes extension of the existing dam by constructing a concrete flood control structure along the downstream toe of the existing embankment and west of the existing gate structure. The proposed structure would function as an emergency spillway to back-up the existing unstable western embankment if overtopped by flood waters in Graham Lake. The project is located on the Deep River in Hancock County, Maine. The staff of OHL's Division of Project Compliance and Administration has prepared an Environmental Assessment (EA) for the proposed action. In the EA, staff concludes that approval of the amendment of license would not constitute a major federal action significantly affecting the quality of the human environment.

Copies of the EA are available for review in the Reference and Information Center, room 3308, of the Commission's Offices at 941 North Capitol Street, NE., Washington, DC 20426.

Lois D. Cashell,

Secretary.

[FR Doc. 91-30232 Filed 12-19-91; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. JD92-01180T]

Arkansas Oil and Gas Commission; NGPA Determination by Jurisdictional Agency Designating Tight Formation

December 16, 1991.

Take notice that on November 12, 1991, the Arkansas Oil and Gas Commission (Arkansas) submitted the above referenced notice of determination to the Commission, pursuant to § 271.703(c)(3) of the Commission's regulations, that the Mansfield Sand within the Mansfield Field, in Sebastian and Scott Counties, Arkansas, qualifies as a tight formation under section 107(b) of the Natural Gas Policy Act of 1978 (NGPA). Arkansas defines the Mansfield Sand as those sources of supply which are stratigraphically equivalent to the interval between the subsurface depths of 1,500 feet and 2,056 feet as measured from the electric log on the Diamond Shamrock Corporation No. 1 Chumley well, located 2,040 feet from the south line and 2,695 feet from the east line of Section 2, T4N, R31W, in Sebastian County, Arkansas. The designated area consist of the following portions of land:

Sections (inclusive)	Township & Range
Section 6	T4N, R29W
Sections 1-12	T4N, R30W
Sections 1-5	T4N, R31W
Sections 8-12	T4N, R31W
Sections 31 and 32	T5N, R29W
Sections 31-36	T5N, R30W
Sections 33-36	T5N, R31W

The notice of determination also contains Arkansas' findings that the Mansfield Sand within the subject area meets the requirements of the Commission's regulations set forth in 18 CFR part 271.

The application for determination is available for inspection, except for material which is confidential under 18 CFR 275.206, at the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426. Persons objecting to the determination may file a protest, in accordance with 18 CFR 275.203 and 275.204, within 7 days after the date this notice is issued by the Commission.

Lois D. Cashell,

Secretary.

[FR Doc. 91-30398 Filed 12-19-91; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. CP92-220-000, et al.]

Carnegie Natural Gas Company, et al.; Natural Gas Certificate Filings

Take notice that the following filings have been made with the Commission:

1. Carnegie Natural Gas Company

[Docket No. CP92-220-000]

December 11, 1991.

Take notice that on December 6, 1991, Carnegie Natural Gas Company (Carnegie), 800 Regis Avenue, Pittsburgh, Pennsylvania 15236, filed in Docket No. CP92-220-000 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sell of natural gas, and for permission and approval to abandon such sales upon termination of the underlying service agreement, and permission and approval to abandon service under existing Rate Schedule LVIS, all as more fully set forth in the application which is on file with the

Commission and open to public inspection.

Carnegie requests a blanket certificate with pre-granted abandonment authority to offer a new interruptible sales service under Rate Schedule SEGSS on a non-discriminatory basis to all existing and prospective jurisdictional customers, both on-system and off-system. Carnegie states that service under Rate Schedule SEGSS would be subject to the availability of capacity and gas supplies in excess of its firm sales obligations.

Carnegie proposes to charge a negotiated rate for the interruptible sales service which would fall between a stated maximum and minimum rate. Carnegie explains that the maximum rate would equal Carnegie's 100 percent load factor rate for firm sales service plus adjustments made pursuant to section 23, 24, and 26 of the General Terms and Conditions of Carnegie's FERC Gas Tariff. Carnegie states that the minimum rate would equal Carnegie's average gas costs as shown on Sheet No. 9 of Carnegie's FERC Gas Tariff, plus variable costs, plus adjustments under sections 24 and 26 of the General Terms and Conditions of Carnegie's FERC Gas Tariff.

Carnegie states that a "no-bump" rule would apply to service under Rate Schedule SEGSS for sales occurring during the summer period April 1 through October 31 of each year. Carnegie explains that, under the "no-bump" rule, SEGSS customers contracting for interruptible gas purchases at the beginning of each summer month would not be displaced during such month by another customer willing to pay a higher rate. Carnegie also explains that during the winter period, November 1 through March 31, an existing SEGSS customer may be displaced by another customer willing to pay a higher rate, subject to the existing customer's right to retain service by agreeing to match or exceed the "bumper's" price.

Carnegie also requests authorization to abandon service under existing Rate Schedule LVIS upon the receipt of authorization to provide interruptible sales service under Rate Schedule SEGSS. Carnegie states that service under Rate Schedule LVIS will no longer be needed as it offers an interruptible sales service inferior to that being offered under Rate Schedule SEGSS.

Carnegie states that this certificate filing is an integral part of the Settlement Agreement filed concurrently with the Commission in Docket Nos. RP88-131-000, *et al.* Carnegie urges the Commission to act expeditiously and grant Carnegie's application to permit service under Rate Schedule SEGSS to commence as soon as possible but, in no event, later than April 1, 1992.

Comment date: December 23, 1991, in accordance with Standard Paragraph F at the end of this notice.

2. Florida Gas Transmission Company

[Docket No. CP92-182-000]

December 12, 1991.

Take notice that on November 15, 1991, Florida Gas Transmission Company (FGT), P.O. Box 1188, Houston, Texas 77251-1188, filed in Docket No. CP92-182-000 an application pursuant to sections 7(b) and (c) of the Natural Gas Act for authorization to construct and operate natural gas pipeline facilities which would enable FGT to deliver an average of approximately 825,000 Mcf of additional natural gas per day (Mcfd) to its Florida customers, to provide firm transportation service under new Rate Schedule FTS-2, approval of initial incremental rates and to abandon certain previously certificated facilities, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Specifically, FGT requests authorization to:

(a) Construct facilities necessary to provide incremental market area transportation service averaging 825 MMcfd into Florida. The facilities to be constructed and added to the system include approximately 141,400 horsepower of compression; mainline looping totaling 464.9 miles of 36-inch pipeline, 27.1 miles of 30-inch pipeline, and 80.7 miles of 26-inch pipeline; a west leg pipeline totaling approximately 161 miles of 30-inch pipeline; the St. Petersburg loop, totaling approximately 15.3 miles of 20-inch pipeline; the Sarasota loop, totaling approximately 10.5 miles of 16-inch pipeline and; 5.7 miles of 20-inch pipeline in Brevard County, Florida.

(b) Abandon certificated facilities by removal of 66.8 miles of 24-inch mainline loop, and authorization to replace it with 66.8 miles of 36-inch mainline loop; abandon by removal of 5.7 miles of 20-inch pipeline in Brevard County, Florida, and replacing it with 5.7 miles of 20-inch pipeline; and abandon facilities certificated at Compressor Station No. 5, because such facilities have previously been removed from plant in-service in 1984 and place in-service additional horsepower for compression at Compressor Station No. 5;

(c) Institute a new Rate Schedule FTS-2 under FGT's existing part 284 blanket certificate providing for service on the Phase III expansion facilities, institute a form of Service Agreement for service under Rate Schedule FTS-2 and institute revisions to the General Terms and Conditions applicable to Rate Schedule FTS-2 and service thereunder;

(d) Establish initial incremental rates applicable to firm service under Rate Schedule FTS-2, which would be predicated upon a 20-year levelized cost of service, with a two-part rate structure consisting of a reservation charge and a commodity charge;

(e) Enter into firm transportation service with Southern Natural Gas Company with volumes contracted for at 200 MMcfd in the winter season (November-April) and 300 MMcfd in the summer season (May-October), with the costs of the transportation service to be included in FGT's Phase III rates and the capacity to be treated as an extension of FGT's system; and

(f) Enter into a firm lease agreement with Transcontinental Gas Pipe Line Corporation for service on its Mobile Bay Pipeline, with capacity to be contracted for at 250 MMcfd, with the costs of such lease to be included in FGT's Phase III rates, and with the capacity to be treated as an extension of FGT's system.

In addition, concurrently with the issuance of this Notice Of Application, the Director, Office of Pipeline and Producer Regulation is issuing a data request in order to allow FGT to bring its application in compliance with applicable Commission Regulations. Further, take notice that within 15 days of satisfactory compliance with the data request, a technical conference will be held.

Comment date: January 2, 1992, in accordance with Standard Paragraph F at the end of the notice.

3. Energy Development Corporation, Complainant, v. CNG Transmission Corporation, Respondent.

[Docket No. CP92-213-000]

December 12, 1991.

Take notice that on November 26, 1991, Energy Development Corporation (EDC) filed a Formal Complaint against CNG Transmission Corporation (CNG) pursuant to rule 206 of the Commission's Rules of Practice and Procedure, 18 CFR 385.206.

In its complaint, EDC alleges that CNG is engaging in discriminatory actions against EDC by refusing EDC equal access to one of CNG's interstate pipelines located in Southern West Virginia.

Specifically, the complaint alleges that CNG has permitted large shippers of natural gas on CNG's pipeline to install

and use artificial compression facilities while denying EDC the same right to install compression facilities.

The complaint further alleges that, as a result of the discriminatory actions referred to above, EDC is being financially harmed and is unable to compete on an equal basis with those producers who have been permitted to use compression.

EDC states that copies of its filing were served on CNG and its counsel of record.

Comment date: December 31, 1991, in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

4. El Paso Natural Gas Company

[Docket No. CP92-225-000]

December 13, 1991.

Take notice that on December 9, 1991, El Paso Natural Gas Company (El Paso), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP92-225-000 a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to operate as jurisdictional facilities certain delivery points that were installed pursuant to section 311 of the Natural Gas Policy Act (NGPA), under the blanket certificate issued in Docket No. CP82-435-000, pursuant to section 7 of the Natural Gas Act (NGA), all as more fully set forth in the request that is on file with the Commission and open to public inspection.

El Paso proposes to convert the authorization for the 28 delivery points listed below from NGPA section 311 to NGA section 7 in order to use the taps for transportation services rendered under El Paso's blanket certificate or case-specific 7(c) certificates. El Paso states that the change in authorization is requested in order to increase flexibility for the use of its facilities in light of changes in the regulations regarding facilities installed under Section 311 authorization.

Delivery point	Location
Howard County Delivery Point.	Howard County, Texas
Mobil Waha Delivery Point.	Pecos County, Texas
Amoco Levelland Plant Delivery Point No. 1.	Hockley County, Texas
Amoco Slaughter Plant Delivery Point.	Hockley County, Texas
Amoco Levelland Plant Delivery Point No. 2.	Hockley County, Texas
Energas Delivery Point	Potter County, Texas
Borger Carbon Black Delivery Point No. 1.	Hutchinson County, Texas
La Paz Pump Meter Station Delivery Point.	La Paz County, Arizona
Gila Pump Meter Station Delivery Point.	Maricopa County, Arizona
Coolidge Pump Meter Station Delivery Point.	Pinal County, Arizona
Tom Mix Pump Meter Station Delivery Point.	Pinal County, Arizona
Hot Spring Pump Meter Station Delivery Point.	Cochise County, Arizona
Lordsburg Pump Meter Station Delivery Point.	Hidalgo County, New Mexico
Anthony Pump Meter Station Delivery Point.	Dona Ana County, New Mexico
Salt Flats Pump Meter Station Delivery Point.	Hudspeth County, Texas
Amoco Wasson Plant Delivery Point.	Yoakum County, Texas
Intersearch Pet Foods/ Border Steel Delivery Point.	El Paso County, Texas
Cochran County Delivery Point.	Cochran County, Texas
Hartley County Delivery Point.	Moore County, Texas
Sun Compressor Fuel Tap Delivery Point.	Coke County, Texas
Cabot Walton Delivery Point.	Winkler County, Texas
Phillips Dune Booster Fuel Tap Delivery Point.	Crane County, Texas
Phillips Credo Booster Station Fuel Supply Delivery Point.	Glasscock County, Texas
Lamb County Delivery Point.	Lamb County, Texas
Kai Farms Tap Delivery Point.	Pima County, Arizona
Bruce Foods Meter Station Delivery Point.	El Paso County, Texas
Southern Union Gas Disposal Fuel Delivery Point.	El Paso County, Texas
Flying J Commercial Development Tap Delivery Point.	El Paso County, Texas

Comment date: January 27, 1992, in accordance with Standard Paragraph G at the end of this notice.

5. Tennessee Gas Pipeline Company

[Docket No. CP92-228-000]

December 13, 1991.

Take notice that on December 11, 1991, Tennessee Gas Pipeline Company (Tennessee), P.O. Box 2511, Houston, Texas 77252, filed in Docket No. CP92-228-000 a request pursuant to § 157.205 and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.212) for authorization to construct and operate delivery point facilities to accommodate deliveries of natural gas to Kentucky Ohio Gas Acquisition Group (Kentucky-Ohio), a local distribution company, under Tennessee's blanket certificate issued in Docket No. CP82-413-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Tennessee proposes to construct and operate delivery point facilities, consisting of a 4-inch hot tap assembly and interconnecting pipe and measurement facilities, in Greenup County, Kentucky. Tennessee further states that the new delivery point is included under the provisions of a gas transportation agreement dated November 15, 1991, with Kentucky-Ohio, and that all costs, projected to be $103,000, associated with the construction of the new delivery point would be borne by Kentucky-Ohio. Tennessee advises that the agreement provides for deliveries of 1,500 Dekatherms per day on an interruptible basis under Tennessee's Rate Schedule IT.

Comment date: January 27, 1992, in accordance with Standard Paragraph G at the end of this notice.

6. Blue Dolphin Pipe Line Company

[Docket No. CP92-232-000]

December 13, 1991.

Take notice that on December 11, 1991, Blue Dolphin Pipe Line Company (Blue Dolphin), 11 Greenway Plaza, suite 1606, Houston, Texas 77046, filed in Docket No. CP92-232-000 a petition under Rule 207 of the Commission's Rules of Practice and Procedure (18 CFR 385.207) for a declaratory order declaring that its facilities are in fact gathering facilities that are not subject to Commission jurisdiction consistent with section 1(b) of the Natural Gas Act, all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

Blue Dolphin states that it is a wholly-owned subsidiary of Blue Dolphin Energy Company, a Delaware Corporation, whose primary business is transporting natural gas for the account of several producer/shippers. Blue Dolphin states that it owns and operates a short, low pressure, dual-phase, natural gas and oil pipeline extending from a platform located offshore of Texas in the Gulf of Mexico, to an onshore point located on the 105 acre Buccaneer Plant site in Freeport, Texas and then continuing a very short distance to its terminus at the facilities of Dow Chemical Company (Dow) in Freeport. Blue Dolphin states that it holds a certificate of public convenience and necessity issued under section 7 of the Natural Gas Act in Docket No. CP65-323. Blue Dolphin further states that it is an open access, transportation only, non-major interstate pipeline.

It is explained that Blue Dolphin was constructed in the mid-1960s by Shell Oil Company for the sole purpose of delivering crude oil and gas production from the Buccaneer Field to the plants and intrastate operations of Dow, an industrial enduser in Freeport. Blue

Dolphin indicates that it is regulated by the Commission only because 21 miles of its pipeline is located in the federal offshore waters. Blue Dolphin notes that it makes no sales, has no system supply, has no LDC customers, has no active marketing affiliate, has no take or pay issues, and connects only with a large industrial company. It is asserted that Blue Dolphin's parent is a small producer primarily focused on oil and gas exploration, production, and development activities which has no ownership or other ties to any other regulated or unregulated natural gas pipeline.

Blue Dolphin states that recent Commission decisions have clarified gathering and set forth, on a case by case basis, the relevant criteria to be considered in making determinations as to whether facilities qualify as gathering. Blue Dolphin states that these considerations include: (1) Diameter and/or length of the pipeline, (2) the location of any processing plant or compression, (3) the location of wells along all or part of the pipeline, (4) geographic configuration of the facilities, and (5) operating pressures. Blue Dolphin adds that in an offshore situation, the orientation of the pipeline owner as a small producer and the competitive nature of pipeline's services are relevant.

Blue Dolphin asserts that it meets the recently clarified "primary function" test set forth in *Amerada Hess. et al.*[1] and, in addition, meets all of the physical criteria tests. Blue Dolphin notes that in *Amerada Hess*, the FERC stated that since it is "applying a sliding scale to the length criteria for offshore pipeline situations and even for onshore facilities, the size and length of the line is no longer the major determining factor where other factors lead us to the conclusion that the primary function is gathering." According, Blue Dolphin argues that its physical size should be considered in conjunction with its overall production/gathering history and orientation, its current small business status, as well as the highly competitive nature of its business environment. In addition, Blue Dolphin avers that the public interest would be served if Blue Dolphin were allowed to compete vigorously as a gathering system with the flexibility available to non-jurisdictional enterprises. Based on these considerations, Blue Dolphin requests an expedited order declaring that its facilities are gathering facilities that are not subject to the Commission's jurisdiction consistent with section 1(b) of the Natural Gas Act.

Comment date: January 3, 1991, in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

[1] 52 FERC ¶ 61,268 (1990).

7. Tennessee Gas Pipeline Company

[Docket No. CP92-219-000]

December 13, 1991.

On December 4, 1991, Tennessee Gas Pipeline Company (Tennessee), filed in Docket No. CP92-219-000 an application pursuant to section 7(b) of the Natural Gas Act for approval to abandon the transportation service it currently renders to ANR Pipeline Company (ANR) under Rate Schedule T-47, to convert the service to transportation service rendered under Tennessee's blanket certificate, and to allow Tennessee to waive the provisions of its tariff to permit ANR to retain the same priority of service as it had under Rate Schedule T-47, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Tennessee notes that the agreement it has with ANR is outdated and results in an inefficient and unfair allocation of the costs and capacity associated with the related service, thus bearing unduly low cost responsibility vis-a-vis other customers receiving comparable services. Tennessee also states that the rates charged ANR are inconsistent with the method used to design rates for its other similar transportation services. As a result, Tennessee's other customers are subsidizing ANR's service. Tennessee, believing that the rate methodology employed for ANR is neither equitable nor a fair assignment of the pipeline's costs responsibility, filed to abandon the initial transportation service rendered under T-47 and to replace it with a comparable service which Tennessee's other customers enjoy.

Comment date: January 3, 1992, in accordance with Standard Paragraph F at the end of this notice.

8. Trunkline Gas Company

[Docket No. CP2-221-000]

December 13, 1991.

Take notice that on December 6, 1991, Trunkline Gas Company (Trunkline), P.O. Box 1642, Houston Texas 77251-1642, filed in Docket No. CP92-221-000 an application pursuant to section 7(b) of the Natural Gas Act for an order granting permission and approval to abandon a transportation and exchange service provided to Columbia Gas Transmission Corporation (Columbia Gas) and Columbia Gulf Transmission Company (Columbia Gulf), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Trunkline states that by order issued August 6, 1982, in Docket No. CP2-141-000, *et al.* (20 FERC ¶ 62,216), Trunkline was authorized to provide an interruptible transportation and exchange service for Columbia Gas and Columbia Gulf under a transportation and exchange agreement (Agreement) dated December 29, 1981, as amended, and filed with the Commission as Rate Schedule TE-10 of Trunkline's FERC Gas Tariff, Original Volume No. 2. Trunkline further states that under this Agreement, Trunkline agreed to transport on behalf of Columbia Gulf up to 20,000 Mcf of natural gas per day from Eugene Island Block 392, offshore Louisiana, and Columbia Gas agreed to transport on behalf of Trunkline up to 20,000 Mcf of natural gas from West Cameron Block 624, offshore Louisiana. It is indicated that the balancing point is the interconnection between the facilities of Trunkline and Columbia Gulf located near Centerville, St. Mary Parish, Louisiana.

Trunkline states that pursuant to the Agreement, on December 19, 1990, Columbia Gas and Columbia Gulf gave written notice of their election to terminate the Agreement at the end of its primary term, December 31, 1991. Trunkline further states that it requests authority to abandon Rate Schedule TE-10 effective December 31, 1991.

Comment date: January 3, 1992, in accordance with Standard Paragraph F at the end of this notice.

Standard Paragraphs

F. Any person desiring to be heard or make any protest with reference to said filing should on or before the comment date file with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to

jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this filing if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after the issuance of the instant notice by the Commission, file pursuant to rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Lois D. Cashell,

Secretary.

[FR Doc. 91–30403 Filed 12–19–91; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. JD92–01851T Texas–15 Addition 2]

State of Texas; NGPA Determination by Jurisdictional Agency Designating Tight Formation

December 16, 1991.

Take notice that on December 6, 1991, the Railroad Commission of Texas (Texas) submitted the above-referenced notice of determination pursuant to § 271.703(c)(3) of the Commission's regulations, that the L Sand member of the Vicksburg Formation underlying a portion of Hildago County, Texas, qualifies as a tight formation under section 107(b) of the Natural Gas Policy Act of 1978 (NGPA). The notice covers the following acreage:

(A) L. Flores A–576, Porcion 76, Homeville Association Subdivision "D": Block 27—Lots 1 and 6, Blocks 28 thru 31, Block 32—Lots 1, 2 and 3, Block 13—Lots 1, 2 and 3, and Blocks 14 thru 20.

(B) P. Flores A–577, Porcion 77, Homeville Association Subdivision "A": Lots 1 thru 35, 39 thru 42, 49 and 50.

(C) P. Flores A–577, Porcion 77, Homeville Association Subdivision "B": Lots 105 thru 126.

(D) Dionisio Ramirez A–563, Porcion 78, Texan Gardens Subdivision, the most westerly 1/5 of Block 12—Lots 14 thru 17, and the most westerly 1/5 of Block 13—Lots 1 thru 17.

(E) 172.8 acres of land out of Porcion 77, Abstract 75, being the same land described in Deed from F. Davenport to F.V.W. Heard dated May 24, 1931, recorded in Volume 405, Page 66 of the Deed Records of Hidalgo County, Texas.

(F) 78.07 acres of land, more or less, being tract 12 out of the East part of Porcion 77, Pedro Flores Survey Abstract 577, Hidalgo County, Texas; and being more particularly described in Deed dated July 12, 1965, from Augustin Zamora to the Public, recorded in Volume 1126 Page 429 Hidalgo County, Texas.

(G) An additional tract composed of approximately 78 acres lying adjacent to and north of the tract described in (E) above.

The notice of determination also contains Texas' findings that the referenced portion of the L Sand member of the Vicksburg Formation meets the requirements of the Commission's regulations set forth in 18 CFR part 271.

The application for determination is available for inspection, except for material which is confidential under 18 CFR 275.206, at the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426. Persons objecting to the determination may file a protest, in accordance with 18 CFR 275.203 and 275.204, within 20 days after the date this notice is issued by the Commission.

Lois D. Cashell,

Secretary.

[FR Doc. 91–30399 Filed 12–19–91; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. JD92–01850T Texas–22 Addition 6]

State of Texas; Determination by Jurisdictional Agency Designating Tight Formations

December 16, 1991.

Take notice that on December 6, 1991, the Railroad Commission of Texas (Texas) submitted the above-referenced notice of determination pursuant to § 271.703(c)(3) of the Commission's regulations, that certain portions of the Strawn Formation underlying Crockett County, Texas, qualify as a tight formation under section 107(b) of the Natural Gas Policy Act of 1978 (NGPA). The designated area, containing approximately 19,250 acres, includes all of the Hunt-Baggett, W. (Strawn) and portions of Hunt-Baggett (Strawn North), Ozona SW (Strawn), and Thomason (Strawn) fields. The designated area consists of all sections of Block AAA, T.C.R.R. Survey; all sections in Block I, G.C. & S.F. Survey; the west 411 acres of section 3, all of sections 4, 5 and 6, the west 225 acres of section 7, and the north half and southwest quarter of section 8 of Block J, G.C. & S.F. Survey; sections 22, 26, 31 and 32, the east halves of sections 23 and 25, and the west half of section 27 of Block M, G.C. & S.F. Survey; section 7 of Block NG, G.C. & S.F. Survey; section 20 of Block NG, H. B. Montgomery Survey; sections 21, 22, 29 and 30 of Block QR; the west 324 acres of section 2 Block QR2, Wm. Powell Survey; and section 25 Block ST, H.E. & W.T. Survey, all in Crockett County.

The notice of determination also contains Texas' findings that the referenced portions of the Strawn Formation meet the requirements of the Commission's regulations set forth in 18 CFR part 271.

The application for determination is available for inspection, except for material which is confidential under 18 CFR 275.206, at the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426. Persons objecting to the determination may file a protest, in accordance with 18 CFR 275.203 and 275.204, within 20 days after the date this notice is issued by the Commission.

Lois D. Cashell,

Secretary.

[FR Doc. 91–30400 Filed 12–19–91; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. JD92–01752T Texas–2 Addition 3]

State of Texas; NGPA Determination by Jurisdictional Agency Designating Tight Formation

December 16, 1991.

Take notice that on November 26, 1991, as supplemented on December 13, 1991, the Railroad Commission of Texas (Texas) submitted the above-referenced notice of determination pursuant

§ 271.703(c)(3) of the Commission's regulations, that the Canyon Formation underlying certain portions of Tom Green County, Texas, qualifies as a tight formation under section 107(b) of the Natural Gas Policy Act of 1978 (NGPA). The notice covers certain lands in the area of the Hercules (Canyon) Field and includes the following surveys:

Survey Name	Section	Abstract
H. Fey	277	187
L. Poock	278	1768
F. A. Gottwald	279	233

The notice of determination also contains Texas' findings that the referenced portion of the Canyon Formation meets the requirements of the Commission's regulations set forth in 18 CFR part 271.

The application for determination is available for inspection, except for material which is confidential under 18 CFR 275.206, at the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426. Persons objecting to the determination may file a protest, in accordance with 18 CFR 275.203 and 275.204, within 20 days after the date this notice is issued by the Commission.

Lois D. Cashell,

Secretary.

[FR Doc. 91-30401 Filed 12-19-91; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP92-53-000]

Kern River Gas Transmission Co.; Proposed Changes in FERC Gas Tariff

December 13, 1991.

Take notice that on November 29, 1991, Kern River Gas Transmission Company (Kern River) tendered for filing a revised Original Volume No. 1 to its FERC Gas Tariff, in compliance with the Commission's orders of January 24, 1990 and November 2, 1990 in Docket Nos. CP89-2047 and CP89-2048. Kern River proposes a January 31, 1992 effective date.

Kern River states that it revised its tariff provisions concerning renegotiation of the reservation charge, capacity assignment, requests for service and the statement of rates. Kern River further states that it is reflecting in its tariff the terms of the service agreements negotiated between Kern River and Chevron U.S.A. Inc., Shell Western E&P, Inc., Mobil Natural Gas, Inc. and Union Pacific Fuels Company.

Kern River states that service on its pipeline will commence on or about January 31, 1992.

Kern River states that copies of the filing have been served upon all of the jurisdictional transportation customers and on the parties to the prior proceedings.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with 18 CFR 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protests should be filed on or before December 20, 1991. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the public reference room.

Lois D. Cashell,

Secretary.

[FR Doc. 91-30234 Filed 12-19-91; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 2212-001—Wisconsin]

Weyerhaeuser Paper Co.; Establishing Procedures for Relicensing and a Deadline for Submission of Final Amendments

December 13, 1991.

Th license for the Rothschild Dam Hydro Project No. 2212, located on the Wisconsin River in Marathon County, Wisconsin expires on July 31, 1993. The statutory deadline for filing an application for new license was July 31, 1991. An application for new license has been filed as follows:

Project No.	Applicant	Contact
P-2212-001	Weyerhaeuser Paper Co., 200 Grand Avenue, Rothschild, WI 54475.	William V. Dohr, Weyerhaeuser Paper Co., 200 Grand Avenue, Rothschild, WI 54475, (715) 359-3101.

The following is an approximate schedule and procedures that will be followed in processing the application:

Date	Action
October 10, 1991..	Commission notified applicant that its application has been accepted.
October 18, 1991..	Commission issued public notice of the accepted application establishing dates for filing motions to intervene and protests.
December 30, 1991..	Commission's deadline for applicant for filing a final amendment, if any, to its application.
February 15, 1992..	Commission notifies all parties and agencies that the application is ready for environmental analysis.

Upon receipt of all additional information and the information filed in response to the public notice of the acceptance of the application, the Commission will evaluate the application in accordance with applicable statutory requirements and take appropriate action on the application.

Any questions concerning this notice should be directed to Ed Lee at (202) 219-2809.

Lois D. Cashell,

Secretary.

[FR Doc. 91-30405 Filed 12-19-91; 8:45 am]

BILLING CODE 6717-01-M

Office of Fossil Energy

[FE Docket No. 91-95-NG]

Niagara Mohawk Power Corp.; Application To Import Natural Gas From Canada

AGENCY: Office of Fossil Energy, Department of Energy.

ACTION: Notice of application for blanket authorization to import natural gas from Canada.

SUMMARY: The Office of Fossil Energy (FE) of the Department of Energy (DOE) gives notice of receipt on November 1, 1991, of an application filed by Niagara Mohawk Power Corporation (Niagara Mohawk), requesting blanket authorization to import up to 77 Bcf of natural gas from Canada over a two-year period commencing with the date of first delivery. Niagara Mohawk intends to use existing pipeline facilities within the United States and plans to submit quarterly reports detailing each transaction.

The application is filed under section 3 of the Natural Gas Act and DOE Delegation Order Nos. 0204-111 and 0204-127. Protests, motions to intervene, notices of intervention and written comments are invited.

DATES: Protests, motions to intervene or notices of intervention, as applicable, requests for additional procedures and written comments are to be filed in Washington, DC, at the address listed

below no later than 4:30 p.m., Eastern time, January 21, 1992.

ADDRESSES: Office of Fuels Programs, Fossil Energy, U.S. Department of Energy, Forrestal Building, room 3F–056, FE–50, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–9478.

FOR FURTHER INFORMATION CONTACT:

Thomas Dukes, Office of Fuels Programs, Fossil Energy, U.S. Department of Energy, Forrestal Building, room 3F–070, FE–53, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–9590.

Diane Stubbs, Office of Assistant General Counsel for Fossil Energy, U.S. Department of Energy, Forrestal Building, room 6E–042, GC–14, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–6667.

SUPPLEMENTARY INFORMATION: Niagara Mohawk, a corporation organized under the laws of the State of New York with its principal place of business in Syracuse, New York, provides natural gas service to nearly 500,000 New York customers and supplies its gas-fired electric generating plants within its system. According to its application, Niagara Mohawk would import gas from a variety of Canadian producers, under both firm and interruptible arrangements and at market responsive prices, for sale to customers in its New York service area. Gas supplied under these arrangements would be transported by TransCanada PipeLines Limited (TransCanada) to the international border near Iroquois, Ontario, where TransCanada's facilities interconnect with the Iroquois Gas Transmission System (Iroquois). Iroquois would transport the imported volumes to CNG Transmission Corporation at Canojaharie, New York, for redelivery to Niagara Mohawk. Niagara Mohawk states the short-term, blanket authority is needed pending an amendment to the utility's application for long-term authority granted conditionally by DOE/FE Opinion and Order No. 351 (Order 351), 1 FE ¶70,260. The arrangement underlying Order 351 was based upon planned purchases from TransCanada and construction by TransCanada of an extension from its mainline to Gananoque, Ontario, to deliver gas to Niagara Mohawk's planned new Trans York Pipeline at the U.S.-Canadian border. The National Energy Board of Canada denied the pipeline extension proposed by TransCanada thus requiring Niagara Mohawk to negotiate amended purchase and transportation arrangements.

The decision on Niagara Mohawk's application for import authority will be made consistent with DOE's natural gas import policy guidelines, under which the competitiveness of an import arrangement in the markets served is the primary consideration in determining whether it is in the public interest (49 FR 6684, February 22, 1984). Parties that may oppose this application should comment in their responses on the issue of competitiveness as set forth in the policy guidelines. Niagara Mohawk asserts that gas supplied under the proposed import arrangement would be competitive, needed, and secure. Parties opposing the import arrangement bear the burden of overcoming this assertion.

NEPA Compliance. The National Environmental Policy Act (NEPA), 42 U.S.C. 4321, *et seq.*, requires DOE to give appropriate consideration to the environmental effects of its proposed actions. No final decision will be issued in this proceeding until DOE has met its NEPA responsibilities.

Public Comment Procedures. In response to this notice, any person may file a protest, motion to intervene or notice of intervention, as applicable, and written comments. Any person wishing to become a party to the proceeding and to have the written comments considered as the basis for any decision on the application must, however, file a motion to intervene or notice of intervention, as applicable. The filing of a protest with respect to this application will not serve to make the protestant a party to the proceeding, although protests and comments received from persons who are not parties will be considered in determining the appropriate action to be taken on the application. All protests, motions to intervene, notices of intervention, and written comments must meet the requirements that are specified by the regulations in 10 CFR part 590. Protests, motions to intervene, notices of intervention, requests for additional procedures, and written comments should be filed with the Office of Fuels Programs at the above address.

It is intended that a decisional record will be developed on the application through responses to this notice by parties, including the parties' written comments and replies thereto. Additional procedures will be used as necessary to achieve a complete understanding of the facts and issues. A party seeking intervention may request that additional procedures be provided, such as additional written comments, an oral presentation, a conference, or trial-type hearing. Any request to file additional written comments should explain why they are necessary. Any request for an oral presentation should identify the substantial question of fact, law, or policy at issue, show that it is material and relevant to a decision in the proceeding, and demonstrate why an oral presentation is needed. Any request for a conference should demonstrate why the conference would materially advance the proceeding. Any request for a trial-type hearing must show that there are factual issues genuinely in dispute that are relevant and material to a decision and that a trial-type hearing is necessary for a full and true disclosure of the facts.

If an additional procedure is scheduled, notice will be provided to all parties. If no party requests additional procedures, a final opinion and order may be issued based on the official record, including the application and responses filed by parties pursuant to this notice, in accordance with 10 CFR 590.316.

A copy of Niagara Mohawk's application is available for inspection and copying in the Office of Fuels Programs Docket Room, 3F–056 at the above address. The docket room is open between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, December 16, 1991.

Anthony J. Como,

Director, Office of Coal and Electricity, Office of Fuels Programs, Office of Fossil Energy.

[FR Doc. 91–30447 Filed 12–19–91; 8:45 am]

BILLING CODE 6450–01–M

[Docket No. FE C&E 91–24; Certification Notice—92]

Filing Certification of Compliance: Coal Capability of New Electric Powerplant Pursuant to Provisions of the Powerplant and Industrial Fuel Use Act, as Amended

AGENCY: Office of Fossil Energy, Department of Energy.

ACTION: Notice of filing.

SUMMARY: Title II of the Powerplant and Industrial Fuel Use Act of 1978 (FUA), as amended (42 U.S.C. 8301 *et seq.*), provides that no new electric powerplant may be constructed or operated as a base load powerplant without the capability to use coal or another alternate fuel as a primary energy source (FUA section 201(a), 42 U.S.C. 8311 (a), Supp. V. 1987). In order to meet the requirement of coal capability, the owner or operator of any new electric powerplant to be operated as a base load powerplant proposing to use natural gas or petroleum as its primary energy source may certify, pursuant to FUA section 201(d), to the

Secretary of Energy prior to construction, or prior to operation as a base load powerplant, that such powerplant has the capability to use coal or another alternate fuel. Such certification establishes compliance with section 201(a) as of the date it is filed with the Secretary. The Secretary is required to publish in the **Federal Register** a notice reciting that the certification has been filed. One owner and operator of proposed new electric base load powerplant has filed self/certification in accordance with section 201(d).

Further information is provided in the **SUPPLEMENTARY INFORMATION** section below.

SUPPLEMENTARY INFORMATION: The following company has filed self-certification:

Name	Date received	Type of facility	Megawatt capacity	Location
Boston Thermal Cogeneration Corporation, Boston, MA	12-09-91	Topping cycle	25	Boston, MA.

Amendments to the FUA on May 21, 1987 (Pub. L. 100-42), altered the general prohibitions to include only new electric base load powerplants and to provide for the self-certification procedure.

Copies of this self-certification may be reviewed in the Office of Fuels Programs, Fossil Energy, room 3F-056, FE-52, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, or for further information call Myra Couch at (202) 586-6769.

Issued in Washington, DC on December 13, 1991.

Anthony J. Como,

Director, Office of Coal & Electricity, Office of Fuels Programs, Fossil Energy.

[FR Doc. 91-30448 Filed 12-19-91; 8:45 am]

BILLING CODE 6450-01-M

Office of Hearings and Appeals

Cases Filed During the Week of November 8 through November 15, 1991

During the Week of November 8 through November 15, 1991, the appeals and applications for exception or other relief listed in the Appendix of this Notice were filed with the Office of Hearings and Appeals of the Department of Energy. Submissions inadvertently omitted from earlier lists have also been included.

Under DOE procedural regulations, 10 CFR part 205, any person who will be aggrieved by the DOE action sought in these cases may file written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of the regulations, the date of service of notice is deemed to be the date of publication of this Notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, DC 20585.

Dated: December 12, 1991.

George B. Breznay,

Director, Office of Hearings and Appeals.

List of Cases Received by the Office of Hearings and Appeals

[Week of November 8 through November 15, 1991]

Date	Name and location of applicant	Case No.	Type of submission
11/12/91	EDG/Rocky Home Dairy, Inc. Hardin, KY	RR311-1	Request for Modification/Rescission in the EDG refund proceeding. If Granted: The August 30, 1991 Decision and Order (Case No. RF311-1) issued to Rocky Home Dairy, Inc., regarding the firm's Application for Refund submitted in the EDG refund proceeding would be modified.
Do	INEL Research Bureau Moscow, ID	LFA-0164	Appeal of an Information Request Denial. If Granted: Inel Research Bureau would receive a waiver of all fees incurred in the processing of the DOE information requested pursuant to the Freedom of Information Act.
11/14/91	Anne S. Kelley Kennewick, WA	LFA-0165	Appeal of an Information Request Denial. If Granted: Anne S. Kelley would receive security records information concerning her Application for a permanent position with Westinghouse Hanford Company.
Do	ARCO/Advance Petroleum Distributing Co., Inc. Washington, DC.	RR304-13	Request for Modification/Rescission in the ARCO refund proceeding. If Granted: The July 22, 1991 Decision and Order (Case No. RF304-2942) issued to Advance Petroleum Dist. Co., Inc., regarding the firm's Application for Refund submitted in the ARCO refund proceeding would be modified.
Do	ARCO/C & C Oil Company, Inc. Washington, DC	RR304-14	Request for Modification/Rescission in the ARCO refund proceeding. If Granted: The July 16, 1990 Decision and Order (Case No. RF304-2373) issued to C & C Oil Company, Inc., regarding the firm's Application for Refund submitted in the ARCO refund proceeding would be modified.
Do	ARCO/Delmarva Oil, Inc. Washington, DC	RR304-18	Request for Modification/Rescission in the ARCO refund proceeding. If Granted: The May 9, 1989 Decision and Order (Case No. RF304-2583) issued to Delmarva Oil, Inc., regarding the firm's Application for Refund submitted in the ARCO refund proceeding would be modified.
Do	ARCO/J.E. Eledge Oil Company, Inc. Washington, DC	RR304-17	Request for Modification/Rescission in the ARCO refund proceeding. If Granted: The July 22, 1991 Decision and Order (Case No. RF304-2941) issued to J.E. Eledge Oil Company, Inc., regarding the firm's Application for Refund submitted in the ARCO refund proceeding would be modified.

List of Cases Received by the Office of Hearings and Appeals—Continued

[Week of November 8 through November 15, 1991]

Date	Name and location of applicant	Case No.	Type of submission
Do	ARCO/Kellam Energy, Inc. Washington, DC	RR304-15	Request for Modification/Rescission in the ARCO refund proceeding. If Granted: The October 30, 1989 Decision and Order (Case No. RF304-7567) issued to Kellam Energy, Inc., regarding the firm's Application for Refund submitted in the ARCO refund proceeding would be modified.
Do	ARCO/ Smith Oil Corporation Washington, DC	RR304-16	Request for Modification/Rescission in the ARCO refund proceeding. If Granted: The June 29, 1989 Decision and Order (Case No. RF304-2371) issued to Smith-Shafer Oil Company regarding the firm's Application for Refund submitted in the ARCO refund proceeding would be modified.
Do	ARCO/Smith-Shafer Oil Company Washington, DC	RF304-19	Request for Modification/Rescission in the ARCO refund proceeding. If Granted: The October 19, 1990 Decision and Order (Case No. RF304-2370) issued to Smith-Shafer Oil Company regarding the firm's Application for Refund submitted in the ARCO refund proceeding would be modified.
Do	Texaco/Lenny's Texaco Service Memphis, TN	RR321-85	Request for Modification/Rescission in the Texaco refund proceeding. If Granted: The September 20, 1991 Decision and Order (Case Nos. RF321-14910 and RF321-16752) issued to Lenny's Texaco regarding the firm's Application for Refund submitted in the Texaco refund proceeding would be modified.
Do	Texaco Oliver Brothers' Texaco West Haven, CT	RR321-84	Request for Modification/Rescission in the Texaco refund proceeding. If Granted: The March 22, 1991 Decision and Order (Case Nos. RF321-12536 and RF321-13874) issued to Oliver Brother's Texaco regarding the firm's Application for Refund submitted in the Texaco refund proceeding would be modified.

Refund Applications Received

Date Received	Name of Refund Proceeding/Name of Refund Applicant	Case No.
11/7/91	Maryville Gulf	RF300-18521
11/7/91	Warren Service Center.	RF300-18522
11/7/91	City of Brownsville	RF300-18523
11/8/91 thru 11/15/91.	Texaco Refund Applications Received.	RF321-17910 thru RF321-17923
11/8/91 thru 11/15/91.	Crude Oil Refund Applications Received.	RF272-90497 thru RF272-90651
11/12/91	Maple Ave Exxon	RF307-10192
11/12/91	Boston Edison Company.	RF307-10193
11/12/91	William H Brown Arco.	RF304-12614
11/12/91	Frederick a Perry	RF304-12615
11/12/91	Perry's Arco Station.	RF304-12616
11/12/91	U.S. Oil Co., Inc	RF342-22
11/12/91	Bills Clark Station	RF342-23
11/12/91	Wayne's Clark Gas Station.	RF342-24
11/12/91	Donnell's Super 100.	RF342-25
11/12/91	Hughes Clark Oil	RF342-26
11/12/91	Terry's Clark Super 100.	RF342-27
11/12/91	Vern's Clark Super 100.	RF342-28
11/12/91	Gay's Clark Super 100.	RF342-29
11/12/91	Clark Super 100	RF342-30
11/12/91	Ted Harrison Oil Co., Inc.	RF330-56
11/12/91	Nellie Johnson	RF335-51
11/12/91	Federal Paper Board Co.	RF336-34
11/12/91	Conoco, Inc	RF336-35
11/12/91	Sioux County	RC272-140
11/13/91	Greg's Arco	RF304-12617
11/13/91	Hawk's Service Center, Inc.	RF300-18524
11/13/91	Sinkler, Inc	RF304-12618

Refund Applications Received—Continued

Date Received	Name of Refund Proceeding/Name of Refund Applicant	Case No.
11/13/91	Lincrest Exxon	RF307-10194
11/13/91	Daniel R. & Pauline Henneberry.	RF335-52
11/14/91	Bertram Spring	RF307-10195
11/14/91	Mulhern Fuel Corp	RF340-27
11/14/91	Grant's TV & Appliance.	RF340-28
11/14/91	Primative Lake Campground.	RF340-29
11/14/91	True Value Hardware.	RF340-30
11/14/91	Blackburn Propane Service.	RF340-31
11/14/91	New Bedford Gas & Edison Light.	RF336-36
11/15/91	Clinton & Elizabeth Exxon.	RF307-10196
11/15/91	Robert J. Quirk	RF300-18525
11/15/91	Doug & James Clark 100.	RF342-31
11/15/91	Odell Adams	RF342-32
11/15/91	Jerry's Super 100	RF342-33
11/15/91	Carl's Clark	RF342-34

[FR Doc. 91-30450 Filed 12-19-91; 8:45 am]

BILLING CODE 6450-01-M

Cases Filed During the Week of November 15 through November 22, 1991

During the Week of November 15 through November 22, 1991, the applications for relief listed in the Appendix to this Notice were filed with the Office of Hearings and Appeals of the Department of Energy.

Under DOE procedural regulations, 10 CFR part 205, any person who will be aggrieved by the DOE action sought in these cases may file written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of the regulations, the date of service of notice is deemed to be the date of publication of this Notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, DC 20585.

Dated: December 12, 1991.

George B. Breznay,

Director, Office of Hearings and Appeals.

Refund Applications Received

[Week of November 15 to November 22, 1991]

Date received	Name of refund proceeding/Name of refund application	Case No
11/18/91	Vickers/Kansas	RQ1-576
11/18/91	A. C. Wallace Arco	RF304-12619
11/18/91	Sam's Arco	RF304-12620
11/18/91	Scenic Exxon	RF307-10197
11/18/91	American Bittrite, Inc.	RF336-37
11/18/91	Mobile Oil Corporation.	RF336-38
11/18/91	Rhode Island College.	RF336-39
11/18/91	John E. Jones Oil Company.	RF340-32
11/18/91	Bernard Fermanich.	RF342-35

REFUND APPLICATIONS RECEIVED—Continued

[Week of November 15 to November 22, 1991]

Date received	Name of refund proceeding/Name of refund application	Case No
11/18/91	Grimum Oil Company.	RF342-36
11/18/91	John T. Stephens	RF342-37
11/18/91	Hug's Clark Service, Ltd.	RF342-38
11/18/91	Fowlers Clark Service.	RF342-39
11/18/91	Bobbie Clark Super 100 St.	RF342-40
11/18/91	Maxwell Oil Company.	RF304-12621
11/19/91	Dow's Super 100 Station.	RF342-40
11/19/91	Owens Services Center.	RF342-42
11/19/91	Huey Oil Company	RF330-57
11/18/91	Ocean Spray Cranberries.	RF336-40
11/20/91	Bill's Clark	RF342-43
11/20/91	Dave's Clark Super 100.	RF342-44
11/20/91	Frank Pratko, Jr.	RF307-10198
11/20/91	Ashland Petroleum Corp.	RF339-6
11/21/91	Dan's Super 100	RF342-45
11/25/91	Rutherford William Stockman.	RF342-51
11/25/91	Victor A. Tucci Service.	RF342-52
11/25/91	Darrell Wertz's Clark Service.	RF342-53
11/21/91	Nordstrom Oil Co.	RF330-58
11/21/91	Rice Oil Co	RF330-59
11/22/91	R & S Oil Co., Inc.	RF330-60
11/21/91	Ronald L. Deig	RF342-46
11/21/91	Wright Industries	RF342-47
11/21/91	Inland Energy Inc.	RF342-49
11/22/91	Six Flag Over Mid-America, Inc.	RF342-49
11/22/91	Jerry's Clark Super 100.	RF342-50
11/15/91 thru 11/22/91.	Texaco Refund Applications Received.	RF321-17924 thru RF321-18058
11/15/91 thru 11/22/91.	Crude Oil Refund Applications Received.	RF272-90652 thru RF272-90781
11/15/91 thru 11/22/91.	Gulf Oil Refund Applications Received.	RF300-18526 thru RF200-18678

[FR Doc. 91-30451 Filed 12-19-91; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-4084-6]

Agency Information Collection Activities Under OMB Review

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected cost and burden.

DATES: Comments must be submitted on or before January 21, 1992.

FOR FURTHER INFORMATION CONTACT: Sandy Farmer at EPA, (202) 260-2740.

SUPPLEMENTARY INFORMATION:

Office of Water

Title: National Operations and Maintenance Excellence Awards Program Questionnaire (ICR #1287.03.)

Abstract: ICR 1287.03 describes the information requirements associated with the National Operations and Maintenance Excellence Award Program. Under this program, to encourage compliance with wastewater treatment regulations, EPA presents awards to communities with outstanding wastewater plant operations and maintenance.

Municipal officials seeking consideration of their facilities for an award must complete an application questionnaire and may also complete an optional effluent data reporting form. The questionnaire covers facility identification information as well as descriptions of the facilities operations and maintenance. State officials screen the applications and submit them to the EPA Regional Offices. Each Regional Office may then select one facility for each of nine Regional award categories. The Regional Offices may also nominate recipients for National awards. At EPA Headquarters, the nominees' completed questionnaires are reviewed by a selection committee, which selects National award recipients and distributes awards.

Burden Statement: The average burden associated with the National Operations and Maintenance Excellence Award Program Questionnaire is two hours per response. This total includes time for searching existing data sources, and completing and reviewing the collection of information.

Respondents: Publicly-owned treatment works, States.

Estimated No. Of Respondents: 320.

Estimated Total Annual Burden on Respondents: 640 hours.

Frequency of Collection: Annually.

Send comments regarding the burden estimate, or any other aspect of this collection of information, including suggestions for reducing the burden, to:

Sandy Farmer, U.S. Environmental Protection Agency, Information Policy Branch (PM-223Y), 401 M Street, SW., Washington, DC 20460.

and

Matt Mitchell, Office of Management and Budget, Office of Information and Regulatory Affairs, 725 17th St., NW., Washington, DC 20503.

Dated: December 13, 1991.

Paul Lapsley,

Director, Regulatory Management Division.

[FR Doc. 91-30466 Filed 12-19-91; 8:45 am]

BILLING CODE 6560-50-M

[FRL-4085-5]

Ambient Air Monitoring Reference and Equivalent Methods; Receipt of Application for a Reference Method Determination

Notice is hereby given that on November 19, 1991, the Environmental Protection Agency received an application from Dasibi Environmental Corporation, 8310 Capital of Texas Highway, Austin, Texas 78731, to determine if their Model 2108 Chemiluminescent Nitrogen Oxides Analyzer should be designated by the Administrator of the EPA as a reference method under 40 CFR part 53. If, after appropriate technical study, the Administrator determines that this method should be so designated, notice thereof will be given in a subsequent issue of the **Federal Register.**

Erich W. Bretthauer,

Assistant Administrator for Research and Development.

[FR Doc. 91-30467 Filed 12-19-91; 8:45 am]

BILLING CODE 6560-50-M

[FRL-4084-9]

Public Water Supply Supervision Program; Program Revision for the State of Oregon

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: Notice is hereby given that the State of Oregon is revising its approved State Public Water Supply Supervision Primacy Program. Oregon has adopted drinking water regulations for total coliforms and the treatment of surface water. EPA has determined that these sets of State program revisions are no less stringent than the corresponding federal regulations. Therefore, EPA has tentatively decided to approve these State program revisions.

All interested parties may request a public hearing. A request for public

hearing must be submitted by January 21, 1992 to the Regional Administrator at the address shown below. Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator. However, if a substantial request for a public hearing is made by January 21, 1992, a public hearing will be held. If no timely and appropriate request for a hearing is received and the Regional Administrator does not elect to hold a hearing on her own motion, this determination shall become final and effective January 21, 1992.

Any request for a public hearing shall include the following: (1) The name, address, and telephone number of the individual, organization, or other entity requesting a hearing; (2) a brief statement of the requesting person's interest in the Regional Administrator's determination and of information that the requesting person intends to submit at such hearing; and (3) the signature of the individual making the request; or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

ADDRESSES: All documents relating to this determination are available for inspection between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, at the following offices:

Drinking Water Section, Oregon Health Division, 1400 SW 5th Avenue, Portland, Oregon 97201; and
Environmental Protection Agency, Region 10 Library, 1200 Sixth Avenue, Seattle, Washington 98101.

FOR FURTHER INFORMATION CONTACT: Wendy Marshall, EPA, Region 10, Drinking Water Programs Branch, at the Seattle address given above, telephone (206) 553–1890.

Dated: December 11, 1991.

Dana A. Rasmussen,

Regional Administrator.

[FR Doc. 91–30474 Filed 12–19–91; 8:45 am]

BILLING CODE 6560–50–M

[ER–FRL–4085–2]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared December 2, 1991 Through December 6, 1991 pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 260–5076.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 5, 1991 (56 FR 14096).

Draft EISs

ERP No. D–UAF–L11015–ID Rating LO, Air Force in Idaho Proposal, Mountain Home AFB Composite Wing Establishment, Modification of Airspace to Accommodate Air Force and Air National Guard Flying Activities and Air-to-Ground Training Range Establishment, Elmore County, ID.

Summary: EPA has reviewed the draft EIS and has no objection to the project.

ERP No. DS–AFS–L65137–AK Rating EC2, Tongass Land Management Plan Revision, New Information, Tongass National Forest, AK.

Summary: EPA expressed concerns regarding potential impacts to water quality from timber harvest, road construction, log transfer facilities and mining proposed in the management plan.

Final EISs

ERP No. F–AFS–K61113–CA, Stanislaus National Forest, Land and Resource Management Plan, Implementation, Alpine, Calaveras, Mariposa and Tuolumne Counties, CA.

Summary: Review of the Final EIS was not deemed necessary. No formal letter was sent to the agency.

ERP No. FS–AFS–K83000–CA, Plumas National Forest Prototype Project, Augmenting Snow Pack by Cloud Seeding Using Ground Based Dispensers, Additional Information, Implementation, Upper Feather River Basin, Plumas and Sierra Counties, CA.

Summary: Review of the Final EIS was not deemed necessary. No formal letter was sent to the agency.

Dated: December 17, 1991.

William D. Dickerson,

Deputy Director, Office of Federal Activities.

[FR Doc. 91–30464 Filed 12–19–91; 8:45 am]

BILLING CODE 6560–50–M

[ER–FRL–4085–1]

Environmental Impact Statements; Availability

RESPONSIBLE AGENCY: Office of the Federal Activities, General Information (202) 260–5073 or (202) 260–5075.

Availability of Environmental Impact Statements Filed December 9, 1991 through December 13, 1991 pursuant to 40 CFR 1506.9.

EIS No. 910434, Final EIS, AFS, WA, Lower White Salmon River Wild and Scenic River Management Plan, Columbia River Gorge National Scenic Area Wild and Scenic River System, Implementation, Klickitat County, WA. Due: January 21, 1992, Contact: Steve Mellor (503) 386–2333.

EIS No. 910435, Draft EIS, IBR, OR, Milltown Hill Project, Dam and Reservoir Construction and Operation, Funding and Implementation, Elk Creek Subbasin, Umpqua River Basin, Douglas County, OR, Due: February 10, 1992, Contact: Douglas J. James (208) 334–1208.

EIS No. 910436, Draft EIS, UAF, CA, Mathis Air Force Base Disposal and Reuse, Implementation, Sacramento County, CA, Due: February 4, 1992, Contact: Ltc. Tom Bartol (714) 382–4891.

EIS No. 910437, Final EIS, VAD, WA, Seattle-Tacoma Area National Cemetery Construction Alternative Site Selection, Illahee Site in Kitsap County, Sultan Site in Snohomish County and Seatac and Tacoma Sites in King County, WA, Due: January 21, 1992, Contact: George Hermance (202) 233–7080.

EIS No. 910438, Draft Supplement, COE, WV, Winfield Locks and Dam Project, Lock Replacement, Alignment Modifications and Land Purchase, Implementation, near Eleanor, Putnam County, WV, Due: February 3, 1992, Contact: Ben Borda (304) 529–5712.

Amended Notices

EIS No. 910034, Draft EIS, COE, IN, Tillery Hill State Recreation Area Development, Construction, Operation, and Maintenance of Recreation Facilities, Patoka Lake, Orange County, IN, Due: July 31, 1992, Contact: Keith Hoss (502) 582–6015. Published FR 02–08–91—Review period extended.

EIS No. 910405, Final EIS, USN, MS, AL, EMPRESS II (Electromagnetic Pulse Radiation Environment Simulator for Ships) Operation, Gulf of Mexico and Berthing Site Selection, Mobile, AL; Gulfport, MS or Pascagoula, MS, Due: January 21, 1992, Contact: Ltc. Robert Deeme (703) 602–3333. Published FR 08–23–91—Review period extended.

Dated: December 16, 1991.

William D. Dickerson,

Deputy Director, Office of Federal Activities.

[FR Doc. 91–30463 Filed 15–19–91; 8:45 am]

BILLING CODE 6560–50–M

[FRL–4084–7]

Underground Injection Control Program; Hazardous Waste Disposal Injection Restrictions; Petition for Exemption—Class I Hazardous Waste Injection; Hoechst Celanese Chemical Group, Incorporated

AGENCY: Environmental Protection Agency.

ACTION: Notice of final decision petition reissuance.

SUMMARY: Notice is hereby given that a reissuance to an exemption to the land disposal restrictions under the 1984 Hazardous and Solid Waste Amendments to the Resource Conservation and Recovery Act has been granted to Hoechst Celanese Chemical Group, Incorporated, for the Class I injection wells located at Bay City, Texas. As required by 40 CFR part 148, the company has adequately demonstrated to the satisfaction of the Environmental Protection Agency by petition and supporting documentation that, to a reasonable degree of certainty, there will be no migration of hazardous constituents from the injection zone for as long as the waste remains hazardous. This final decision allows the underground injection by Hoechst Celanese Chemical Group, Incorporated, of the specific restricted hazardous waste identified in the petition reissuance, into the Class I hazardous waste injection wells at the Bay City, Texas facility specifically identified in the reissued petition, for as long as the basis for granting an approval of this petition remains valid, under provisions of 40 CFR 148.24. As required by 40 CFR 124.10, a public notice was issued October 3, 1991. The public comment period ended on November 18, 1991. All comments have been addressed and have been considered in the final Agency action and there is no Administrative appeal.

DATES: This action is effective as of December 11, 1991.

ADDRESSES: Copies of the reissued petition and all pertinent information relating thereto are on file at the following location: Environmental Protection Agency, Region 6, Water Management Division, Water Supply Branch (6W–SU), 1445 Ross Avenue, Dallas, Texas 75202–2733.

FOR FURTHER INFORMATION CONTACT: Oscar Cabra, Jr., Chief Municipal Facilities Branch, EPA—Region 6, telephone (214) 655–7110, (FTS) 255–7110.

Myron O. Knudson,

Director.

[FR Doc. 91–30468 Filed 12–19–91; 8:45 am]

BILLING CODE 6560–50–M

[FRL–4085–4]

Expert Panel on the Role of Science at EPA; Notice of Open Meeting

Under Public Law 92–463, notice is hereby given that the Expert Panel on the Role of Science at EPA will hold a public meeting on January 6, 1992, at the Loew's L'Enfant Plaza Hotel, 480 L'Enfant Plaza SW., Washington, DC. The meeting will begin at 1:30 p.m. and will end at 2:30 p.m.

The purpose of the meeting will be to discuss the findings and recommendations which the Panel plans to include in its report to the Administrator on the role of science at EPA, and to receive comments from members of the public. Any member of the public wishing to attend the meeting, present an oral statement, or submit a written statement should contact Gail Robarge, Office of Research and development (H–8105), U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, (202) 260–7669. For further information concerning the Panel or its activities, please contact Ms. Wendy Cleland-Hamnett, Designated Federal Official to the Panel, Office of the Administrator (A–101), U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, (202) 260–4724. Seating is limited due to the size of the room and will be on a first come basis.

Dated: December 16, 1991.

Wendy Cleland-Hamnett,

Special Assistant to the Administrator.

[FR Doc. 91–30460 Filed 12–19–91; 8:45 am]

BILLING CODE 6560–50–M

[FRL–4085–9]

Policy Dialogue Committee on Mining Wastes; Notice of Open Meeting

AGENCY: Environmental Protection Agency.

ACTION: FACA Committee Meeting—Policy Dialogue Committee on Mining Wastes.

SUMMARY: As required by Section 9(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), we are giving notice of the date and location of the January meeting of the Policy Dialogue Committee on Mining Waste. The purpose of the meeting is to further discuss the key elements of a mine waste program. The meetings are open to the public without advance registration. An opportunity for public comment will be offered at the end of each day of meeting.

DATES: The January meeting will be held on January 23, 1991 from 9 a.m. to 6 p.m. and on January 24, 1991 from 9 a.m. to 3 p.m.

ADDRESSES: The January meeting will be held at the Radisson Inn Maingate, 7501 U.S. 192 West, Kissimmee, Florida.

FOR FURTHER INFORMATION CONTACT: Persons needing further information on substantive aspects of the mining waste program should call Steve Hoffman, Office of Solid Waste, U.S. EPA, (703) 308–8413. Summaries of previous meetings will be made available upon written request to Patricia Whiting, Office of Solid Waste, (OS–323W), Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

Persons needing further information on administrative matters such as committee arrangement or procedures should contact Deborah Dalton, EPA Consensus and Dispute Resolution Program, (202) 382–5495 or the Committee's facilitator, John Ehrman, The Keystone Center, (303) 468–5822.

Dated: December 17, 1991.

Deborah Dalton,

Designated Federal Official, Deputy Director, Consensus and Dispute Resolution Program, Office of Policy, Planning and Evaluation.

[FR Doc. 91–30470 Filed 12–19–91; 8:45 am]

BILLING CODE 6560–50–M

[FRL–4084–8]

Notice of Proposed Administrative Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as Amended by the Superfund Amendments and Reauthorization Act

AGENCY: Environmental Protection Agency.

ACTION: Notice; Request for Public Comment.

SUMMARY: In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended by the Superfund Amendments and Reauthorization Act ("CERCLA"), notice is hereby given that a proposed administrative cost recovery settlement concerning the Southern Pacific Transportation Company Roseville, California rail yard site was issued by the Agency on November 15, 1991. The settlement resolves an EPA claim under Section 107 of CERCLA against the Southern Pacific Transportation Company ("Southern Pacific"). The settlement requires Southern Pacific to pay at least $530,574.30 to the Hazardous Substances Superfund. Although the response costs incurred by EPA for this site exceed $500,000, EPA may settle this matter without the prior written approval of the Attorney General because EPA is not compromising its claim.

For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency's response to any comments received will be available for public inspection at EPA Region 9 offices located at 75 Hawthorne Street, San Francisco, California.

DATES: Comments must be submitted on or before January 21, 1992.

ADDRESSES: The proposed settlement and additional background information relating to the settlement are available for public inspection at EPA Region 9 offices located at 75 Hawthorne Street, San Francisco, California 94105. A copy of the proposed settlement may be obtained at the same address from Elaine Yee (Mail Code: H-7-4), telephone (415) 744-2415. Comments should reference the Southern Pacific Transportation Company Roseville, California facility and EPA Docket No. 92-03 and should be addressed to Elaine Yee (Mail Code: H-7-4) at the above address.

FOR FURTHER INFORMATION CONTACT: Betsy Curnow (415) 744-2378.

Dated: December 2, 1991.

Jeff Zelikson,

Director, Hazardous Waste Management Division, EPA Region 9.

[FR Doc. 91-30471 Filed 12-19-91; 8:45 am]

BILLING CODE 6560-50-M

[OPTS-140168; FRL 4009-2]

Science Applications International Corporation; Access to Trade Secret Information

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has authorized Science Applications International Corporation, of Falls Church, VA, for access to information submitted to EPA pursuant to sections 303, 311, 312, 313, and 322 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), also known as Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA). Some of the information may be claimed or determined to be trade secret information.

DATES: Access to the trade secret information submitted to EPA will occur no sooner than December 31, 1991.

FOR FURTHER INFORMATION CONTACT: Steven D. Newburg-Rinn, Chief, Public Data Branch, Information Management Division, Office of Toxic Substances, Environmental Protection Agency, Rm. NE-G008, Mail Stop TS-793, 401 M St., SW., Washington DC 20460, Telephone: 202-260-3757.

SUPPLEMENTARY INFORMATION: Under EPCRA, industry must report information on the presence, use, production, and manufacture of certain chemicals to EPA. Under section 322 of EPCRA, facilities must send trade secrecy claims regarding their section 303, 311, 312, and 313 submittals to EPA. Under contract number 68-D1-0156, Science Applications International Corporation (SAIC), 7600-A Leesburg Pike, Falls Church, VA 22043, will assist the Office of Toxic Substances in processing the information submitted by industry in response to the requirements of sections 303, 311, 312, 313, and 322 of EPCRA. SAIC staff will conduct reviews of EPCRA submissions at the EPCRA Reporting Center where submissions are received and processed. SAIC will review selected submissions for technical accuracy and contact submitters regarding potential discrepancies.

EPA has determined that SAIC will require access to trade secret information under EPCRA to perform their contractual duties, and in doing so, SAIC personnel will sign nondisclosure agreements and follow all required security procedures.

EPA is issuing this notice to inform all submitters of trade secret information under the aforementioned EPCRA sections that EPA will provide SAIC personnel access to trade secret information on a need-to-know basis. All access to EPCRA trade secret information will take place at the EPCRA Reporting Center. Upon termination of their contract, or prior to termination of their contract at EPA's request, SAIC will return all material to EPA.

Clearance to access to EPCRA trade secret information under this contract is scheduled to expire on September 30, 1994.

Dated: December 13, 1991.

Linda A. Travers,

Director, Information Management Division, Office of Toxic Substances.

[FR Doc. 91-30473 Filed 12-19-1991; 8:45 am]

BILLING CODE 6560-50-F

[OPTS-140167; FRL 4009-1]

Planning Research Corporation; Access to Trade Secret Information

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has authorized Planning Research Corporation, and their subcontractor, Sycom, Incorporated of Chantilly, VA, for access to information submitted to EPA pursuant to sections 303, 311, 312, 313, and 322 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), also known as Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA). Some of the information may be claimed or determined to be trade secret information.

DATES: Access to the trade secret information submitted to EPA will occur no sooner than December 31, 1991.

FOR FURTHER INFORMATION CONTACT: Steven D. Newburg-Rinn, Chief, Public Data Branch, Information Management Division, Office of Toxic Substances, Environmental Protection Agency, Rm. NE-G008, Mail Stop TS-793, 401 M St., SW., Washington DC 20460, Telephone: 202-260-3757.

SUPPLEMENTARY INFORMATION: Under EPCRA, industry must report information on the presence, use, production, and manufacture of certain chemicals to EPA. Under section 322 of EPCRA, facilities must send trade secrecy claims regarding their section 303, 311, 312, and 313 submittals to EPA. Under contract number 68-01-7361, Sycom, Incorporated (Sycom), 14523 Lee Road, Chantilly, VA 22021, as subcontractor to Planning Research Corporation, assists the Office of Toxic Substances, Information Management Division in design, development, implementation, and maintenance of the Toxic Chemical Release Inventory data base in response to the requirements of sections 303, 311, 312, and 313 of EPCRA. Specifically, Sycom maintains a data base, called the Toxic Chemical Release Inventory, and an associated document tracking system for the purpose of electronically storing data collected by the EPA in accordance with requirements of EPCRA section 313.

EPA has determined that Sycom requires access to trade secret information under EPCRA to carry out their contractual duties, and in doing so, Sycom personnel will sign nondisclosure agreements and follow all required security procedures.

EPA is issuing this notice to inform all submitters of trade secret information under the aforementioned EPCRA sections that EPA will provide Sycom personnel access to trade secret information on a need-to-know basis. All access to EPCRA trade secret information will take place at the EPCRA Reporting Center. Upon termination of their contract, or prior to

termination of their contract at EPA's request, Sycom will return all material to EPA.

EPA announced clearance to access to EPCRA trade secret information by Planning Research Corporation and Sycom in notices published in the **Federal Register** of June 10, 1988 (53 FR 21916), and September 23, 1991 (56 FR 47959). The latter notice indicated that clearance to access under this contract was expected to expire December 31, 1991. Pursuant to this notice, access to clearance to EPCRA trade secret information under this contract is extended and expected to expire on March 31, 1992. Clearance to access under this notice will be extended for so long as Sycom continues to perform the duties described above pursuant to any contract renewal or other existing contract.

Dated: December 13, 1991.

Linda A. Travers,

Director, Information Management Division, Office of Toxic Substances.

[FR Doc. 91-30472 Filed 12-19-91; 8:45 am]

BILLING CODE 6560-50-F

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Proposed Modifications to Employer Information Report (EEO-1) Survey Form and Instructions; Cancellation of Public Hearing

AGENCY: Equal Employment Opportunity Commission.

ACTION: Proposed Change: cancellation of hearing.

SUMMARY: Notice is hereby given that the Commission is cancelling the public hearing on the above proposed modifications of its Employer Information Report (EEO-1) Survey Form and Instructions. The Commission did not receive any notices of intent to give oral testimony at the hearing within the thirty-day time period specified in the hearing notice of October 4, 1991, 56 FR 50333. Therefore, it will not be necessary to hold the hearing.

FOR FURTHER INFORMATION CONTACT: Joachim Neckere, Director, Program Research and Survey Division at (202) 663-4958 (voice) or (202) 708-9300 (TDD), Equal Employment Opportunity Commission, 1801 L Street, NW., Washington, DC 20507.

Signed this day at Washington, DC.

Dated: December 12, 1991.

For the Commission.

Evan J. Kemp, Jr.,

Chairman.

[FR Doc. 91-30414 Filed 12-19-91; 8:45 am]

BILLING CODE 6570-01-M

FEDERAL COMMUNICATIONS COMMISSION

Public Information Collection Requirement Submitted to Office of Management and Budget for Review

December 13, 1991.

The Federal Communications Commission has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

Copies of this submission may be purchased from the Commission's copy contractor, Downtown Copy Center, 1114 21st Street, NW., Washington, DC 20036, (202) 452-1422. For further information on this submission contact Judy Boley, Federal Communications Commission, (202) 632-7513. Persons wishing to comment on this information collection should contact Jonas Neihardt, Office of Management and Budget, room 3235 NEOB, Washington, DC 20503, (202) 395-4814.

OMB Number: 3060-0050.

Title: Application for Ship Radio Inspection or Survey.

Form Number: FCC Form 801.

Action: Revision.

Respondents: Businesses or other for-profit (including small businesses).

Frequency of Response: On occasion reporting.

Estimated Annual Burden: 4,000 responses; .25 hours average burden per response; 1,000 hours total annual burden.

Needs and Uses: The FCC Form 801 is used by licensees to request an inspection of their shipboard radio service and to provide the inspecting office with necessary data to perform the inspection. The revision to this information collection is to incorporate fee processing data into the form. The information is used by FCC personnel to determine if radio stations on-board ships meet required specifications to guarantee public safety, when it is determined that all required specifications are met, a safety certificate is issued.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 91-30487 Filed 12-19-91; 8:45 am]

BILLING CODE 6712-01-M

Johnson, Andrea, L., et al.; Applications for Consolidated Hearing

1. The Commission has before it the following mutually exclusive applications for a new FM station:

Applicant, city, and state	File No.	MM docket
A. Andrea L. Johnson, Ashtabula, Ohio.	BPH-891207MF	91-356
B. James T. Embrescia, Ashtabula, Ohio.	BPH-891207MG	
C. Lakeland Communications, Ashtabula, Ohio.	BPH-891207ME (Dismissed Herein)	
D. Ashtabula FM Radio, Inc., Ashtabula, Ohio.	BPH-891207MJ (Dismissed Herein)	
E. Ashtabula-Conneaut Communications Company, Ashtabula, Ohio.	BPH-891207MK (Dismissed Herein)	

Issue Heading and Applicant(s)

1. Comparative—A, B.
2. Ultimate—A, B.

II

Applicant, city, and state	File No.	MM docket
A. Faith Bible College, Milton, FL.	BPED-910402MC	91-354
B. Okaloosa Public Radio, Inc., Baker, FL.	BPED-901016MK	

Issue Heading and Applicant(s)

1. Environmental Impact—B.
2. 307(b) Noncommercial Educational—A, B.
3. Contingent Comparative—Noncommercial Education FM—A, B.
4. Ultimate—A, B.

III

Applicant, city, and state	File No.	MM docket No.
A. Showem, Inc., New Port Richey, FL.	BPED-881130ID	91-357
B. Christian Family Cinema, Inc., Crystal River, FL.	BPED-890410MD	
C. Sonlight Public Broadcasting Network, Inc., Homosassa Springs, FL.	BPED-890531ME	

Issue Heading and Applicant(s)

1. Air Hazard—B.
2. (See Appendix)—B.

3. 307(b), Noncommercial Educational—A–C.

4. Contingent Comparative, Noncommercial Educational FM—A–C.

5. Ultimate—A–C.

Appendix

Additional Issue Paragraph

2. To determine whether Christian Family Cinema, Inc. is a qualified educational organization as required by 47 C.F.R. § 73.503(a).

IV

Applicant city, and state	File No.	MM docket No.
A. Interfaith Christian Union, Inc., South Bend, IN.	BPED–890919MD	91–355
B. Cross Country Broadcasting, Inc., South Bend, IN.	BPED–900717MG	

Issue Heading and Applicant(s)

1. Air Hazard—A.

2. Comparative—Noncommercial, Educational FM—A, B.

3. Ultimate—A, B.

2. Pursuant to section 309(e) of the Communications Act of 1934, as amended, the above applications have been designated for hearing in a consolidated proceeding upon the issues whose headings are set forth below. The text of each of these issues has been standardized and is set forth in its entirety under the corresponding headings at 51 FR 19347, May 29, 1986.

The letter shown before each applicant's name, above, is used below to signify whether the issue in question applies to that particular applicant.

3. If there is any non-standardized issue(s) in this proceeding, the full text of the issue and the applicant(s) to which it applies are set forth in an Appendix to this Notice. A copy of the complete HDO in this proceeding is available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street, NW., Washington DC. The complete text may also be purchased from the Commission's duplicating contractor, Downtown Copy Center, 1114 21st Street, NW., Washington, DC 20036 (Telephone No. (202) 452–1422).

W. Jan Gay,

Assistant Chief, Audio Services Division, Mass Media Bureau.

[FR Doc. 91–30485 Filed 12–19–91; 8:45 am]

BILLING CODE 6712–01–M

FEDERAL DEPOSIT INSURANCE CORPORATION

Statement of Policy on EDP Examination, Scheduling, and Report Distribution; Rescission of Statement of Policy

AGENCY: Federal Deposit Insurance Corporation ("FDIC").

ACTION: Notice of Rescission of Statement of Policy.

SUMMARY: This notice rescinds the policy statement concerning EDP examination, scheduling, and report distribution adopted by the FDIC Board of Directors on June 9, 1978 (43 FR 25739, June 14, 1978), as amended on April 23, 1979 (44 FR 26794, May 7, 1979).

EFFECTIVE DATE: December 20, 1991.

FOR FURTHER INFORMATION CONTACT: Stephen A. White, Review Examiner (EDP), Compliance and Special Review Section, Division of Supervision, FDIC, 550 17th Street, NW., Washington, DC 20429, telephone (202) 898–6923.

SUPPLEMENTARY INFORMATION: On September 12, 1991, the Task Force on Supervision of the Federal Financial Institutions Examination Council ("FFIEC") approved, under delegated authority, an EDP Interagency Examination, Scheduling and Distribution Policy. The Division of Supervision of the FDIC has determined that it is in its interest to adopt the FFIEC policy. The FDIC policy statement is no longer necessary and, therefore, is rescinded by the FDIC Board of Directors.

By order of the Board of Directors.

Dated at Washington, DC this 2nd day of December, 1991.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 91–30415 Filed 12–19–91; 8:45 am]

BILLING CODE 6714–01–M

FEDERAL MARITIME COMMISSION

Items Submitted for OMB Review

The Federal Maritime Commission hereby gives notice that the following items have been submitted to OMB for review pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3601, et. seq.). Requests for information, including copies of the collection of information and supporting documentation, may be obtained from Norman W. Littlejohn, Director, Bureau of Administration, Federal Maritime Commission, 1100 L Street, NW., room 12211, Washington, DC 20573, telephone number (202) 523-5866. Comments may be submitted to the agency and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, Attention: Desk Officer for the Federal Maritime Commission, within 15 days after the date of the **Federal Register** in which this notice appears.

Summary of Items Submitted for OMB Review

46 CFR Part 550—Publishing, Filing and Posting of Tariffs in Domestic Offshore Commerce

FMC requests an extension of clearance for 46 CFR 550 which provides tariff filing rules for common carriers in the domestic offshore commerce, pursuant to the Shipping Act, 1916, and the Intercoastal Act, 1933. The rule requires that carriers file and keep open for public inspection a schedule of their rates and charges for the transport of cargo. The Commission estimates an annual respondent universe of 168, with a total estimated annual 3,375 manhour burden. Total cost to the Federal Government is estimated at $192,300; total cost to respondents is estimated at $50,200.

46 CFR Part 552—Financial Reports of Vessel Operating Common Carriers by Water in the Domestic Offshore Trades and Related Forms FMC–377 and FMC–378

FMC requests an extension of clearance for regulations which establish methodologies to be used in evaluating rates filed by vessel operating common carriers in the domestic offshore trades who are subject to the Intercoastal Shipping Act, 1933. Total estimated annual burden for 13 tug and barge operators and 20 self-propelled operators is 2559.6 manhours. Total estimated annual cost to the Federal Government is approximately $19,100; total estimated annual cost to respondents is approximately $50,400.

46 CFR Part 553—Financial Exhibits and Schedules of Non-Vessel-Operating Common Carriers in the Domestic Offshore Trades and Related Form FMC–379

FMC requests extension of clearance for regulations which will facilitate the orderly acquisition of data required in those instances where the Commission institutes an investigation and hearing with respect to proposed rate changes by non-vessel operating common carriers in the domestic offshore trades subject to the Shipping Act, 1933. No reports have been received in the past eleven years, therefore, the Commission is estimating a potential estimated

respondent universe of 10 NVOCCs with an estimated 150 manhours per year. The annual cost to the Federal Government and respondents is nominal because there is no reason to believe that a significant number of reports will be received during the renewal period.

Joseph C. Polking,

Secretary.

[FR Doc. 91-30377 Filed 12-19-91; 8:45 am]

BILLING CODE 6730-01-M

Organization and Functions of the Federal Maritime Commission; C.O. 1, Amdt. No. 17

The following delegation of authority is made to the Director, Bureau of Tariffs, Certification and Licensing, by amending Commission Order 1, section 9, as revised, Specific Authorities Delegated to the Director, Bureau of Tariffs, Certification and Licensing by adding subsection 9.15 to read as follows:

9.15 Authority contained in 46 CFR part 581 to approve requests for permission to correct clerical or administrative errors in the essential terms of filed service contracts. Any proposed denial of such a request shall be forwarded to the Commission for its review and action.

Dated: December 16, 1991.

Christopher L. Koch,

Chairman.

[FR Doc. 91-30436 Filed 12-19-91; 8:45 am]

BILLING CODE 6730-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 91N-0501]

Drug Export: HibTITER® Haemophilus B Conjugate Vaccine

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that Praxis Biologics, Inc., has filed an application requesting approval for the export of the biological product HibTITER® Haemophilus B Conjugate Vaccine (Diphtheria CRM_{197} Protein Conjugate) indicated for the immunization of children 2 months to 59 months of age against invasive disease caused by *Haemophilus influenzae* Type B to Canada.

ADDRESSES: Relevant information on this application may be directed to the Dockets Management Branch (HFA-305), Food and Drug Administration, rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857, and to the contact person identified below. Any future inquiries concerning the export of human biological products under the Drug Export Amendments Act of 1986 should also be directed to the contact person.

FOR FURTHER INFORMATION CONTACT: Boyd Fogle, Jr., Center for Biologics Evaluation and Research (HFB-120), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-295-8191.

SUPPLEMENTARY INFORMATION: The drug export provisions in section 802 of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 382)) provide that FDA may approve applications for the export of biological products that are not currently approved in the United States. Section 802(b)(3)(B) of the act sets forth the requirements that must be met in an application for approval. Section 802(b)(3)(C) of the act requires that the agency review the application within 30 days of its filing to determine whether the requirements of section 802(b)(3)(B) have been satisfied. Section 802(b)(3)(A) of the act requires that the agency publish a notice in the **Federal Register** within 10 days of the filing of an application for export to facilitate public participation in its review of the application. To meet this requirement, the agency is providing notice that Praxis Biologics, Inc., 30 Corporate Woods, Suite 300, Rochester, NY 14623, has filed an application requesting approval for the export of HibTITER® Haemophilus B Conjugate Vaccine (Diphtheria CRM_{197}) Protein Conjugate) indicated for the immunization of children 2 months to 59 months of age against invasive disease caused by *Haemophilus influenzae* Type B to Canada. The HibTITER® Haemophilus B Conjugate Vaccine (Diphtheria CRM_{197} Protein Conjugate) is a sterile solution of a conjugate of oligosaccharides of the capsular antigen of *Haemophilus influenzae* Type B (haemophilus B) and diphtheria CRM_{197} protein (CRM_{197}) dissolved in 0.9 percent sodium chloride.

The application was received and filed in the Center for Biologics Evaluation and Research on November 13, 1991, which shall be considered the filing date for purposes of the act.

Interested persons may submit relevant information on the application to the Dockets Management Branch (address above) in two copies (except that individuals may submit single copies) and identified with the docket number found in brackets in the heading of this document. These submissions may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

The agency encourages any person who submits relevant information on the application to do so by December 30, 1991, and to provide an additional copy of the submission directly to the contact person identified above, to facilitate consideration of the information during the 30-day review period.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (sec. 802 (21 U.S.C. 382)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Center for Biologics Evaluation and Research (21 CFR 5.44).

Dated: December 6, 1991.

Thomas S. Bozzo,

Director, Office of Compliance, Center for Biologics Evaluation and Research.

[FR Doc. 91-30423 Filed 12-19-91; 8:45 am]

BILLING CODE 4160-01-M

Advisory Committees; Notice of Meetings

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: This notice announces forthcoming meetings of public advisory committees of the Food and Drug Administration (FDA). This notice also summarizes the procedures for the meetings and methods by which interested persons may participate in open public hearings before FDA's advisory committees.

MEETINGS: The following committee meetings are announced:

Biological Response Modifiers Advisory Committee

Date, time, and place. January 16, 1992, 10 a.m., and January 17, 1992, 8:30 a.m., Bethesda Holiday Inn, Versailles Ballrooms II, III, and IV, 8120 Wisconsin Ave., Bethesda, MD.

Type of meeting and contact person. Open public hearing, January 16, 1992, 10 a.m. to 10:30 a.m., unless public participation does not last that long; open committee discussion, 10:30 a.m. to 4:30 p.m.; closed committee deliberations, January 17, 1992, 8:30 a.m. to 9:30 a.m.; open public hearing, 9:30 a.m. to 10 a.m., unless public participation does not last that long; open committee discussion, 10 a.m. to 4:30 p.m.; Anna J. Baldwin, Center for Biologics Evaluation and Research (HFB-5), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4695.

General function of the committee. The committee reviews and evaluates data relating to the safety, effectiveness, and appropriate use of biological response modifiers which are intended for use in the

prevention and treatment of a broad spectrum of human diseases.

Agenda—Open public hearing. Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Those desiring to make formal presentations should notify the contact person before January 9, 1992, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time required to make their comments.

Open committee discussion. On January 16, 1992, the committee will discuss the use of Oncoscint® (Cytogen Corp.) for the diagnosis of primary and recurrent ovarian carcinoma. On January 17, 1992, the committee will discuss the use of interleukin–2 (Cetus Corp.) for the treatment of metastatic renal cell carcinoma.

Closed committee deliberations. On January 17, 1992, the committee will discuss trade secret or confidential commercial information relevant to pending product license applications in the Center for Biologics Evaluation and Research. This portion of the meeting will be closed to permit discussion of this information (5 U.S.C. 552b(c)(4)).

Arthritis Advisory Committee

Date, time, and place. January 23, 1992, 9 a.m., and January 24, 1992, 8:30 a.m., Conference Rms. G, H, and I, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD 20857.

Type of meeting and contact person. Open public hearing, January 23, 1992, 9 a.m. to 10 a.m., unless public participation does not last that long; open committee discussion, 10 a.m. to 5 p.m.; closed committee deliberations, January 24, 1992, 8:30 a.m. to 4 p.m.; Khairy W. Malek, Center for Drug Evaluation and Research, HFD–9, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–3741.

General function of the committee. The committee reviews and evaluates data on the safety and effectiveness of marketed and investigational human drugs for use in arthritic conditions.

Agenda—Open public hearing. Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Those desiring to make formal presentations should notify the contact person before January 9, 1992, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time required to make their comments.

Open committee discussion. On January 23, 1992, the committee will discuss investigational new drug application (IND) IND 31–135/new drug application (NDA) NDA 20–202 for 8-methoxypsoralen/photopheresis for scleroderma (sponsors are Therakos and ICN/Viratek).

Closed committee deliberations. On January 24, 1992, the committee will review and discuss trade secrets and/or confidential information relevant to IND's 30–150 and 22–545. This portion of the meeting will be closed to permit discussion of this information (5 U.S.C. 552b(c)(4)).

Ophtalmic Devices Panel of the Medical Devices Advisory Committee

Date, time, and place. January 23 and 24, 1992, 9 a.m., Auditorium, first floor, Hubert H. Humphrey Bldg., 200 Independence Ave. SW., Washington, DC.

Type of meeting and contact person. Open public hearing, January 23, 1992, 9 a.m. to 10 a.m., unless public participation does not last that long; open committee discussion, 10 a.m. to 3 p.m.; closed committee deliberations, 3 p.m. to 4 p.m.; open committee discussion 4 p.m. to 5 p.m.; open public hearing, January 24, 1992, 9 a.m. to 10 a.m., unless public participation does not last that long; open committee discussion; 10 a.m. to 3 p.m.; closed committee deliberations, 3 p.m. to 4 p.m.; open committee discussion, 4 p.m. to 5 p.m.; Daniel W.C. Brown, Center for Devices and Radiological Health (HFZ–460), Food and Drug Administration, 1390 Piccard Dr., Rockville, MD 20850, 301–427–1080.

General function of the committee. The committee reviews and evaluates data on the safety and effectiveness of marketed and investigational devices and makes recommendations for their regulation.

Agenda—Open public hearing. Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Those desiring to make formal presentations should notify the contact person before January 9, 1992, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time required to make their comments.

Open committee discussion. On January 23, 1992, the committee will discuss general issues relating to approvals of premarket approval applications (PMA's) for intraocular lenses. If discussion of all intraocular lenses and other pertinent issues is not completed on January 23, 1992, discussion will be continued on January 24, 1992. On January 24, 1992, the committee will discuss issues relating to approvals of PMA's for class III surgical and diagnostic devices. Also, there will be a generic discussion and contact lens issues.

Closed committee deliberations. The committee may discuss trade secret and/or confidential commercial information relevant to PMA's for contact lenses. surgical and diagnostic devices, or other ophthalmic devices. This portion of the meeting will be closed to permit discussion of this information (5 U.S.C. 552b(c)(4)).

Vaccines and Related Biological Products Advisory Committee

Date, time, and place. January 30, 1992, 8:30 a.m., National Institutes of Health, Bldg. 1, Wilson Hall, 9000 Rockville Pike, Bethesda, MD.

Type of meeting and contact person. Open public hearing, 8:30 a.m. to 9:30 a.m., unless public participation does not last that long; open committee discussion, 9:30 a.m. to 1:30 p.m.; closed committee deliberations, 1:30 p.m. to 5 p.m.; Jack Gertzog, Center for Biologics Evaluation and Research (HFB–5), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20856, 301–443–5455.

General function of the committee. The committee reviews and evaluates data on the safety and effectiveness of vaccines intended for use in the diagnosis, prevention, or treatment of human diseases.

Agenda—Open public hearing. Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Those desiring to make formal presentations should notify the contact person before January 16, 1992 and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time required to make their comments.

Open committee discussion. The committee will discuss influenza vaccine formulation for the 1992 and 1993 flu season.

Closed committee deliberations. The committee will review trade secret and/or confidential commercial information relevant to a pending IND. This portion of the meeting will be closed to permit discussion of this information (5 U.S.C. 552b(c)(4)).

Obstetrics and Gynecology Devices Panel of the Medical Devices Advisory Committee

Date, time, and place. January 31, 1992, 8 a.m., Holiday Inn Crown Plaza, Plaza Ballroom, 1750 Rockville Pike, Rockville, MD. If room reservations are made at the Holiday Inn Crown Plaza, please reference group number 8618 to obtain a special group rate.

Type of meeting and contact person. Open public hearing, 8 a.m. to 10 a.m., unless public participation does not last that long; open committee discussion, 10 a.m. to 4:30 p.m.; closed presentation of data, 4:30 p.m. to 5 p.m.; Colin M. Pollard, Center for Devices and Radiological Health (HFZ–470), Food and Drug Administration, 1390 Piccard Dr., Rockville, MD 20850, 301–427–1194.

General function of the committee. The committee reviews and evaluates data on the safety and effectiveness of marketed and investigational devices and makes recommendations for their regulations.

Agenda—Open public hearing. Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Those desiring to make formal presentations should notify the contact person before January 17, 1992 and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time required to make their comments.

Open committee discussion. The committee will discuss a PMA for a barrier contraceptive device worn by women that also is intended to prevent the transmission of sexually transmitted diseases. The committee may or may not also discuss a PMA for a home uterine activity monitor.

Closed presentation of data. The committee may discuss trade secret and/or confidential commercial information regarding these devices. This portion of the meeting will be

closed to permit discussion of this information (5 U.S.C. 552b(c)(4)).

Each public advisory committee meeting listed above may have as many as four separable portions: (1) An open public hearing, (2) an open committee discussion, (3) a closed presentation of data, and (4) a closed committee deliberation. Every advisory committee meeting shall have an open public hearing portion. Whether or not it also includes any of the other three portions will depend upon the specific meeting involved. The dates and times reserved for the separate portions of each committee meeting are listed above.

The open public hearing portion of each meeting shall be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1 hour time limit for an open public hearing represents a minimum rather than a maximum time for public participation, and an open public hearing may last for whatever longer period the committee chairperson determines will facilitate the committee's work.

Public hearings are subject to FDA's guideline (subpart C of 21 CFR part 10) concerning the policy and procedures for electronic media coverage of FDA's public administrative proceedings, including hearings before public advisory committees under 21 CFR part 14. Under 21 CFR 10.205, representatives of the electronic media may be permitted, subject to certain limitations, to videotape, film, or otherwise record FDA's public administrative proceedings, including presentations by participants.

Meetings of advisory committees shall be conducted, insofar as is practical, in accordance with the agenda published in this **Federal Register** notice. Changes in the agenda will be announced at the beginning of the open portion of a meeting.

Any interested person who wishes to be assured of the right to make an oral presentation at the open public hearing portion of a meeting shall inform the contact person listed above, either orally or in writing, prior to the meeting. Any person attending the hearing who does not in advance of the meeting request an opportunity to speak will be allowed to make an oral presentation at the hearing's conclusion, if time permits, at the chairperson's discretion.

The agenda, the questions to be addressed by the committee, and a current list of committee members will be available at the meeting location on the day of the meeting.

Transcripts of the open portion of the meeting will be available from the Freedom of Information Office (HFI–35), Food and Drug Administration, Rm. 12A–16, 5600 Fishers Lane, Rockville, MD 20857, approximately 15 working days after the meeting, at a cost of 10 cents per page. The transcript may be viewed at the Dockets Management Branch (HFA–305), Food and Drug Administration, Rm. 1–23, 12420 Parklawn Dr., Rockville, MD 20857, approximately 15 working days after the meeting, between the hours of 9 a.m. and 4 p.m., Monday through Friday. Summary minutes of the open portion of the meeting will be available from the Freedom of Information Office (address above) beginning approximately 90 days after the meeting.

The Commissioner, with the concurrence of the Chief Counsel, has determined for the reasons stated that those portions of the advisory committee meetings so designated in this notice shall be closed. The Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2, 10(d)), permits such closed advisory committee meetings in certain circumstances. Those portions of a meeting designated as closed, however, shall be closed for the shortest possible time, consistent with the intent of the cited statutes.

The FACA, as amended, provides that a portion of a meeting may be closed where the matter for discussion involves a trade secret; commercial or financial information that is privileged or confidential; information of a personal nature, disclosure of which would be a clearly unwarranted invasion of personal privacy; investigatory files compiled for law enforcement purposes; information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action; and information in certain other instance not generally relevant to FDA matters.

Examples of portions of FDA advisory committee meetings that ordinarily may be closed, where necessary and in accordance with FACA criteria, include the review, discussion, and evaluation of drafts of regulations or guidelines or similar preexisting internal agency documents, but only if their premature disclosure is likely to significantly frustrate implementation of proposed agency action; review of trade secrets and confidential commercial or financial information submitted to the agency; consideration of matters involving investigatory files compiled for law enforcement purposes; and review of matters, such as personnel records or individual patient records, where disclosure would constitute a clearly unwarranted invasion of personal privacy.

Examples of portions of FDA advisory committee meetings that ordinarily shall not be closed include the review, discussion, and evaluation of general preclinical and clinical test protocols and procedures for a class of drugs or devices; consideration of labeling requirements for a class of marketed drugs or devices; review of data and information on specific investigational or marketed drugs and devices that have previously been made public; presentation of any other data or information that is not exempt from public disclosure pursuant to the FACA, as amended; and, notably deliberative session to formulate advice and recommendations to the agency on matters that do not independently justify closing.

This notice is issued under section 10(a) (1) and (2) of the Federal Advisory Committee Act (5 U.S.C. App. 2), and FDA's regulations (21 CFR part 14) on advisory committees.

Dated: December 17, 1991.

David A. Kessler,

Commissioner of Food and Drugs.

[FR Doc. 91–30490 Filed 12–19–91; 8:45 am]

BILLING CODE 4160–01–M

National Institutes of Health

Meeting Correction

On November 15, 1991 (56 FR 58069), the National Institutes of Health (NIH) published a notice of meeting in the **Federal Register** announcing a public hearing on December 11, 1991, conducted by a subcommittee of the Advisory Committee of the Director, NIH, to receive input about the working document titled "Management of Research Costs: Indirect Costs." The previous notice is hereby corrected to state that the public hearing scheduled on December 11 will be conducted by a panel of Federal employees representing the NIH and the Department of Health and Human Services.

Dated: December 9, 1991.

Bernadine Healy,

Director, NIH.

[FR Doc. 91–30417 Filed 12–19–91; 8:45 am]

BILLING CODE 4140–01–M

Public Health Service

Agency Forms Submitted to the Office of Management and Budget for Clearance

Each Friday the Public Health Service (PHS) publishes a list of information collection requests it has submitted to the Office of Management and Budget (OMB) for clearance in compliance with the Paperwork Reduction Act (44 U.S.C. chapter 35). The following requests have been submitted to OMB since the list was last published on November 22, 1991.

(Call PHS Reports Clearance Officer on 202–245–2100 for copies of request.)

1. Survey of Physicians Receiving Training From Regional Aids Education and Training Centers—New—A national survey of physicians trained at Regional Aids Education and Training Centers will be conducted to determine residual barriers and impediments to physician involvement in care of patients with Human Immunodeficiency Viral (HIV) disease. This information will be used to plan and develop future medical education strategies and programs. Respondents: Individuals or households; Number of Respondents: 800; Number of Responses per Respondent: 1; Average Burden per Response: .25 hours; Estimated Annual Burden: 200 hours.

2. AIDS Cost and Services Utilization Survey—0937–0190—This survey will obtain health care resources utilization, cost and insurance information from patients with AIDS and other HIV-related illnesses across the country and

from their providers. Data will be used to estimate total resources used by patients and variations in patterns of use in order to guide policymakers in decisions regarding allocations of resources. Respondents: Individuals or households, businesses or other for-profit, non-profit institutions, small businesses or organizations.

	Number of respond-ents	Number of re-sponses per respond-ent	Number of hours per response
Patient survey	2,094	4	.45
Providers	2,523	1	.59

Estimated annual burden: 5,257 hours.

OMB Desk Officer: Shannah Koss-McCallum.

Written comments and recommendations for the proposed information collections should be sent within 30 days of this notice directly to the OMB Desk Officer designated above at the following address: Human Resources and Housing Branch, New Executive Office Building, room 3002, Washington, DC 20503.

Date: December 13, 1991.

Sandra K. Mahkorn,

Deputy Assistant Secretary for Public Health Policy.

[FR Doc. 91-30378 Filed 12-19-91; 8:45 am]

BILLING CODE 4160-17-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Community Planning and Development

[Docket No. N-91-1917; FR-2934-N-57]

Federal Property Suitable as Facilities to Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

ADDRESSES: For further information, contact James N. Forsberg, room 7262, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410; telephone (202) 708-4300; TDD number for the hearing- and speech-impaired (202) 708-2565 (these telephone numbers are not toll-free), or call the toll-free title V information line at 1-800-927-7588.

SUPPLEMENTARY INFORMATION: In accordance with 24 CFR 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless* v. *Veterans Administration,* No. 88-2503-OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Judy Breitman, Division of Health Facilities Planning, U.S. Public Health Service, HHS, room 17A-10, 5600 Fishers Lane, Rockville, MD 20857; (301) 443-2265. (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 56 FR 23789 (May 24, 1991).

For properties listed as suitable/to be excess, that property may, if subsequently accepted as excess by GSA, be made available for use by the homeless in accordance with applicable law, subject to screening for other Federal use. At the appropriate time, HUD will publish the property in a Notice showing it as either suitable/available or suitable/unavailable.

For properties listed as suitable/unavailable, the landholding agency has decided that the property cannot be declared excess or made available for use to assist the homeless, and the property will not be available.

Properties listed as unsuitable will not be made available for any other purpose for 20 days from the date of this Notice. Homeless assistance providers interested in a review by HUD of the determination of unsuitability should call the toll free information line at 1-800-927-7588 for detailed instructions or write a letter to James N. Forsberg at the address listed at the beginning of this Notice. Included in the request for review should be the property address (including zip code), the date of publication in the **Federal Register**, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (*i.e.*, acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landholding agencies at the following addresses: U.S. Army: Robert Conte, Dept. of Army, Military Facilities, DAEN-ZCI-P; rm. 1E671, Pentagon, Washington, DC 20310-2600; (202) 693-4583; (This is not a toll-free number.)

Correction: Property Number 549120003 published in the Notice on December 6, 1991, is now leased.

Dated: December 12, 1991.

Paul Roitman Bardack,

Deputy Assistant Secretary for Economic Development.

TITLE V, FEDERAL SURPLUS PROPERTY PROGRAM; FEDERAL REGISTER REPORT FOR 12/20/91

Suitable/Available Properties

Buildings (by State)

Alabama

Bldg. T00220
Fort McClellan
Fort McClellan Co: Calhoun, AL 36205-5000
Location: Take a left turn off Baltzell Gate Road
Landholding Agency: Army
Property Number: 219110041
Status: Underutilized
Comment: 1040 sq. ft.; 1 story wood frame; needs major rehab; termite infested; off-site use only.

Bldg. T00221
Fort McClellan
Fort McClellan Co: Calhoun, AL 36205-5000
Location: Take left turn off Baltzell Gate Road.

Landholding Agency: Army
Property Number: 219110042
Status: Underutilized
Comment: 4125 sq. ft.; one story wood frame; need major rehab; termite infested; presence of asbestos; off-site use only.

Bldg. T00796
Fort McClellan Co: Calhoun, AL 36205–5000
Location: Intersection of 19th and 20th Streets.
Landholding Agency: Army
Property Number: 219110043
Status: Unutilized
Comment: 1340 sq. ft.; one story wood frame; needs major rehab; presence of asbestos; off-site use only.

Bldg. T00883
Fort McClellan
3rd Avenue
Ft. McClellan Co: Calhoun, AL 36205–5000
Landholding Agency: Army
Property Number: 219110044
Status: Unutilized
Comment: 760 sq. ft.; one story wood frame; needs major rehab; presence of asbestos; off-site use only.

Bldg. T00890
Ft. McClellan
2nd Avenue
Ft. McClellan Co: Calhoun, AL 36205–5000
Landholding Agency: Army
Property Number 219110045
Status: Underutilized
Comment: 1713 sq. ft.; one story wood frame; needs major rehab; presence of asbestos; off-site use only.

Bldg. T00895
Ft. McClellan
3rd Avenue in Area 8 Motor Pool Compound
Ft. McClellan Co: Calhoun, AL 36205–5000
Landholding Agency: Army
Property Number: 219110047
Status: Unutilized
Comment: 108 sq. ft.; one story wood floor with metal walls; off-site use only.

Bldgs. T01121, T01123, T01124
Ft. McClellan
MacArthur Avenue
Ft. McClellan Co: Calhoun, AL 36205–5000
Landholding Agency: Army
Property Numbers 219110048–219110050
Status: Unutilized
Comment: 2400 sq. ft. each; two story wood frame; needs rehab; presence of asbestos; off-site use only.

Bldg. T01125
Ft. McClellan
21st Street and MacArthur Avenue
Ft. McClellan Co: Calhoun, AL 36205–5000
Landholding Agency: Army
Property Number: 219110051
Status: Unutilized
Comment: 2556 sq. ft.; one story wood frame; needs rehab; presence of asbestos; off-site use only.

Bldg. T01394
Ft. McClellan
4th Avenue in Area 13 of Post
Ft. McClellan Co: Calhoun, AL 36205–5000
Landholding Agency: Army
Property Number: 219110052
Status: Unutilized
Comment: 191 sq. ft.; one story tin and lumber building; needs major rehab; off-site use only.

Bldg. T01692
Ft. McClellan
25th Street
Ft. McClellan Co: Calhoun, AL 36205–5000
Landholding Agency: Army
Property Number: 219110053
Status: Unutilized
Comment: 4404 sq. ft.; one story wood frame; needs rehab; presence of asbestos; off-site use only.

Bldgs T02264, T02226—T02268
Ft. McClellan
Ft. McClellan Co: Calhoun, AL 36205–5000
Landholding Agency: Army
Property Numbers: 219110054–219110057
Status: Unutilized
Comment: 664 sq. ft. each; one story wood frame; needs major rehab; electrical hazard; presence of asbestos; off-site use only.

Bldg. T00123
Post Chapel—Fort Rucker
5th Avenue Co: Dale, AL 36362–
Landholding Agency: Army
Property Number: 219110145
Status: Unutilized
Comment: 4798 sq. ft.; 1 story wood structure; minor repairs; scheduled to be vacated September 1991.

Bldg. T09307
Post Chapel—Fort Rucker
3rd Avenue
Fort Rucker Co: Dale, AL 36362–
Landholding Agency: Army
Property Number: 219110146
Status: Unutilized
Comment: 3739 sq. ft.; 1 story wood structure; minor repairs; scheduled to be vacated September 1991.

Bldg. T9309
Fort Rucker—Education Facility
3rd Avenue
Fort Rucker Co: Dale, AL 36362–
Landholding Agency: Army
Property Number 219110147
Status: Unutilized
Comment: 1500 sq. ft.; 1 story wood structure; minor repairs; scheduled to be vacated September 1991.

Bldg. T05020—Fort Rucker
3rd Avenue
Fort Rucker Co: Dale, AL 36362–
Landholding Agency: Army
Property Number: 219120108
Status: Unutilized
Comment: 2500 sq. ft.; one story, possible asbestos, off-site use only.

Bldg. T08901—Fort Rucker
7th Avenue
Fort Rucker Co: Dale, AL 36362–
Landholding Agency: Army
Property Number: 219120109
Status: Unutilized
Comment: 2350 sq. ft., one story, possible asbestos, needs rehab, off-site use only.

Bldg. T08902—Fort Rucker
7th Avenue
Fort Rucker Co: Dale, AL 36362–
Landholding Agency: Army
Property Number: 219120110
Status: Unutilized
Comment: 3663 sq. ft., one story, possible asbestos, needs rehab, off-site use only.

Bldg. T08903—Fort Rucker
7th Avenue
Fort Rucker Co: Dale, AL 36362–
Landholding Agency: Army
Property Number: 219120111
Status: Unutilized
Comment: 3404 sq. ft., one story, possible asbestos, needs rehab, off-site use only.

Bldg. T08917—Fort Rucker
Corner of Division Road & 7th Avenue
Fort Rucker Co: Dale, AL 36362–
Landholding Agency: Army
Property Number: 219120112
Status: Unutilized
Comment: 16004 sq. ft., two story, possible asbestos, needs rehab, off-site use only.

Bldg. T00108
Fort Rucker
6th Avenue
Fort Rucker Co: Dale, AL 36362–
Landholding Agency: Army
Property Number: 219120270
Status: Unutilized
Comment: 24992 sq. ft., 1 story wood structure, most recent use— youth center gymnasium, possible asbestos, off-site use only.

Arizona

Bldg. S–306
Yuma Proving Ground
Main Admin. Area—near inter. 1st & D sts
Yuma Co: Yuma/La Paz, AZ 85365–9102
Landholding Agency: Army
Property Number: 219011725
Status: Underutilized
Comment: 2 story wood and stucco frame; needs structural upgrading; portion of 2nd floor vacant.

Bldg. S–1003
Yuma Proving Ground
Main Admin. Area—5th & Barranca Road
Yuma Co: Yuma/La Paz, AZ 85365–9102
Landholding Agency: Army
Property Number: 219011727
Status: Underutilized
Comment: 2227 sq. ft.; two-story wood and stucco frame; 2 floor wood and frame; possible asbestos; bldg. committed to Congress for disposal.

Bldg. S–503
Yuma Proving Ground
Main Admin. Area—2nd St. bet. D & F Sts.
Yuma Co: Yuma/La Paz, AZ 85365–9102
Landholding Agency: Army
Property Number: 219011746
Status: Underutilized
Comment: 2123 sq. ft.; possible asbestos; 2nd floor vacant; structural upgrading needed; bldg. scheduled for renovation and used as community center.

Bldg. S–501
Yuma Proving Ground
Main Admin. Area—D & 2nd Sts.
Yuma Co: Yuma/La Paz, AZ 85365–9102
Landholding Agency: Army
Property Number: 219011747
Status: Unutilized
Comment: 4000 sq. ft.; possible asbestos; scheduled for renovation; to be used as "Army Continuing Education Facility"; 2 floors.

Bldg. S–611
Yuma Proving Ground
Yuma Co: Yuma/La Paz, AZ 85365–9102

Location: Main Administrative Area—Near intersection of 5th and D streets.
Landholding Agency: Army
Property Number: 219013928
Status: Unutilized
Comment: 1840 sq. ft.; 1 story wood and stucco frame; most recent use—child care center.

Bldg. S–1005
Yuma Proving Ground
Yuma Co: Yuma/La Paz, AZ 85365–9102
Location: Main Administrative Area—Near intersection of 7th and F streets.
Landholding Agency: Army
Property Number: 219013930
Status: Unutilized
Comment: 176 sq. ft.; 1 story wood and stucco frame; most recent use—cold storage and refrigeration facility.

Bldg. T67208
U.S. Army Intelligence Center
Fort Huachuca
Sierra Vista Co: Cochise, AZ 85635–
Landholding Agency: Army
Property Number: 219120113
Status: Unutilized
Comment: 2546 sq. ft., 1 story wood, most recent use—storage

Bldg. T70224
U.S. Army Intelligence Center
Fort Huachuca
Sierra Vista Co: Cochise, AZ 85635–
Landholding Agency: Army
Property Number: 219120149
Status: Unutilized
Comment: 1252 sq. ft., 1 story wood, most recent use—Administrative.

Bldgs. 70117–70120
Fort Huachuca
Sierra Vista Co: Cochise, AZ 85635–
Landholding Agency: Army
Property Numbers: 219120306–219120309
Status: Excess
Comment: 3434 sq. ft. each, 1 story wood structures, presence of asbestos, most recent use—general instructional.

Bldg. 70225—Fort Huachuca
Sierra Vista Co: Cochise, AZ 85635–
Landholding Agency: Army
Property Number: 219120310
Status: Excess
Comment: 3813 sq. ft., 1 story wood structure, presence of asbestos, most recent use—admin. gen. purpose.

Bldg. 83006—Fort Huachuca
Sierra Vista Co: Cochise, AZ 85635–
Landholding Agency: Army
Property Number: 219120311
Status: Excess
Comment: 2062 sq. ft., 1 story wood structure, presence of asbestos, most recent use—admin. gen. purpose.

Bldg. 83007—Fort Huachuca
Sierra Vista Co: Cochise, AZ 85635–
Landholding Agency: Army
Property Number: 219120312
Status: Excess
Comment: 2000 sq. ft., 1 story wood structure, presence of asbestos, most recent use—admin. gen. purpose.

Bldg. 83008—Fort Huachuca
Sierra Vista Co: Cochise, AZ 85635–
Landholding Agency: Army
Property Number: 219120313
Status: Excess
Comment: 2192 sq. ft., 2 story wood structure, presence of asbestos, most recent use—admin. gen. purpose.

Bldg. 83015—Fort Huachuca
Sierra Vista Co: Cochise, AZ 85635–
Landholding Agency: Army
Property Number: 219120314
Status: Excess
Comment: 2325 sq. ft., 1 story wood structure, presence of absestos, most recent use-admin. gen. purpose.

Arkansas

Fort Chaffee
U.S. Army Garrison
1095 4th Avenue
Barling Co: Sebastian, AR 72905–5000
Landholding Agency: Army
Property Number: 219012811
Status: Underutilized
Comment 3634 sq. ft.; 1 story wood frame; possible asbestos; selected periods used for military/training exercises.

Fort Chaffee
U.S. Army Garrison
1094 4th Avenue
Barling Co: Sebastian, AR 72905–5000
Landholding Agency: Army
Property Number: 219012812
Status: Underutilized
Comment 2181 sq. ft.; 1 story wood frame; possible asbestos; selected periods used for military/training exercises.

Fort Chaffee
U.S. Army Garrison
1092 4th Avenue
Barling Co: Sebastian, AR 72905–5000
Landholding Agency: Army
Property Number: 219012813
Status: Underutilized
Comment 3321 sq. ft.; 1 story wood frame; possible asbestos; selected periods used for military/training exercises.

Fort Chaffee
U.S. Army Garrison
1070 2nd Avenue
Barling Co: Sebastian, AR 72905–5000
Landholding Agency: Army
Property Number: 219013267
Status: Underutilized
Comment 3191 sq. ft.; 2 story wood frame; possible asbestos; selected periods used for military training; most recent use—barracks.

Fort Chaffee
U.S. Army Garrison
260 Taylor Avenue
Fort Chafee Co: Sebastian, AR 72905–5000
Landholding Agency: Army
Property Number: 219110112
Status: Underutilized
Comment 173 sq. ft.; one story; no water or heat in bldg.; most recent use—administration.

Fort Chaffee
U.S. Army Garrison
263 Taylor Avenue
Fort Chaffee Co: Sebastian, AR 72905–5000
Landholding Agency: Army
Property Number: 219110113
Status: Underutilized
Comment: 707 sq. ft.; one story; no water or heat in bldg.; needs rehab; most recent use—storage.

California

Fort Ord
Bldgs. T–1771 thru T–1775
Fort Ord Co: Monterey, CA 93940–
Landholding Agency: Army
Property Numbers: 219010738, 219010740, 219010742–219010745
Status: Unutilized
Comment: 2 story each; possible asbestos, needs extensive repairs.

Bldgs. 608–610, 612–619, 621–629
Parks Reserve Forces Training Area
Dublin Co: Alameda, CA 94129–
Landholding Agency: Army
Property Numbers: 219012855–219012874
Status: Unutilized
Comment: 49500 sq. ft. each; 2 story temporary wood; extensive asbestos present; most recent use—barracks.

Bldgs. 856–869, 875, 881–887, 889–890
Parks Reserve Forces Training Area
Dublin Co: Alameda, CA 94129–
Landholding Agency: Army
Property Numbers: 219012884–219012897, 219012902–219012911
Status: Unutilized
Comment: 63290 sq. ft. each; 2 story temporary wood; extensive asbestos present; most recent use—barracks.

Bldgs. 988, 906–909, 912–919, 924–938, 942–959, 966–969, 971–972, 976–979, 987
Parks Reserve Forces Training Area
Dublin Co: Alameda, CA 94129–
Landholding Agency: Army
Property Numbers: 219012918, 219012923–219012926, 219012929–219012936, 219012938–219012970, 219012975–219012978, 219012980–219012981 219012984–219012987, 219012995
Status: Unutilized
Comment: 11300 sq. ft. each; 1 story temporary wood; extensive asbestos present; most recent use—barracks.

Bldgs. 218–219, 227–229, 237–249, 252–269, 279, 282, 283, 286–289
Parks Reserve Forces Training Area
Dublin Co: Alameda, CA 94129–
Landholding Agency: Army
Property Numbers: 219013002–219013003, 219013011–219013013, 219013021–219013033, 219013036–219013053, 219013062, 219013065–219013066, 219013068–219013071
Status: Unutilized
Comment: 11500 sq. ft. each; 3 story temporary wood; extensive asbestos present; most recent use—barracks.

Bldgs. 920–922, 940–941
Parks Reserve Forces
Training Area
Dublin Co: Alameda, CA 94129–
Landholding Agency: Army
Property Numbers: 219030289–219030291, 219030293–219030294
Status: Unutilized
Comment: 11300 sq. ft. each; 1 story wood frame; needs major rehab; extensive asbestos present.

EM Barracks, T–1201 thru T–1204, T1208, T–1214
Sierra Army Depot
DS Hall Avenue
Herlong Co: Lassen, CA 96113–
Landholding Agency: Army
Property Numbers: 219110117–219110122

Status: Underutilized
Comment: 5310 sq. ft. each; two story wood frame; security restrictions.

Open Mess & NCO Club, T–1218
Sierra Army Depot
DS Hall Avenue
Herlong Co: Lassen, CA 96113–
Landholding Agency: Army
Property Number: 219110123
Status: Underutilized
Comment: 8694 sq. ft. each; one story wood frame; needs rehab; presence of asbestos; security restrictions.

Bldg. 60
Los Alamitos Armed Forces Reserve Center
Main entrance on Lexington Dr.
Los Alamitos Co: Orange, CA 90720–5001
Landholding Agency: Army
Property Number: 219120315
Status: Unutilized
Comment: 1024 sq. ft., 2 story concrete-wood plaster, possible asbestos, off-site use only, most recent use—nose hanger.

Bldg. 95
Los Alamitos Armed Forces Reserve Center
Main entrance on Lexington Dr.
Los Alamitos Co: Orange, CA 90720–5001
Landholding Agency: Army
Property Number: 219120316
Status: Unutilized
Comment: 392 sq. ft., 1 story raised portable, off-site use only, most recent use—radar maint. shop.

Bldg. 186
Los Alamitos Armed Forces Reserve Center
Main entrance on Lexington Dr.
Los Alamitos Co: Orange, CA 90720–5001
Landholding Agency: Army
Property Number: 219120317
Status: Unutilized
Comment: 996 sq. ft., 1 story steel, off-site use only, most recent use—storage.

Bldg. 196
Los Alamitos Armed Forces Reserve Center
Main entrance on Lexington Dr.
Los Alamitos Co: Orange, CA 90720–5001
Landholding Agency: Army
Property Number: 219120318
Status: Unutilized
Comment: 1029 sq. ft., stucco structure, off-site use only, most recent use—storage.

Bldg. 197
Los Alamitos Armed Forces Reserve Center
Main entrance on Lexington Dr.
Los Alamitos Co: Orange, CA 90720–5001
Landholding Agency: Army
Property Number: 219120319
Status: Unutilized
Comment: 720 sq. ft., 1 story stucco structure, off-site use only, most recent use—storage, possible asbestos.

Bldgs. 262–263, 265, 268
Los Alamitos Armed Forces Reserve Center
Main entrance on Lexington Dr.
Los Alamitos Co: Orange, CA 90720–5001
Landholding Agency: Army
Property Numbers: 219120320–219120323
Status: Unutilized
Comment: 448 sq. ft. trailers, off-site use only, most recent use—storage.

Georgia

Bldgs. 4920, 4921, 4910–4911, 4926
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219010002–219010003, 219010105–219010106, 219010108
Status: Unutilized
Comment: 1888 sq. ft. each; most recent use—barracks; needs rehab.

Bldg. 4915
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010004
Status: Unutilized
Comment: 1297 sq. ft.; most recent use—headquarters building; needs rehab

Bldg. 4914
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010005
Status: Unutilized
Comment: 810 sq. ft.; most recent use—arms building; needs rehab

Bldg. 4927
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010107
Status: Unutilized
Comment: 1888 sq. ft.; most recent use—classrooms; 2-stories; needs rehab

Bldgs. 5288–5290
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219010109–219010111
Status: Unutilized
Comment: 1216 sq. ft. each; most recent use—arms buildings; needs rehab

Bldgs. 5291, 5293–5295
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219010112, 219010114–219010116
Status: Unutilized
Comment: 2529 sq. ft. each; most recent use—dining room; needs rehab

Bldg. 5292
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010113
Status: Unutilized
Comment: 2525 sq. ft.; most recent use—snack bar; needs rehab

Bldg. 5297
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010117
Status: Unutilized
Comment: 1080 sq. ft.; most recent use—storehouse; needs rehab.

Bldgs. 5298–5299
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219010118–219010119
Status: Unutilized
Comment: 3759 sq. ft. each; most recent use—general; needs rehab.

Bldgs. 5300, 5302
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219010120, 219010122
Status: Unutilized
Comment: 1400 sq. ft. each; most recent use—day room; needs rehab.

Bldgs. 5301, 5303–5305
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219010121, 219010123–219010125
Status: Unutilized
Comment: 2124 sq. ft. each; most recent use—barracks; needs rehab.

Bldg. 5306
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010126
Status: Unutilized
Comment: 2406 sq. ft.; most recent use—dining room; needs rehab.

Bldg. 5307
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010127
Status: Unutilized
Comment: 1216 sq. ft.; most recent use—arms building; needs rehab.

Bldg. 5308
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010128
Status: Unutilized
Comment: 1680 sq. ft.; most recent use—storehouse; needs rehab.

Bldg. 5309
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010129
Status: Unutilized
Comment: 1829 sq. ft.; most recent use—clinic; needs rehab.

Bldg. 5310
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010130
Status: Unutilized
Comment: 3484 sq. ft.; most recent use—diagnostic center; needs rehab.

Bldg. 5311
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010131
Status: Unutilized
Comment: 5767 sq. ft.; most recent use—post exchange (store); needs rehab.

Bldg. 5315
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010132
Status: Unutilized
Comment: 2930 sq. ft.; most recent use—hdqts. bldg.; needs rehab.

Bldg. 5316
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010133
Status: Unutilized
Comment: 1400 sq. ft.; most recent use—day room; needs rehab.

Bldg. 5320
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010134
Status: Unutilized
Comment: 2124 sq. ft.; most recent use—barracks; needs rehab.

Bldg. 5366–5367
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219010135–219010136
Status: Unutilized

Comment: 3759 sq. ft. each; most recent use—recreation bldg.; needs rehab.

Bldg. 5390
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010137
Status: Unutilized
Comment: 2432 sq. ft.; most recent use—dining room; needs rehab.

Bldg. 5328
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010139
Status: Unutilized
Comment: 2486 sq. ft.; most recent use—arms bldg.; needs rehab.

Bldg. 5324
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010141
Status: Unutilized
Comment: 2124 sq. ft.; most recent use—barracks; needs rehab.

Bldgs. 5323, 5292
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219010142, 219010113
Status: Unutilized
Comment: 2525 sq. ft. ea.; most recent use—dining room; needs rehab.

Bldgs. 5322, 5321
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219010143–219010144
Status: Unutilized
Comment: 2124 sq. ft. each; most recent use—barracks; needs rehab.

Bldgs. 5360, 5361, 5363
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219010145–219010146, 219010148
Status: Unutilized
Comment: 3759 sq. ft.; most recent use—recreation bldg.; needs rehab.

Bldg. 5362
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010147
Status: Unutilized
Comment: 5559 sq. ft.; most recent use—service club; needs rehab.

Bldg. 5365
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010150
Status: Unutilized
Comment: 3759 sq. ft.; most recent use—recreation bldg.; needs rehab.

Bldg. 5392
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010151
Status: Unutilized
Comment: 2432 sq. ft.; most recent use—dining room; needs rehab.

Bldg. 5391
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219010152
Status: Unutilized
Comment: 2432 sq. ft.; most recent use—dining room; needs rehab.

Bldg. 4865
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011447
Status: Unutilized
Comment: 1098 sq. ft., 1 floor, most recent use—storehouse, needs rehab.

Bldgs. 4867–4870
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219011448, 219011450–219011452
Status: Unutilized
Comment: 1888 sq. ft. each, 2 floors; most recent use—trainee barracks; needs rehab/major construction to be habitable.

Bldg. 4871
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011453
Status: Unutilized
Comment: 1507 sq. ft.; 1 floor; most recent use—day room; needs major rehab/construction to be made habitable.

Bldg. 4875
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011455
Status: Unutilized
Comment: 1888 sq. ft.; 2 floors; most recent use—BN classrooms; major rehab/construction required to be habitable.

Bldg. 4872
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011458
Status: Unutilized
Comment: 2183 sq. ft.; 1 floor; most recent use—dining room; major construction required to be made habitable.

Bldg. 4873
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011465
Status: Unutilized
Comment: 2183 sq. ft.; 1 floor; most recent use—dining room; major construction required to be made habitable.

Bldg. 4546
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011466
Status: Unutilized
Comment: 2818 sq. ft.; bldgs in poor condition; major construction needed to be made habitable.

Bldg. 4874
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011467
Status: Unutilized
Comment: 1507 sq. ft.; 1 floor; most recent use—day room; major construction required to be made habitable.

Bldgs. 4877, 4876, 4878, 4880, 4902–4905
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011468, 219011470, 219011472, 219011474, 219011476–219011479
Status: Unutilized
Comment: 1888 sq. ft. each; 2 floors; most recent use—trainee barracks; major rehab/construction required to be habitable.

Bldg. 4545
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011473
Status: Unutilized
Comment: 2818 sq. ft.; bldgs in poor condition; major construction needed to be made habitable.

Bldg. 4906
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011480
Status: Unutilized
Comment: 1507 sq. ft.; 1 floor; most recent use—day room; major construction required to be made habitable.

Bldgs. 4907, 4908
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011481, 219011482
Status: Unutilized
Comment: 2183 sq. ft. each; 1 floor; most recent use—dining room facility; major construction required to be made habitable.

Bldg. 4909
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011483
Status: Unutilized
Comment: 1507 sq. ft.; 1 floor; most recent use—day room; major construction required to be made habitable.

Bldg. 4901
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011484
Status: Unutilized
Comment: 810 sq. ft.; 1 floor; most recent use—other inst st.; major rehab/construction required to be made habitable is required.

Bldg. 4866
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011485
Status: Unutilized
Comment: 794 sq. ft.; 1 floor; most recent use—arms bldg.; major rehab./construction required to be made habitable.

Bldg. 4879
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011486
Status: Unutilized
Comment: 794 sq. ft.; 1 floor; most recent use—arms building; major rehab/construction required to be made habitable.

Bldg. 4549
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011487
Status: Unutilized

Comment: 794 sq. ft., buildings in poor condition, major construction needed to be made habitable.

Bldg. 4550
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011488
Status: Unutilized
Comment: 269 sq. ft., buildings in poor condition, major construction needed to be made habitable.

Bldg. 4551
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011489
Status: Unutilized
Comment: 4,416 sq. ft., buildings in poor condition, major construction needed to be made habitable.

Bldg. 4552
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011490
Status: Unutilized
Comment: 6,624 sq. ft., buildings in poor condition, major construction needed to be made habitable.

Bldg. 4553
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011491
Status: Unutilized
Comment: 1,440 sq. ft., buildings in poor condition, major construction needed to be made habitable.

Bldg. 4564
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011492
Status: Unutilized
Comment: 3,149 sq. ft., buildings in poor condition, major construction needed to be made habitable.

Bldgs. 4605, 4615
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219011493–219011494
Status: Unutilized
Comment: 915 sq ft., buildings in poor condition, major construction needed to be made habitable.

Bldgs. 4642, 4643
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219011495–219011496
Status: Unutilized
Comment: 3,068 sq ft., buildings in poor condition, major construction needed to be made habitable.

Bldgs. 4747, 4834
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219011497–219011498
Status: Unutilized
Comment: 794 sq ft., each, buildings in poor condition, major construction needed to be made habitable.

Bldg. 4935
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011499
Status: Unutilized
Comment: 1,501 sq ft., building in poor condition, major construction needed to be made habitable.

Bldgs. 4840, 4841
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219011500–219011501
Status: Unutilized
Comment: 2,930 sq ft., building in poor condition, major construction needed to be made habitable.

Bldg. 4843
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011502
Status: Unutilized
Comment: 1,776 sq ft., buildings in poor condition, major construction needed to be made habitable.

Bldg. 4844
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011503
Status: Unutilized
Comment: 3,776 sq ft., buildings in poor condition, major construction needed to be made habitable.

Bldg. 4846
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011504
Status: Unutilized
Comment: 1,455 sq ft., building in poor condition, major construction needed to be made habitable.

Bldg. 4847
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011505
Status: Unutilized
Comment: 900 sq ft., building in poor condition, major construction needed to be made habitable.

Bldg. 4848
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011506
Status: Unutilized
Comment: 804 sq ft., buildings in poor condition, major construction needed to be made habitable.

Bldgs. 4852–4854, 4859–4862
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219011507–219011510, 219011515–219011518
Status: Unutilized
Comment: 1,888 sq ft. each, buildings in poor condition, major construction needed to be made habitable.

Bldg. 4855
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011511
Status: Unutilized
Comment: 1,507 sq ft., buildings in poor condition, major construction needed to be made habitable.

Bldg. 4856
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011512
Status: Unutilized
Comment: 2,183 sq ft., building in poor condition, major construction needed to be made habitable.

Bldg. 4857
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011513
Status: Unutilized
Comment: 2,160 sq ft., building in poor condition, major construction needed to be made habitable.

Bldg. 4858
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011514
Status: Unutilized
Comment: 1,507 sq ft., building in poor condition, major construction needed to be made habitable.

Bldg. 4863
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011519
Status: Unutilized
Comment: 794 sq ft., building in poor condition, major construction needed to be made habitable.

Bldg. 4864
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011520
Status: Unutilized
Comment: 1,292 sq ft., building in poor condition, major construction needed to be made habitable.

Bldg. 4507
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011673
Status: Unutilized
Comment: 1,888 sq ft.; most recent use—barracks, needs substantial rehabilitation, 2 floors.

Bldgs. 4506, 4505
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219011675–219011676
Status: Unutilized
Comment: 2,145 sq ft., each; most recent use—dining facilities, needs substantial rehabilitation, 1 floor.

Bldg. 4487
Fort Benning
Fort Benning Co: Muscogee, GA 31905–

Landholding Agency: Army
Property Number: 219011681
Status: Unutilized
Comment: 1,868 sq ft.; most recent use—telephone exchange bldg.; needs substantial rehabilitation; 1 floor.

Bldg. 4484
Fort Benning
Fort Benning Co: Muscogee, GA
Landholding Agency: Army
Property Number: 219011682
Status: Unutilized
Comment: 1098 sq. ft.; most recent use—storehouse; needs substantial rehabilitation; 1 floor.

Bldg. 4319
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011683
Status: Unutilized
Comment: 2584 sq. ft.; most recent use—vehicle maintenance shop; needs substantial rehabilitation; 1 floor.

Bldg. 4481, 4479
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011685–219011686
Status: Unutilized
Comment: 1507 sq. ft. each; most recent use—administrative (day room); needs substantial rehabilitation; 1 floor.

Bldg. 2414
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011692
Status: Unutilized
Comment: 1472 sq. ft.; most recent use—administrative; needs substantial rehabilitation; 1 floor.

Bldg. 3400
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011694
Status: Unutilized
Comment: 2570 sq. ft.; most recent use—fire station; needs substantial rehabilitation; 1 floor.

Bldg. 2285
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011704
Status: Unutilized
Comment: 4574 sq. ft.; most recent use—clinic; needs substantial rehabilitation; 1 floor

Bldg. 4092
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011709
Status: Unutilized
Comment: 336 sq. ft.; most recent use—inflamable materials storage; needs substantial rehabilitation; 1 floor

Bldg. 4089
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219011710
Status: Unutilized
Comment: 176 sq. ft.; most recent use—gas station; needs substantial rehabilitation; 1 floor

Bldg. 5266
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219012364
Status: Unutilized
Comment: 1400 sq. ft.; one story; most recent use—day room; in poor condition; needs major rehab.

Bldg. 5267–5275, 5277–5283
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219012365, 219012367–219012370, 219012372–219012375, 219012378–219012379, 219012381–219012383, 219012385–219012386
Status: Unutilized
Comment: 2124 sq. ft.; 2 story; most recent use—barracks; poor condition; needs major repair.

Bldg. 4936
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219012388
Status: Unutilized
Comment: 1888 sq. ft.; 2 story; most recent use—barracks; poor condition; needs major rehab.

Bldg. 4937
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219012389
Status: Unutilized
Comment: 2183 sq. ft.; 1 story; most recent use—dining room; poor condition; needs major rehab.

Bldg. 4938
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219012391
Status: Unutilized
Comment: 1320 sq. ft.; one story; most recent use—administrative; poor condition; needs major rehab.

Bldg. 4939
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219012392
Status: Unutilized
Comment: 1800 sq. ft.; one story; most recent use—classrooms; poor condition; needs major rehab.

Bldg. 4951
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219012394
Status: Unutilized
Comment: 2192 sq. ft.; one story; most recent use—storehouse; poor condition; needs major rehab.

Bldg. 4953
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219012395
Status: Unutilized
Comment: 794 sq. ft.; 1 story; most recent use—storehouse; poor condition; needs major rehab.

Bldg. 4954
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219012397
Status: Unutilized
Comment: 1888 sq. ft.; 2 story; most recent use—custody fac.; poor condition; needs major rehab.

Bldg. 4926
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219012398
Status: Unutilized
Comment: 1888 sq. ft.; 2 story; most recent use—classrooms; poor condition; needs major rehab.

Bldg. 4925
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219012400
Status: Unutilized
Comment: 1507 sq. ft.; one story; most recent use—classroom; poor condition; needs major rehab.

Bldg. 4924
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219012401
Status: Unutilized
Comment: 2183 sq. ft.; one story; most recent use—dining room; poor condition; needs major rehab.

Bldg. 4919, 4918, 4929, 4931, 4912, 4933, 4935
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219012403–219012404, 219012406, 219012410, 219012417–219012418, 219012422
Status: Unutilized
Comment: 1888 sq. ft. each; 2 story; most recent use—barroacks; poor condition; needs major rehab.

Bldg. 4917, 4930
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219012405, 219012408
Status: Unutilized
Comment: 810 sq. ft. each; 1 story; most recent use—arms building; poor condition; needs major rehab.

Bldg. 5287
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219012411
Status: Unutilized
Comment: 1216 sq. ft.; 1 story; most recent use—arms building; poor condition; needs major rehab.

Bldg. 4934
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army

Property Number: 219012419
Status: Unutilized
Comment: 1507 sq. ft.; one story; most recent use—dayroom; needs major rehab.

Bldg. 4932
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219012421
Status: Unutilized
Comment: 794 sq. ft.; 1 story; most recent use—storehouse; needs major rehab.

Bldg. 20701, 20703, 20709, 34402, 35401
Fort Gordon
Augusta Co: Richmond, GA 30905–
Location: Located on Barnes Avenue and 20th street.
Landholding Agency: Army
Property Number: 219014281–219014282, 219014284–219014287
Status: Unutilized
Comment: 4524 sq. ft. each; 2 story wood structure; needs major rehab; off-site use only.

Bldg. 1235, 1236
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219014887–219014888
Status: Unutilized
Comment: 9367 sq. ft.; 1 story building; needs rehab; most recent use—General Storehouse.

Bldg. 1251
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219014889
Status: Unutilized
Comment: 18385 sq. ft.; 1 story building; needs rehab; most recent use—Arms Repair Shop.

Bldg. 2416
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219014904
Status: Unutilized
Comment: 1840 sq. ft.; 1 story building; needs rehab; most recent use—administrative.

Bldg. 2591
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219014906
Status: Unutilized
Comment: 1663 sq. ft.; 1 story building; needs rehab; most recent use—General storehouse.

Bldg. 3005–3010
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219014907–219014912
Status: Unutilized
Comment: 7688 sq. ft. each; 2 story building; needs rehab; most recent use—Barracks.

Bldg. 3080
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219014913
Status: Unutilized
Comment: 1372 sq. ft.; 1 story building; needs rehab; most recent use—General Storehouse.

Bldg. 3081
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219014914
Status: Unutilized
Comment: 2284 sq. ft.; 1 story building; needs rehab; most recent use—Clinic.

Bldg. 4022
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219014915
Status: Unutilized
Comment: 1712 sq. ft.; 1 story building; needs rehab; most recent use—Clinic.

Bldg. 4491
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219014916
Status: Unutilized
Comment: 18240 sq. ft.; 1 story building; needs rehab; most recent use—Vehicle maintenance shop.

Bldg. 4500
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219014917
Status: Unutilized
Comment: 1372 sq. ft.; 1 story building; needs rehab; most recent use—Arms Buildings.

Bldg. 4511
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219014918
Status: Unutilized
Comment: 4720 sq. ft.; 2 story building; needs rehab; most recent use—Barracks.

Bldg. 4633
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219014919
Status: Unutilized
Comment: 5069 sq. ft.; 1 story building; needs rehab; most recent use—Training Building.

Bldg. 4634
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219014920
Status: Unutilized
Comment: 5069 sq. ft.; 1 story building; needs rehab; most recent use—Training Building.

Bldgs. 4646, 4690
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219014921, 219014923
Status: Unutilized
Comment: 1372 sq. ft.; 1 story building; needs rehab; most recent use—General Storehouse.

Bldg. 4649
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219014922
Status: Unutilized
Comment: 2250 sq. ft.; 1 story building; needs rehab; most recent use—Headquarters Building.

Bldg. 4751
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219014924
Status: Unutilized
Comment: 3960 sq. ft.; 1 story building; needs rehab; most recent use—Recreation building.

Bldg. 4752
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219014925
Status: Unutilized
Comment: 2284 sq. ft.; 1 story building; needs rehab; most recent use—Headquarters Building.

Bldg. 95
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219120253
Status: Unutilized
Comment: 1006 sq. ft.; 1 story, most recent use—fire station annex, needs rehab.

Bldg. 1234
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219120254
Status: Unutilized
Comment: 16148 sq. ft.; 2 story, most recent use—officers's club, needs rehab.

Bldg. 1684
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219120255
Status: Unutilized
Comment: 2671 sq. ft.; 1 story, needs rehab; most recent use—administration/general purpose.

Bldgs. 1724, 1827
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219120256, 2190120257
Status: Unutilized
Comment: 943 sq. ft.; 1 story, needs rehab, most recent use—general purpose warehouse.

Bldg. 2150
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219120258
Status: Unutilized
Comment: 3909 sq. ft.; 1 story, needs rehab, most recent use—general inst. bldg.

Bldgs. 2212, 2213
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Numbers: 219120259–219120260
Status: Unutilized
Comment: 4720 sq. ft. each, 2 story, needs rehab; most recent use—drug abuse center

Bldg. 2214
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219120261
Status: Unutilized
Comment: 2253 sq. ft.; 1 story, needs rehab, most recent use—enlisted persons dining room.

Bldg. 2215
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219120262
Status: Unutilized
Comment: 1844 sq. ft.; 1 story, needs rehab, most recent use—day room

Bldg. 2409
Fort Benning

Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219120263
Status: Unutilized
Comment: 9348 sq. ft.; 1 story, needs rehab, most recent use—general purpose warehouse.

Bldg. 2548
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219120264
Status: Unutilized
Comment: 2337 sq. ft.; 1 story, needs rehab, most recent use—clinic w/o beds.

Bldg. 2590
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219120265
Status: Unutilized
Comment: 3132 sq. ft.; 1 story, needs rehab, most recent use—vehicle maintenance shop.

Bldg. 3828
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219120266
Status: Unutilized
Comment: 628 sq. ft.; 1 story, needs rehab, most recent use—general storehouse.

Bldg. 5284
Fort Benning
Fort Benning Co: Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219120267
Status: Unutilized
Comment: 5310 sq. ft.; 2 story, needs rehab, most recent use—trainee barracks.

Indiana

Bldg. 719–1
Indiana Army Ammunition Plant
Charlestown Co: Clark, IN
Landholding Agency: Army
Property Number: 219013578
Status: Underutilized
Comment: 5000 sq. ft.; 1 story brick frame; secured area with alternate access; most recent use—administration.

Bldg. 703–1C
Indiana Army Ammunition Plant
Charlestown Co: Clark, IN
Location: Gate 22 off Highway 22
Landholding Agency: Army
Property Number: 219013761
Status: Underutilized
Comment: 4000 sq. ft.; 2 story brick frame; possible asbestos; most recent use—exercise area.

Bldg. 1011 (Portion of)
Indiana Army Ammunition Plant
End of 3rd Street
Charlestown Co: Clark, IN
Location: East of State Highway 62 at Gate 3
Landholding Agency: Army
Property Number: 219013762
Status: Underutilized
Comment: 4040 sq. ft.; 1 story concrete block frame; possible asbestos; secured area with alternate access; most recent use—office.

Bldg. 1001 (Portion of)
Indiana Army Ammunition Plant
Charlestown Co: Clark, IN
Location: South end of 3rd Street, East of Highway 62 at entrance gate.
Landholding Agency: Army
Property Number: 219013763
Status: Underutilized
Comment: 55630 sq. ft.; 1 story concrete block; possible asbestos; secured area with alternate access; most recent use—cloth bag manufacturing.

Bldg. 720
Indiana Army Ammunition Plant
Charlestown Co: Clark, IN
Landholding Agency: Army
Property Number: 219013765
Status: Underutilized
Comment: 5000 sq. ft.; 2 story brick frame; possible asbestos; secured area with alternate access; most recent use—administrative.

Kansas

Bldg. T–1383
Fort Riley
Fort Riley Co: Geary, KS 66442–
Landholding Agency: Army
Property Number: 219013774
Status: Unutilized
Comment: 3864 sq. ft.; 2 story wood frame; possible asbestos; most recent use—open-bay trainee barracks with gang latrine.

Bldg. T–2080
Fort Riley
Fort Riley Co: Geary, KS 66442–
Landholding Agency: Army
Property Number: 219013775
Status: Unutilized
Comment: 3852 sq. ft.; 2 story wood frame; possible asbestos; most recent use—open-bay trainee barracks with gang latrine.

Bldg. T–2324
Fort Riley
Fort Riley Co: Geary, KS 66442–
Landholding Agency: Army
Property Number: 219013777
Status: Unutilized
Comment: 3422 sq. ft.; 2 story wood frame; possible asbestos; most recent use—open-bay trainee barracks with gang latrines.

Bldg. T–629
Fort Leavenworth—NCO Club Building
Combined Arms Command
Leavenworth Co: Leavenworth, KS 66027–
Landholding Agency: Army
Property Number: 219110148
Status: Unutilized
Comment: 17549 gross sq. ft.; 2 story wood frame; needs rehab; termite infested; possible asbestos; off-site use only.

Kentucky

Bldg. 104
Fort Campbell
Fort Campbell Co: Christian, KY 42223–
Landholding Agency: Army
Property Number: 219010937
Status: Underutilized
Comment: 15066 sq. ft.; two story; possible asbestos; most recent use—barracks.

Bldgs. 126, 141, 147, 149, 161, 165, 167, 169, 143
Fort Campbell
Fort Campbell Co: Christian, KY 42223–
Landholding Agency: Army
Property Numbers: 219010938, 219010940–219010946, 219013139
Status: Underutilized
Comment: 12576 sq. ft. each; two story; possible asbestos; most recent use—storage.

Bldg. 122
Fort Campbell
Fort Campbell Co: Christian, KY 42223–
Landholding Agency: Army
Property Number: 219010939
Status: Underutilized
Comment: 1488 sq. ft.; two story; possible asbestos; most recent use—storage and administration.

Bldg. 2244
Fort Campbell
Fort Campbell Co: Christian, KY 42223–
Landholding Agency: Army
Property Number: 219010948
Status: Underutilized
Comment: 4248 sq. ft.; possible asbestos; two story; most recent use—storage.

Bldg. 3110
Fort Campbell
Fort Campbell Co: Christian, KY 42223–
Landholding Agency: Army
Property Number: 219010950
Status: Unutilized
Comment: 1000 sq. ft.; one story; possible asbestos; most recent use—administration.

Bldgs. 5954, 5956, 5958, 5960
Fort Campbell
Fort Campbell Co: Christian, KY 42223–
Landholding Agency: Army
Property Number: 219010953, 219010956, 219010958, 219010961
Status: Unutilized
Comment: 2179 sq. ft. each; one story; possible asbestos; most recent use—Military Vehicle Maintenance Shop, Organizational.

Bldg. 6605
Fort Campbell
Fort Campbell Co: Christian, KY 42223–
Landholding Agency: Army
Property Number: 219010968
Status: Underutilized
Comment: 1968 sq. ft.; one story; most recent use—storage.

Bldg. 143
Ft. Campbell
Ft. Campbell Co: Christian, KY 42223–
Landholding Number: Army
Property Number: 219013139
Status: Unutilized
Comment: 12576 sq. ft.; 2 story; possible asbestos; most recent use—child care and administration.

Bldg. 3148
Ft. Campbell
Ft. Campbell Co: Christian, KY 42223–
Landholding Agency: Army
Property Number: 219013223
Status: Underutilized
Comment: 2200 sq. ft.; 1 story; possible asbestos; selected periods used for military/training exercises.

Louisiana

Bldg. 417
8th Street
Fort Polk Co: Vernon, LA 71459–5000
Landholding Agency: Army
Property Number: 219012682
Status: Unutilized

Comment: 7670 sq. ft.; 2 story temporary wood frame; possible asbestos; most recent use—BOQ.

Bldg. 7124
Reserve Road
Fort Polk Co: Vernon, LA 71459–5000
Landholding Agency: Army
Property Number: 219012688
Status: Unutilized
Comment: 2500 sq. ft.; 1 story temporary wood frame; most recent use—recreation room.

Bldgs. 7129–7132, 7134–7135, 7161–7163, 7166–7168
Fort Polk Co: Vernon, LA 71459–5000
Landholding Agency: Army
Property Numbers: 219012689–219012692, 219012694–219012695, 219012699–219012704
Status: Unutilized
Comment: 4957 sq. ft.; 2 story temporary wood frame; possible asbestos; most recent use—barracks.

Bldg. 7143
"D" Avenue
Fort Polk Co: Vernon, LA 71459–5000
Landholding Agency: Army
Property Number: 219012696
Status: Unutilized
Comment: 2250 sq. ft.; 1 story temporary wood frame; possible asbestos; most recent use—dining facility.

Bldg. T–7157
Guard Road
Fort Polk Co: Vernon, LA 71459–5000
Landholding Agency: Army
Property Number: 219012698
Status: Unutilized
Comment: 4357 sq. ft.; 2 story; possible asbestos; most recent use—barracks.

Bldg. 7183
"D" Avenue
Fort Polk Co: Vernon, LA 71459–5000
Landholding Agency: Army
Property Number: 219012705
Status: Unutilized
Comment: 2630 sq. ft.; 1 story temporary wood frame; possible asbestos; most recent use—dining facility.

Bldg. 7184
"D" Avenue
Fort Polk Co: Vernon, LA 71459–5000
Landholding Agency: Army
Property Number: 219012706
Status: Unutilized
Comment: 2630 sq. ft.; 1 story temporary wood frame; possible asbestos; most recent use—dining facility.

Bldg. 7187
"D" Avenue
Fort Polk Co: Vernon, LA 71459–5000
Landholding Agency: Army
Property Number: 219012707
Status: Unutilized
Comment: 2250 sq. ft.; 1 story temporary wood frame; possible asbestos; most recent use—dining facility.

Bldg. 7304
Armored Road
Fort Polk Co: Vernon, LA 71459–5000
Landholding Agency: Army
Property Number: 219012712
Status: Unutilized
Comment: 6103 sq. ft.; 2 story temporary wood frame; most recent use—storage.

Bldg. 7430
1st Street
Fort Polk Co: Vernon, LA 71459–5000
Landholding Agency: Army
Property Number: 219012715
Status: Unutilized
Comment: 4987 sq. ft.; 2 story temporary frame; most recent use—storage.

Bldg. 8026
10th Street
Fort Polk Co: Vernon, LA 71459–5000
Landholding Agency: Army
Property Number: 219012724
Status: Underutilized
Comment: 2580 sq. ft.; 1 story temporary wood frame; most recent use—storage.

Bldg. 8226
12th Street
Fort Polk Co: Vernon, LA 71459–5000
Landholding Agency: Army
Property Number: 219012729
Status: Unutilized
Comment: 2050 sq. ft.; 1 story temporary wood frame; possible asbestos; most recent use—dining facility.

Bldg. 7175
Fort Polk
3rd Street
Fort Polk Co: Vernon, LA 71459–
Landholding Agency: Army
Property Number: 219013770
Status: Excess
Comment: 7527 sq. ft.; temporary wood structure; scheduled for demolition; seriously deteriorated.

Maryland

Bldg. 2030
Aberdeen Proving Ground
Aberdeen City Co: Harford, MD 21005–5001
Landholding Agency: Army
Property Number: 219011418
Status: Unutilized
Comment: 3302 sq ft., one story, possible asbestos.

Bldg. 2174
Aberdeen Proving Ground
Aberdeen City Co: Harford, MD 21005–5001
Landholding Agency: Army
Property Number: 219011419
Status: Unutilized
Comment: 3540 sq ft.; poor condition; utilities disconnected; one story; possible asbestos.

Bldg. 3243
Aberdeen Proving Ground
Aberdeen City Co: Harford, MD 21005–5001
Landholding Agency: Army
Property Number: 219011420
Status: Unutilized
Comment: 11800 sq ft.; possible asbestos, two story, potential utilities.

Bldg. 3244
Aberdeen Proving Ground
Aberdeen City Co: Harford, MD 21005–5001
Landholding Agency: Army
Property Number: 219011421
Status: Unutilized
Comment: 3302 sq ft., one story, possible asbestos, potential utilities.

Bldgs. 3621–3624, 3626–3629, 3634–3637, 3639–3642
Aberdeen Proving Ground
Aberdeen City Co: Harford, MD 21005–5001
Landholding Agency: Army
Property Numbers: 219011422–219011425, 219011427–219011430, 219011435–219011437, 219011439–219011442
Status: Unutilized
Comment: 4720 sq ft. each, two story, possible asbestos, poor condition, utilities disconnected.

Bldg. 3625
Aberdeen Proving Ground
Aberdeen City Co: Harford, MD 21005–5001
Landholding Agency: Army
Property Number: 219011426
Status: Unutilized
Comment: 2031 sq ft., one story, utilities disconnected, poor condition, possible asbestos.

Bldg. 3630
Aberdeen Proving Ground
Aberdeen City Co: Harford, MD 21005–5001
Landholding Agency: Army
Property Number: 219011431
Status: Unutilized
Comment: 1750 sq ft., one story, possible asbestos, poor condition, utilities disconnected.

Bldgs. 3631, 3632
Aberdeen Proving Ground
Aberdeen City Co: Harford, MD 21005–5001
Landholding Agency: Army
Property Numbers: 219011432, 219011433
Status: Unutilized
Comment: 1513 sq ft. each, one story, possible asbestos, poor condition, utilities disconnected.

Bldg. 3633
Aberdeen Proving Ground
Aberdeen City Co: Harford, MD 21005–5001
Landholding Agency: Army
Property Number: 219011434
Status: Unutilized
Comment: 1754 sq ft., one story, utilities disconnected, possible asbestos, poor condition.

Bldg. 3638
Aberdeen Proving Ground
Aberdeen City Co: Harford, MD 21005–5001
Landholding Agency: Army
Property Number: 219011438
Status: Unutilized
Comment: 18880 sq ft., one story, utilities disconnected, possible asbestos, poor condition.

Bldg. 3643
Aberdeen Proving Ground
Aberdeen City Co: Harford, MD 21005–5001
Landholding Agency: Army
Property Number: 219011443
Status: Unutilized
Comment: 1750 sq ft., one story, utilities disconnected, possible asbestos, poor condition.

Bldg. 3644
Aberdeen Proving Ground
Aberdeen City Co: Harford, MD 21005–5001
Landholding Agency: Army
Property Number: 219011444
Status: Unutilized
Comment: 1541 sq ft., one story, utilities disconnected, possible asbestos, poor condition.

Bldg. 3645
Aberdeen Proving Ground
Aberdeen City Co: Harford, MD 21005–5001
Landholding Agency: Army

Property Number: 219011445
Status: Unutilized
Comment: 1541 sq ft., one story, utilities disconnected, possible asbestos, poor condition.

Bldg. 3646
Aberdeen Proving Ground
Aberdeen City Co: Harford, MD 21005-5001
Landholding Agency: Army
Property Number: 219011446
Status: Unutilized
Comment: 1750 sq ft., one story, utilities disconnected, possible asbestos, poor condition.

Bldg. E4736
Aberdeen Proving Ground
Edgewood Area
Aberdeen City Co: Harford, MD 21010-5425
Landholding Agency: Army
Property Number: 219012621
Status: Unutilized
Comment: possible contamination—under study; potential utilities.

Bldg. 4723
Aberdeen Proving Ground
Edgewood Area
Aberdeen City Co: Harford, MD 21010-5425
Landholding Agency: Army
Property Number: 219012643
Status: Unutilized
Comment: 3250 sq. ft., potential utilities; poor condition; possible asbestos.

Bldg. 5104
Aberdeen Proving Ground
Edgewood Area
Aberdeen City Co: Harford, MD 21010-5425
Landholding Agency: Army
Property Number: 219012644
Status: Unutilized
Comment: 624 sq. ft.; trailer; potential utilities; poor condition.

Bldgs. E5878, E5879
Aberdeen Proving Ground
Edgewood Area
Aberdeen City Co: Harford, MD 21010-5425
Landholding Agency: Army
Property Numbers: 219012652, 219012653
Status: Unutilized
Comment: 213 sq. ft. each; structural deficiencies; possible abestos; and contamination.

Bldg. E5974
Aberdeen Proving Ground
Edgewood Area
Aberdeen City Co: Harford, MD 21010-5425
Landholding Agency: Army
Property Number: 219012654
Status: Unutilized
Comment: 272 sq. ft.; possible asbestos and contamination; most recent use—headquarters building.

Bldg. 10302
Aberdeen Proving Ground
Edgewood Area
Aberdeen City Co: Harford, MD 21010-5425
Landholding Agency: Army
Property Number: 219012666
Status: Unutilized
Comment: 42 sq. ft.; possible asbestos; most recent use—pumping station.

Bldg. E5978
Aberdeen Proving Ground
Edgewood Area
Aberdeen City Co: Harford, MD 21010-5425
Landholding Agency: Army
Property Number: 219012667
Status: Unutilized
Comment: 256 sq. ft.; story; structural deficiencies; possible asbestos and contamination; most recent use—general storehouse.

Bldg. E5975
Aberdeen Proving Ground
Edgewood Area
Aberdeen City Co: Harford, MD 21010-5425
Landholding Agency: Army
Property Number: 219012667
Status: Unutilized
Comment: 650 sq. ft.; possible contamination; structural deficiencies most recent use—training exercises/chemicals and explosives; potential use—storage.

Bldg. 6926
Taylor Avenue
Fort Meade Co: Anne Arundel, MD 21061-
Landholding Agency: Army
Property Number: 219013605
Status: Unutilized
Comment: 1275 sq. ft.; 1 story frame with basement (216 sq. ft.); possible asbestos; termite damage.

Bldgs. 832, 2815
Fort Meade
Fort Meade Co: Anne Arundel, MD 21061-
Landholding Agency: Army
Property Number: 219013608, 219014855
Status: Unutilized
Comment: 2208 sq. ft.; 1 story wood frame; possible asbestos; needs major rehab.

Bldg. 841
Fort Meade
15th Street
Fort Meade Co: Anne Arundel, MD 21061-
Landholding Agency: Army
Property Number: 219013610
Status: Unutilized
Comment: 3537 sq. ft.; 1 story with balcony; possible asbestos; no furnace; needs major rehab.

Bldg. 2173
Aberdeen Proving Ground
Aberdeen City CO.: Harford, MD 21005-5001
Landholding Agency: Army
Property Number: 219013772
Status: Unutilized
Comment: 3540 sq. ft.; 1 story temporary frame; possible asbestos; most recent use—barracks.

Bldg. 197
Fort George G. Meade
1st and Chisholm Streets
Fort Meade Co: Anne Arundel, MD 20755-
Landholding Agency: Army
Property Number: 219014848
Status: Unutilized
Comment: 7670 sq. ft.; 2 story wood frame; needs rehab; secured area with alternate access; possible asbestos.

Bldg. 4461
Fort George G. Meade
Lewllyn Avenue
Fort Meade Co: Anne Arundel, MD 20755-
Landholding Agency: Army
Property Number: 219014850
Status: Unutilized
Comment: 16,594 sq. ft.; 2 story concrete block; needs rehab; secured area with alternate access; possible asbestos; most recent use—branch exchange.

Bldg. 6599
Fort George G. Meade
Zimborski Road
Fort Meade Co: Anne Arundel, MD 20755-
Landholding Agency: Army
Property Number: 219014852
Status: Unutilized
Comment: 4173 sq. ft.; 1 story wood frame; needs rhab; secured area with alternate access.

Bldgs. 378, 373
Fort George G. Meade
Fort Meade Co: Anne Arundel, MD 21755-
Landholding Agency: Army
Property Numbers: 219014853, 219014854
Status: Underutilized
Comment: 1144 sq. ft.; 1 story wood frame; secured area with alternate access; possible asbestos: most recent use—storage.

Bldg. 6212
Fort George G. Meade
Rock Avenue
Fort Meade Co: Anne Arundel, MD 20755-
Landholding Agency: Army
Property Number: 219014859
Status: Unutilized
Comment: 2220 sq. ft.; 1 story wood frame; needs rehab; secured area with alternate access; most recent use—storage.

Bldg. 2816
Fort George G. Meade
Chisholm Street
Fort Meade Co: Anne Arundel, MD 20755-
Landholding Agency: Army
Property Number: 219014860
Status: Unutilized
Comment: 1676 sq. ft.; 1 story wood frame; secured area with alternate access; possible asbestos; most recent use—storage.

Bldg. 2817
Fort George G. Meade
Chisholm Street
Fort Meade Co: Anne Arundel, MD 20755-
Landholding Agency: Army
Property Number: 219014861
Status: Underutilized
Comment: 3663 sq. ft.; 1 story wood frame; possible asbestos; secured area with alternate access; most recent use—storage.

Bldgs. 2229, 543, 357, 2413
Fort George G. Meade
Fort Meade Co: Anne Arundel, MD 20755-
Landholding Agency: Army
Property Numbers: 219014863, 219014866, 219014871, 219014875
Status: Unutilized
Comment: 4720 sq. ft. each; 2 story wood frame; needs rehab; secured area with alternate access; possible asbestos.

Bldg. 649
Fort George G. Meade
Chamberlain Street
Fort Meade Co: Anne Arundel, MD 20755-
Landholding Agency: Army
Property Number: 219014864
Status: Underutilized
Comment: 2594 sq. ft.; 1 story wood frame; possible asbestos; secured area with alternate access; needs rehab; most recent use—storage.

Bldg. 269
Fort George G. Meade

Chisholm Street
Fort Meade Co: Anne Arundel, MD 20755–
Landholding Agency: Army
Property Number: 219014873
Status: Underutilized
Comment: 3537 sq. ft.; 1 story wood frame; possible asbestos; needs rehab; secured area with alternate access; most recent use—storage.

Bldg. 2419
Fort George G. Meade
Behind Bldg 2427—Earnie Pyle Street
Fort Meade Co: Anne Arundel, MD 20755–
Landholding Agency: Army
Property Number: 219014878
Status: Underutilized
Comment: 2441 sq. ft.; 1 story wood frame; needs rehab; possible asbestos; secured area with alternate access; most recent use—arms room.

Bldg. 2426
Fort George G. Meade
Earnie Pyle Street
Fort Meade Co: Anne Arundel, MD 20755–
Landholding Agency: Army
Property Number: 219014880
Status: Unutilized
Comment: 7670 sq. ft.; 1 story wood frame; needs rehab; secured area with alternate access; possible asbestos.

Bldg. 2427
Fort George G. Meade
Earnie Pyle Street
Fort Meade Co: Anne Arundel, MD 20755–
Landholding Agency: Army
Property Number: 219014881
Status: Unutilized
Comment: 8150 sq. ft.; 2 story wood frame; needs rehab; secured area with alternate access; possible asbestos.

Bldg. 2847
Fort George G. Meade
Earnie Pyle Street
Fort Meade Co: Anne Arundel, MD 20755–
Landholding Agency: Army
Property Number: 219014883
Status: Unutilized
Comment: 3663 sq. ft.; 1 story wood frame; possible asbestos; secured area with alternate access; most recent use—gym.

Bldg. 6599
Fort George G. Meade
6599 Zimborski Road
Fort Meade Co: Anne Arundel, MD 20755–5115
Landholding Agency: Army
Property Number: 219030002
Status: Unutilized
Comment: 4173 sq. ft.; 1 story wood frame; possible asbestos; needs major rehab; most recent use—PX exchange facility.

Bldg. 3187
Fort George G. Meade
3187 MacArthur Road
Fort Meade Co: Anne Arundel, MD 20755–5115
Landholding Agency: Army
Property Number: 219030003
Status: Unutilized
Comment: 1914 sq. ft.; 1 story wood frame; possible asbestos; needs major rehab; most recent use—storage.

Bldg. 533
Fort George G. Meade
Fort Meade Co: Anne Arundel, MD 20755–5115
Landholding Agency: Army
Property Number: 219040001
Status: Unutilized
Comment: 6525 sq. ft.; one story; wood frame; possible asbestos; needs major rehab; secured area w/alternate access.

Bldg. 523
Fort George G. Meade
Fort Meade Co: Anne Arundel, MD 20755–5115
Landholding Agency: Army
Property Number: 219040002
Status: Unutilized
Comment: 4307 sq. ft.; one story; wood frame; possible asbestos; needs major rehab; secured area w/alternate access.

Massachusetts

Bldgs. T–2732, T–2281
Fort Devens
Fort Devens Co: Middlesex/Worce, MA 01433–
Landholding Agency: Army
Property Numbers: 219012343–219012344
Status: Unutilized
Comment: 6351 sq. ft. each, wood two stories, most recent use-housing.

Bldgs. T–201
Fort Devens
Fort Devens Co: Middlesex/worce, MA 01433–
Landholding Agency: Army
Property Number: 219012363
Status: Unutilized
Comment: 1000 sq. ft., wood structure-needs rehab, no sanitary facilities, most recent use-company admin/supply.

Minnesota

Le Sueur USAR Center
620 Turill Street
Le Sueur Co: Le Sueur, MN 56058–
Landholding Agency: Army
Property Number: 219013558
Status: Underutilized
Comment: 4316/1325 sq. ft.; 1 story; most recent use—storage

Nevada

Bldgs. 00425–00449
Hawthorne Army Ammunition Plant
Schweer Drive Housing Area
Hawthorne Co: Mineral, NV 89415–
Landholding Agency: Army
Property Numbers: 219011946–219011952, 219011954, 219011956, 219011959, 219011961, 219011964, 219011968, 219011970, 219011974, 219011976–219011978, 219011980, 219011982, 219011984, 219011987, 219011990, 219011994, 219011996
Status: Unutilized
Comment: 1310–1640 sq. ft. each, one floor residential, semi/wood construction, good condition.

New York

Bldg. 503
Fort Totten
Ordance Road
Bayside Co: Queens, NY 11357–
Landholding Agency: Army
Property Number: 219012564
Status: Unutilized
Comment: 510 sq. ft., 1 floor, most recent use-storage, needs major rehab/no utilities.

Bldg. 323
Fort Totten
Story Avenue
Bayside Co: Queens, NY 11359–
Landholding Agency: Army
Property Number: 219012567
Status: Unutilized
Comment: 30000 sq ft., 3 floors, most recent use-barracks & mess facility, needs major rehab.

Bldg. 304
Fort Totten
Shore Road
Bayside Co: Queens, NY 11359–
Landholding Agency: Army
Property Number: 219012570
Status: Unutilized
Comment: 9610 sq. ft., 3 floors, most recent use-hospital, needs major rehab/utilities disconnected.

Bldg. 211
Fort Totten
211 Totten Avenue
Bayside Co: Queens, NY 11359–
Landholding Agency: Army
Property Number: 219012573
Status: Unutilized
Comment: 6329 sq. ft., 3 floors, most recent use-family housing, needs major rehab, utilities disconnected.

Bldg. 322
Fort Totten
Theater Road
Bayside Co: Queens, NY 11359–
Landholding Agency: Army
Property Number: 219012578
Status: Unutilized
Comment: 6288 sq ft., 1 floor, most recent use-theater w/stage, needs major rehab, utilities disconnected.

Bldg. 504
Fort Totten
Ordnance Road
Bayside Co: Queens, NY 11359–
Landholding Agency: Army
Property Number: 219012580
Status: Unutilized
Comment: 490 sq ft., 1 floor, most recent use-storage, no utilities, needs major rehab.

Bldg. 322
Fort Totten
322 Story Avenue
Bayside Co: Queens, NY 11359–
Landholding Agency: Army
Property Number: 219012583
Status: Unutilized
Comment: 30000 sq ft., 3 floors, most recent use-barracks, mess & administration, utilities disconnected, needs rehab.

Bldg. 326
Fort Totten
326 Pratt Avenue
Bayside Co: Queens, NY 11359–
Landholding Agency: Army
Property Number: 219012586
Status: Unutilized
Comment: 6000 sq ft., 2 floors, most recent use-storage, offices & residential, utilities disconnected/needs rehab.

Bldg. 627
U.S. Military Academy—West Point
Pitcher Road, North Dock
Highland Co: Orange, NY 10996–1592
Landholding Agency: Army

Property Number: 219030185
Status: Unutilized
Comment: 23185 sq. ft.; 1 story wood frame; needs rehab; presence of asbestos; most recent use-storage warehouse.

Oklahoma

Bldg. T–931
Fort Sill
931 Fort Sill Blvd.
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011239
Status: Unutilized
Comment: 5174 sq. ft.; structurally unsound; wood frame; 1 floor asbestos; WWII Bldg.

Bldg. T–2530
Fort Sill
2530 Sheridan Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011246
Status: Unutilized
Comment: 3988 sq. ft.; structually unsound; absestos; wood frame; 2 floors, WWII Bldg.

Bldgs. T–2531, T–2532
Fort Sill
2531 Sheridan Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Numbers: 219011248, 219011250
Status: Unutilized
Comment: 1990 sq. ft. each; structurally unsound; asbestos; wood frame, 2 floors, WWII Bldg.

Bldg. T–2533
Fort Sill
2533 Sheridan Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011252
Status: Unutilized
Comment: 1976 sq. ft.; structurally unsound; asbestos; wood frame; 2 floors, WWII Bldg.

Bldgs. T–2544, T–2545 thru T–2548
Fort Sill
2544 Sheridan Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Numbers: 219011253, 219011255, 219011257–219011258, 219011260
Status: Unutilized
Comment: 1994 sq. ft. each; asbestos; wood frame; 2 floors, No operating sanitary facilities; most recent use-barracks.

Bldg. T–2564
Fort Sill
2564 Currie Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011264
Status: Unutilized
Comment: 1165 sq. ft.; asbestos; wood frame; 1 floor; most recent use-administrative/supply.

Bldg. T–2565
Fort Sill
2565 Currie Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011266
Status: Unutilized
Comment: 1196 sq. ft.; asbestos; wood frame; 1 floor, most recent use-administrative/supply

Bldg. T–2566
Fort Sill
2566 Currie Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011267
Status: Unutilized
Comment: 1179 sq. ft.; asbestos; wood frame; 1 floor; most recent use—administrative/supply.

Bldg. T–2601
Fort Sill
2601 Ringold Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011272
Status: Unutilized
Comment: 1600 sq. ft.; 2 story wood frame; possible asbestos; possible structure deficiencies.

Bldg. T–2606
Fort Sill
2606 Currie Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011273
Status: Unutilized
Comment: 2722 sq. ft.; possible asbestos, one floor wood frame; most recent use—Headquarters Bldg.

Bldg. T–2613
Fort Sill
2613 Ringold Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011276
Status: Unutilized
Comment: 4800 sq. ft.; possible asbestos, wood frame, 2 floors; most recent use—barracks.

Bldgs. T–2614, T–2615
Fort Sill
2614 Ringold Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Numbers: 219011278, 219011279
Status: Unutilized
Comment: 3778 sq. ft. each; possible asbestos; wood frame; two floors; most recent use—barracks.

Bldgs. T–2620, thru T–2622, T–2626 thru T–2627
Fort Sill
2620 Ringold Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Numbers: 219011281, 219011283, 219011285, 219011291–219011292
Status: Unutilized
Comment: 2370 sq. ft. each; 2 story wood frame; possible asbestos; possible structure deficiencies.

Bldgs. T–2623
Fort Sill
2623 Ringold Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011287
Status: Unutilized
Comment: 2400 sq. ft.; 2 story wood frame; asbestos; possible structure deficiencies.

Bldgs. T–2624
Fort Sill
2624 Miner Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011288
Status: Unutilized
Comment: 3738 sq. ft.; possible asbestos, wood frame; 2 floors; most recent use—day room.

Bldgs. T–2625, T–2628
Fort Sill
2625 Ringold Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Numbers: 219011289, 219011294
Status: Unutilized
Comment: 3664 sq. ft. each; wood frame; 2 floors; possible asbestos; most recent use—barracks.

Bldgs. T–2629 thru T–2631
Fort Sill
2629 Ringold Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Numbers: 219011296, 219011298, 219011299
Status: Unutilized
Comment: 3664 sq. ft. each; wood frame; 2 floors; possible asbestos, most recent use—barracks.

Bldg. T–2650
Fort Sill
250 Ringold Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011301
Status: Unutilized
Comment: 4021 sq. ft.; 2 story; possible asbestos; possible structure deficiencies.

Bldgs. T–2781
Fort Sill 2781
Ringold Road
Lawton Co; Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011312
Status: Unutilized
Comment: 2229 sq. ft.; structurally unsound; wood frame, 2 floors; asbestos.

Bldg. T–2931
Fort Sill
2931 Currie Road
Lawton Co; Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011313
Status: Unutilized
Comment: 435 sq. ft.; structurally unsound; asbestos; wood frame; 1 floor.

Bldgs. T–3507
Fort Sill
3507 Sheridan Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011315
Status: Unutilized
Comment: 2904 sq. ft.; possible asbestos; potential heavy metal contamination; wood frame; most recent use—chapel.

Bldgs. T–3508
Fort Sill
3508 Sheridan Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011316
Status: Unutilized
Comment: 1964 sq. ft.; structurally unsound; asbestos; wood frame; 1 floor, WWII Bldg.

Bldg. T–3514
Fort Sill
3514 Sheridan Road
Lawson Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011322
Status: Unutilized
Comment: 1917 sq. ft.; possible asbestos; wood frame; most recent use—administrative.

Bldg. T–3516
Fort Sill
3516 Pakard Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011324
Status: Unutilized
Comment: 1495 sq. ft.; possible asbestos; wood frame; most revent use—administrative.

Bldg. T–3518
Fort Sill
3518 Sheridan Road
Lawton Co; Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011325
Status:
Unutilized Comment: 2345 sq. ft.; possible asbestos; wood frame; most recent use—Headquarters Bldg.

Bldg. T–3524
Fort Sill
3524 Walker St.
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011327
Status: Unutilized
Comment: 1603 sq. ft.; structurally unsound; asbestos; wood frame 1 floor; WWII Bldg.

Bldg. T–3527
Fort Sill
3527 Sheridan Road
Lawton Co: Comanchok, Ok 73503–5100
Landholding Agency: Army
Property Number: 219011328
Status: Unutilized
Comment: 2370 sq. ft.; structurally unsound; asbestos; wood frame; 2 floors; WWII Blg.

Bldg. T–3529
Fort Sill
3529 Sheridan Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011330
Status: Unutilized
Comment: 2370 sq. ft.; structurally unsound; asbestos; wood frame; 2 floors.

Bldg. T–3534
Fort Sill
3534 Tacy Street
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011331
Status: Unutilized
Comment: 2467 sq. ft.; structurally unsound; asbestos; wood frame; 1 floor; WWII Bldg.

Bldg. T–3562
Fort Sill
3562 Packard Street
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011334
Status: Unutilized
Comment: 1027 sq. ft.; possible asbestos; wood frame; most recent use—storage.

Bldg. T–3638
Fort Sill
3638 Scott Street
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011336
Status: Unutilized
Comment: 1618 sq. ft.; 2 story wood frame; possible asbestos; possible structured deficiencies.

Bldg. T–3760
Fort Sill
3760 Tacy Street
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011337
Status: Unutilized
Comment: 2787 sq. ft.; structurally unsound; possible asbestos; one story wood frame.

Bldg. T–3767
Fort Sill
3767 Hartell Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011339
Status: Unutilized
Comment: 2469 sq. ft.; structurally unsound; possible asbestos; one story wood frame.

Bldgs. T–3779, T–3780
Fort Sill
3779 Currie Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Numbers: 219011343, 219011344
Status: Unutilized
Comment: 4720 sq. ft. each; possible asbestos, wood frame, 2 floors, most recent use—barracks.

Bldg. T–3781
Fort Sill
3781 Hartell Blvd.
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011345
Status: Unutilized
Comment: 2781 sq. ft.; structurally unsound, possible asbestos; one story wood frame.

Bldg. 3788
Fort Sill
3788 Tacy Street
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011346
Status: Unutilized
Comment: 2758 sq. ft.; structurally unsound, possible asbestos, one story wood frame.

Bldg. T–4520
Fort Sill
4520 Bragg Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011347
Status: Unutilized
Comment: 1249 sq. ft.; 1 story wood frame, possible asbestos, possible structural deficiencies.

Bldg. T–4363
Fort Sill
4363 McKee Street
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011348
Status: Unutilized
Comment: 1947 sq. ft.; some utilities; possible structural deficiencies; possible asbestos.

Bldg. T–4521
Fort Sill
4521 Wilson Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011352
Status: Unutilized
Comment: 3833 sq. ft.; 1 floor, wood frame, asbestos, most recent use—classroom.

Bldg. T–4375
Fort Sill
4375 Bragg Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011356
Status: Unutilized
Comment: 1102 sq. ft.; structurally unsound; possible asbestos.

Bldg. T–4525
Fort Sill
4524 Wilson Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011363
Status: Unutilized
Comment: 1636 sq. ft.; 1 floor, asbestos, wood frame, most recent use—Exchange Service Outlet.

Bldg. T–4526
Fort Sill
4526 Wilson Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011366
Status: Unutilized
Comment: 3833 sq. ft.; 1 floor, asbestos, wood frame, most recent use—recreation building.

Bldg. T–4387
Fort Sill
4387 Bragg Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011367
Status: Unutilized
Comment: 1968 sq. ft.; no sanitary facilities; structurally unsound; possible asbestos; two story wood frame.

Bldg. P–4489
Fort Sill
4489 Walker Street
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011370
Status: Unutilized
Comment: 1045 sq. ft.; 1 story; concrete block structure, structurally unsound; possible asbestos.

Bldg. T–4498
Fort Sill
4498 Walker Street
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011371
Status: Unutilized
Comment: 1000 sq. ft.; wood frame; one floor; possible asbestos; most recent use—storage.

Bldg. 4528
Fort Sill
4528 Wilson Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011372

Status: Unutilized
Comment: 2741 sq. ft., possible asbestos, possible structural deficiencies, one story wood frame.

Bldg. T–4502
Fort Sill
4502 Wilson Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011376
Status: Unutilized
Comment: 2812 sq. ft.; structurally unsound; possible asbestos; one story wood frame.

Bldg. T–4535
Fort Sill
4535 Hartell Blvd.
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011384
Status: Unutilized
Comment: 2816 sq. ft.; 1 story wood frame, possible asbestos, possible structural deficiencies.

Bldg. T–4510
Fort Sill
4510 Wilson Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011386
Status: Unutilized
Comment: 3006 sq. ft.; asbestos; wood frame; 1 floor; most recent use—medical storage.

Bldg. T–4513
Fort Sill
4513 Wilson Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011389
Status: Unutilized
Comment: 3842 sq. ft.; asbestos; wood frame; 1 floor; most recent use—classroom.

Bldg. T–4548
Fort Sill
4548 Lewis Street
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011398
Status: Unutilized
Comment: 1976 sq. ft.; 1 story wood frame; possible asbestos; structurally unsound.

Bldg. T–4556
Fort Sill
4556 Hartell Blvd.
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011401
Status: Unutilized
Comment: 2308 sq. ft.; possible asbestos; possible structural deficiencies; one story wood frame.

Bldg. T–4558
Fort Sill
4558 Hartell Blvd.
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011403
Status: Unutilized
Comment: 4021 sq. ft.; 2 story wood frame; possible asbestos; possible structural deficiencies.

Bldg. T–4720
Fort Sill
4720 Hartell Blvd.
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011405
Status: Unutilized
Comment: 13225 sq. ft.; visual asbestos; wood frame; 2 floors; most recent use—recreation bldg.

Bldg. T–4550
Fort Sill
4550 Hartell Blvd.
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219013795
Status: Unutilized
Comment: 2750 sq. ft.; 1 story wood frame; possible asbestos; most recent use—headquarters bldg.

Bldg. T–836
Fort Sill
Corner of Macomb Road and Burrell Road
Lawton Co: Comanche, OK 73503–
Landholding Agency: Army
Property Number: 219014328
Status: Unutilized
Comment: 1341 sq. ft.; 1 story wood frame; most recent use—storage; possible asbestos.

Bldg. T–4919
Fort Sill
4919 Post Road
Lawton Co: Comanche, OK 73503–
Landholding Agency: Army
Property Number: 219014842
Status: Unutilized
Comment: 603 sq. ft.; 1 story mobile home trailer; possible asbestos; needs rehab.

Bldg. T–4914
Fort Sill
4914 Post Road
Lawton Co: Comanche, OK 73503–
Landholding Agency: Army
Property Number: 219014843
Status: Unutilized
Comment: 719 sq. ft.; 1 story mobile home trailer; needs rehab; possible asbestos.

Bldg. T–4555
Fort Sill
4555 Hartell Blvd.
Lawton Co: Comanche, OK 73503–
Landholding Agency: Army
Property Number: 219014930
Status: Unutilized
Comment: 3893 sq. ft.; 2 story wood frame; needs rehab; possible asbestos; most recent use—barracks.

Bldg. T–4523
Fort Sill
4523 Wilson Road
Lawton Co: Comanche, OK 73503–
Landholding Agency: Army
Property Number: 219014933
Status: Unutilized
Comment: 1639 sq. ft.; 1 story wood frame; needs rehab; possible asbestos; most recent use—storage..

Bldg. T–4541
Fort Sill
4541 Hartell Blvd.
Lawton Co: Comanche, OK 73503–
Landholding Agency: Army
Property Number: 219014935
Status: Unutilized
Comment: 2340 sq. ft.; 1 story wood frame; needs rehab; possible asbestos; most recent use—administration.

Bldg. T–4552
Fort Sill
4552 Hartell Blvd.
Lawton Co: Comanche, OK 73503–
Landholding Agency: Army
Property Number: 219014936
Status: Unutilized
Comment: 4071 sq. ft.; 2 story wood frame; needs rehab; possible asbestos; most recent use barracks.

Bldg. S–701
Fort Sill
701 Randolph Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 2190030183
Status: Unutilized
Comment: 19903 sq. ft.; steel/wood frame; 1 story; needs rehab; possible asbestos; most recent use—general instruction building.

South Carolina

Bldg. 5405
Jackson Blvd.
Fort Jackson Co: Richland, SC 29207–
Landholding Agency: Army
Property Number: 219012563
Status: Unutilized
Comment: 4764 sq. ft.; 1 floor; wood frame; needs rehab; to be vacated mid 1990.

Bldg. T–1565
Anderson Street
Fort Jackson Co: Richland, SC 29207–
Landholding Agency: Army
Property Number: 219012668
Status: Unutilized
Comment: 1565 sq. ft.; corregated metal building; most recent use—fueling point; potential use—storage.

Tennessee

Milan Army Ammunition Plant
Area Q—Housing Area Q–27, Q–7, Q–12
Milan Co: Carroll, TN 38358–
Landholding Agency: Army
Property Numbers: 219010559, 219010605, 219010609
Status: Unutilized
Comment: two story; wood frame; temporarily empty due to personnel rotation.

Robert Joel Ridings
US Army Reserve Center
920 Cherokee Avenue
Nashville Co: Davidson, TN 37207–
Landholding Agency: Army
Property Number: 219012667
Status: Excess
Comment: 40,000 sq. ft.; 3.67 acres; concrete block; utilities disconnected; site vandallized.

Area Q—Housing Area—Q20, Q–21, Q–26
Milan Army Ammunition Plant
Milan Co: Carroll, TN 38358–
Landholding Agency: Army
Property Numbers: 219014790, 219110032–219110033
Status: Underutilized
Comment: 2506 sq. ft. each; 2 story wood frame residence.

Area Q—Housing Area—Q28, Q–9, Q–4, Q–15, Q–19
Milan Army Ammunition Plant
Milan Co: Carroll, TN 38358–
Landholding Agency: Army

Property Numbers: 219110034, 219110102, 219120272, 219120273, 219120274
Status: Underutilized
Comment: 2024 sq. ft. each; 2 story wood frame residence.

Texas

Bldg. T–227
Fort Sam Houston
San Antonio Co: Bexar, TX 78234–
Landholding Agency: Army
Property Number: 219014275
Status: Excess
Comment: 2987 sq. ft.; 1 story wood structure; major rehab needed.

Bldgs. 1189, 1192, T–1193
Fort Sam Houston
Sam Antonio Co: Bexar, TX 78234–
Landholding Agency: Army
Property Numbers: 219014276–219014277, 219014280
Status: Excess
Comment: 9190 sq. ft. each; 1 story wood structure; needs major rehabilitation.

Bldgs. T4001, T–4004
Fort Sam Houston
San Antonio Co: Bexar, TX 78234–
Landholding Agency: Army
Property Numbers: 219014278, 219014279
Status: Underutilized
Comment: 48000 sq. ft. each; 2 story wood frame building with metal siding; needs rehab; possible asbestos.

11255 SGT F. Markle St.
Biggs Army Airfield
Fort Bliss
El Paso Co: EL Paso, TX 79916–
Landholding Agency: Army
Property Number: 219014694
Status: Unutilized
Comment: 1052 sq. ft.; 1 story cinder block frame; off-site use only; most recent use—storage.

Bldg. 2
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014815
Status: Unutilized
Comment: 94606 sq. ft.; 1 story wood and metal frame; subject to sewer pipeline easement; needs rehab.

Bldg. 4
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014816
Status: Unutilized
Comment: 1350 sq. ft.; 1 story wood and metal frame; subject to sewer pipeline easement; needs rehab.

Bldg. 17
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014817
Status: Unutilized
Comment: 68 sq. ft.; wood and metal frame; subject to sewer pipeline easement; needs rehab; most recent use—guard house.

Bldg. 29
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014818
Status: Unutilized
Comment: 5028 sq. ft.; 1 story wood and metal frame; subject to sewer pipeline easement; needs rehab.

Bldg. 30
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014819
Status: Unutilized
Comment: 5323 sq. ft.; 1 story wood and metal frame; subject to sewer pipeline easement; needs rehab.

Bldg. 18
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014820
Status: Unutilized
Comment: 9560 sq. ft.; 1 story wood and metal frame; subject to sewer pipeline easement; needs rehab.

Bldg. 6
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014821
Status: Unutilized
Comment: 1258 sq. ft.; 1 story wood and metal frame; subject to sewer pipeline easement; needs rehab.

Bldg. 7
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014822
Status: Unutilized
Comment: 508 sq. ft.; 1 story wood and metal frame; subject to sewer pipeline easement; needs rehab.

Bldg. 8
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014824
Status: Unutilized
Comment: 171 sq. ft.; 2 story wood and metal frame; subject to sewer pipeline easement; needs rehab; most recent use—watch tower.

Bldg. 16
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014825
Status: Unutilized
Comment: 17263 sq. ft.; 1 story wood and metal frame; subject to sewer pipeline easement; needs rehab.

Bldg. 19
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014826
Status: Unutilized
Comment: 25399 sq. ft.; 1 story wood and metal frame; subject to sewer pipeline easement; needs rehab.

Bldg. 31
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014827
Status: Unutilized
Comment: 1392 sq. ft.; 1 story wood and metal frame; subject to sewer pipeline easement needs rehab.

Bldg. 9
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014828
Status: Unutilized
Comment: 244 sq. ft.; 1 story wood and metal frame; subject to sewer pipeline easement; needs rehab.

Bldg. 25
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014829
Status: Unutilized
Comment: 1320 sq. ft.; 1 story wood and metal frame; subject to sewer pipeline easement; needs rehab; most recent use—fire house.

Bldg. 10
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014830
Status: Unutilized
Comment: 354 sq. ft.; 2 story wood and metal frame; subject to sewer pipeline easement; needs rehab.

Bldg. 26
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014831
Status: Unutilized
Comment: 3518 sq. ft.; 1 story wood and metal frame; subject to sewer pipeline easement; needs rehab.

Bldg. 21
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014832
Status: Unutilized
Comment: 65 sq. ft.; wood and metal frame; subject to sewer pipeline easement; needs rehab; most recent use—guard house.

Bldg. 22
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014833
Status: Unutilized
Comment: 50581 sq. ft.; 1 story wood and metal frame; subject to sewer pipeline easement; needs rehab.

Bldg. 27
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014834
Status: Unutilized
Comment: 228 sq. ft.; 2 story wood and metal frame; subject to sewer pipeline easement; needs rehab; most recent use—control tower.

Bldg. 32
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014835
Status: Unutilized

Comment: 19546 sq. ft.; 1 story wood and metal frame; subject to sewer pipeline easement; needs rehab.

T–4013
Fort Sam Houston
San Antonio Co: Bexar, TX 78334–
Landholding Agency: Army
Property Number: 219030001
Status: Unutilized
Comment: 64067 sq. ft.; 1 story wood frame; needs rehab; limited utilities.

Bldg. 856
Fort Bliss
856 Lufberry Road
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219030186
Status: Unutilized
Comment: 1770 sq. ft.; 1 story wood frame; no utilities; needs major rehab; off-site use only.

Bldg. 11253
Fort Bliss
11253 Luke and Markle Street
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219030193
Status: Unutilized
Comment: 14389.5 net sq. ft.; 1 story wood frame; no utilities; needs major rehab; off-site use only

Bldg. 11109
Fort Bliss
11109 CSM E. Slewitzke Street, Biggs Field
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219110035
Status: Unutilized
Comment: 642 sq. ft.; one story wood frame; needs rehab; off-site use only; most recent use—storehouse.

Bldg. 11195
Fort Bliss
11195 Duncan Street, Biggs Army Airfield
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219110036
Status: Unutilized
Comment: 4863 sq. ft.; one story wood frame; needs rehab; off-site use only; most recent use—storage.

Bldg. 4203
Fort Bliss
4203 Ellerthrope Avenue
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219110037
Status: Unutilized
Comment: 4200 sq. ft.; one story wood frame; off-site use only; most recent use—bowling center.

Bldg. 4769
Fort Bliss
4769 Burgin Street, Logan Heights
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219110038
Status: Unutilized
Comment: 873 net sq. ft.; one story wood frame; off-site use only; most recent use—headquarters building.

Bldg. 4817
Fort Bliss
4817 Gatchell Avenue, Logan Heights
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219110039
Status: Unutilized
Comment: 858 sq. ft.; one story wood frame; off-site use only; most recent use—storehouse.

Bldg. 4830
Fort Bliss
4830 Hohenthal Avenue, Logan Heights
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219110040
Status: Unutilized
Comment: 915 sq. ft.; one story wood frame; off-site use only; most recent use—storehouse.

Bldg. 640
Fort Bliss
640 Merritt Road
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219110058
Status: Unutilized
Comment: 150 sq. ft.; one story metal frame; off-site use only; most recent use—general storehouse.

Bldg. 757
Fort Bliss
757 Merritt Road
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219110059
Status: Unutilized
Comment: 495 sq. ft.; one story metal frame; off-site use only; most recent use—general storehouse.

Bldg. 758
Fort Bliss
758 Merritt Road
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219110060
Status: Unutilized
Comment: 260 sq. ft.; 1 story metal frame; off-site use only; most recent use—general storehouse.

Bldg. 759
Fort Bliss
759 Merritt Road
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219110061
Status: Unutilized
Comment: 260 sq. ft.; one story metal frame; off-site use only; most recent use—general storehouse.

Bldg. 5440
Fort Bliss
5440 Forsyth Road
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219110065
Status: Unutilized
Comment: 152 sq. ft.; one story metal frame; off-site use only; most recent use—general storehouse.

Bldg. 7034
7034 Sutherland Street, Lower Beaumont Area
Fort Bliss
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219110066
Status: Unutilized
Comment: 430 sq. ft.; one story brick/stucco frame; off-site use only; most recent use—storage shed.

Bldg. 456—Fort Bliss
456 Pershing Road
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219120115
Status: Unutilized
Comment: 1770 sq. ft., one story, most recent use—Youth center; off-site use only.

Bldgs. 468–469, 478–479
Fort Bliss
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219120116–219120119
Status: Unutilized
Comment: 3540 sq. ft. each, two story wood frame; presence of friable asbestos in boiler room; most recent use—barracks; off-site use only.

Bldg. 4202—Fort Bliss, Tex.
4202 Ellerthorpe Avenue
Logan Heights
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219120120
Status: Unutilized
Comment: 2100 sq. ft., one story, needs rehab; most recent use—dental clinic; off-site use only.

Bldg. 4308—Fort Bliss, Tex.
4308 Link Road
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219120121
Status: Unutilized
Comment: 4106 sq. ft., one story wood frame; needs rehab; most recent use—Skill Development Center; off-site use only.

Bldg. 4348—Fort Bliss, Tex.
4348 Leo Drive
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219120122
Status: Unutilized
Comment: 1829 sq. ft., one story wood frame; most recent use—vehicle maintenance shop; off-site use only.

Bldg. 4349—Fort Bliss, Tex.
4349 Leo Drive
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219120123
Status: Unutilized
Comment: 1829 sq. ft., one story wood frame; most recent use—vehicle maintenance shop; off-site use only.

Bldg. 4747—Fort Bliss, Tex.
4747 Grinder Avenue
Logan Heights
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219120125
Status: Unutilized
Comment: 488 sq. ft., one story, needs major rehab; off-site use only.

Bldgs. 4749, 4783, 4820, 4839, 4868, 4877
Fort Bliss
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Numbers: 219120126, 219120131, 219120133, 219120138, 219120140, 219120142
Status: Unutilized

Comment: 873 net sq. ft. each, one story; most recent use—storage; off-site use only.

Bldg. 4758—Fort Bliss, Tex.
4758 Grinder Avenue
Logan Heights
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219120128
Status: Unutilized
Comment: 915 sq. ft., one story wood frame; most recent use—day room; off-site use only.

Bldg. 4781—Fort Bliss, Tex.
4781 Burgin Street
Logan Heights
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219120130
Status: Unutilized
Comment: 1266 sq. ft., one story wood frame; presence of friable asbestos; most recent use—sales store; off-site use only.

Bldg. 4825, 4887, 4875, 4925
Fort Bliss, Tex.
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Numbers: 219120134, 219120139, 219120141, 219120144
Status: Unutilized
Comment: 2169 sq. ft., each, one story wood frame; most recent use—general storage; off-site use only.

Bldg. 4921—Fort Bliss, Tex.
4921 Ketcham Avenue
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219120143
Status: Unutilized
Comment: 1381 sq. ft., one story wood frame; possible friable asbestos; most recent use—Day room; off-site use only.

Bldg. 4938—Fort Bliss, Tex.
4938 Burgin Street
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219120145
Status: Unutilized
Comment: 1770 sq. ft., one story wood frame; possible friable asbestos; most recent use—storage; off-site use only; limited utilities.

Bldg. 4940—Fort Bliss, Tex.
4940 Burgin Street
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219120146
Status: Unutilized
Comment: 1792 sq. ft., one story wood frame; possible friable asbestos; most recent use—storage; off-site use only; limited utilities.

Bldg. 11190—Fort Bliss, Tex.
11190 SGT E. Churchill Street
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219120147
Status: Unutilized
Comment: 600 sq. ft., one story wood frame; limited utilities; needs rehab; most recent use—storage; off-site use only.

Bldg. 11191—Fort Bliss, Tex.
11191 SGT E. Churchill Street
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219120148
Status: Unutilized
Comment: 1140 sq. ft., one story wood frame; limited utilities; most recent use—storage; off-site use only.

Harlingen USARC
1920 East Washington
Harlingen Co: Cameron, TX 78550–
Landholding Agency: Army
Property Number 219120304
Status: Excess
Comment: 19440 sq. ft., 1 story brick, needs rehab, with approx. 6 acres including parking areas, most recent use—Army Reserve Training Center.

Virginia

Bldgs. T413–T415, T418, T421–T423, T426–T428, T431–T433, T441–T443, T446–T448, T1724, T1726–T1727, T1876–T1877, T2213, T2413–T2415, T2418–T2424, T2427–T2430, T2437–T2439, T2442–T2448, T2451–T2453, T2615–T2616, T1363–T1364, T2208, T2209, T1349–T1351, T1354–T1355, T3042–T3048, T3051–T3054
Fort Pickett
Blackstone Co: Nottoway, VA 23824–
Landholding Agency: Army
Property Numbers: 219010006–219010079
Status: Unutilized
Comment: 4292 sq. ft. each; Selected periods are reserved for military/training exercises.

Bldgs. T435–T438, T440, T1718, T2226, 1662, T2411–T2412, 2431, T2433–T2434, T2455–T2457, T2612–T2614, T2633, T2635–2636, T2638, T2687, T2659, T1367, T1886, 1887, 2205, 2207, 2227, 2228, 2811, 2832, 2834–2835, 2837, 2856, 3016–3017, 3031, 3032–3036, T412, T424–T425, T434, T444, T445, T1880, 2416, T2425, 2416, T2425, T2426, 2440–2441, 2449–2450, 2618, 2619, 2627, 2628, 2642, 2643, 2652, 1357, 1358, 2211, 2220–2221, 2826–2827, 2841–2842, 2850–2851, 3010, 3012, 3025, 3040–3041, 3049, 3050, 3057
Fort Pickett
Blackstone Co: Nottoway, VA 23824–
Landholding Agency: Army
Property Numbers: 219010080–219010104, 219011002, 219011004, 219011005–219011009, 219011011, 219011013, 219011015–219011016, 219011018–219011019, 219011021–219011022, 219011024–219011026, 219011028–219011030, 219011060, 219011064–219011065, 219011067–219011068, 219011070–219011071, 219011073–219011074, 219011076–219011077, 219011079–219011081, 219011083, 219011085–219011086, 219011088–219011089, 219011091, 219011093, 219011096–219011103, 219011105, 219011107, 219011114, 219011118, 219011121, 219011140, 219011143, 219011145–219011147, 219011031
Status: Unutilized
Comment: 2900 sq. ft. each; selected periods are reserved for military/training exercises.

Bldg. 1676
Fort Pickett
Blackstone Co: Nottoway, VA 23930–
Landholding Agency: Army
Property Number: 219010971
Status: Underutilized
Comment: 3300 sq. ft.; Selected periods reserved for military/training exercises; most recent use—Hdqts. Bldg.

Bldg. T2850
Fort Pickett
Blackstone Co: Nottoway, VA 23824–
Landholding Agency: Army
Property Number: 219012797
Status: Underutilized
Comment: 2900 sq. ft.; 1 story; selected periods are reserved for military/training exercises.

Bldg. 1663, 1664, T2617, T2620–T2626, T2629–T2632, 2639, T2640, T2641, 2644–2646, 2647–2648, 2650, 2814, 2815, T2852–T2853, T2854–T2855
Fort Pickett
Blackstone Co: Nottoway, VA 23824–
Landholding Agency: Army
Property Numbers: 219010972, 219010976, 219010979, 219010982, 219010984, 219010987, 219010990, 219010993, 219010995, 219010998, 219011000, 219011003, 219011010, 219011012, 219011014, 219011017, 219011020, 219011023, 219011027, 219011032, 219011033–219011036, 219011038, 219011040, 219011043, 219011046, 219011047
Status: Underutilized
Comment: 4292 sq. ft. each; selected periods are reserved for military/ training exercises, most recent use—barracks.

Bldg. 1677
Fort Pickett
Blackstone Co: Nottoway, VA 23930–
Landholding Agency: Army
Property Number: 219010973
Status: Underutilized
Comment: 3300 sq. ft.; selected periods reserved for military/training exercises; most recent use—Hdqts. Bldg.

Bldgs. 1666, 1687, 1696
Fort Pickett
Blackstone Co: Nottoway, VA 23824–
Landholding Agency: Army
Property Numbers: 219010974–219010975, 219010977
Status: Underutilized
Comment: 1300 sq. ft. each; selected periods are reserved for military/training exercises; most recent use—Hdqts. Bldgs.

Bldg. 1667
Fort Pickett
Blackstone Co: Nottoway, VA 23930–
Landholding Agency: Army
Property Number: 219010978
Status: Underutilized
Comment: 11000 sq. ft.; most recent use—mess hall; selected periods are reserved for military/training exercises.

Bldg. 1686
Fort Pickett
Blackstone Co: Nottoway, VA 23824–
Landholding Agency: Army
Property Number: 219010980
Status: Underutilized
Comment: 11000 sq. ft.; most recent use—mess hall; selected periods are reserved for military/training exercises.

Bldg. 1690
Fort Pickett
Blackstone Co: Nottoway, VA 23824–
Landholding Agency: Army
Property Number: 219010981
Status: Underutilized
Comment: 2300 sq. ft.; selected periods are reserved for military/training exercises; most recent use—storage.

Bldg. 2810
Fort Pickett
Blackstone Co: Nottoway, VA 23824–
Landholding Agency: Army
Property Number: 219010983

Status: Underutilized
Comment: 3500 sq. ft.; most recent use—recreation; selected periods are reserved for military/training exercises.

Bldg. 2609, 2801
Fort Pickett
Blackstone Co: Nottoway, VA 23824–
Landholding Agency: Army
Property Number: 219010985–219010986
Status: Underutilized
Comment: 1200 sq. ft. each; most recent use—recreation; selected periods are reserved for military/training exercises.

Bldgs. 2602, 2808
Fort Pickett
Blackstone Co.: Nottoway, VA 23824–
Landholding Agency: Army
Property Numbers: 219010988–219010989
Status: Underutilized
Comment: 2,200 sq. ft. each; most recent use—Recreation Bldg; selected periods are reserved for military/training exercises.

Bldgs. 1315, 1316
Fort Pickett
Blackstone Co.: Nottoway, VA 23930–
Landholding Agency: Army
Property Numbers: 219010991–219010992
Status: Underutilized
Comment: 4,038 sq. ft. each; most recent use—housing; selected periods are reserved for military/training exercises.

Bldgs. T1348, T1365, 1309, 2810
Fort Pickett
Blackstone Co.: Nottoway, VA 23824–
Landholding Agency: Army
Property Numbers: 219010994, 219010996–219010997, 219010999
Status: Underutilized
Comment: 2,256 sq. ft. each; most recent use—housing; selected periods are reserved for military/training exercises.

Bldg. T3055
Fort Pickett
Blackstone Co.: Nottoway, VA 23824–
Landholding Agency: Army
Property Number: 219011001
Status: Underutilized
Comment: 2,307 sq. ft.; most recent use—recreation facility; selected periods are reserved for military/training exercises.

Bldgs. 1662, 1655, 1688, 1689, 1691
Fort Pickett
Blackstone Co.: Nottoway, VA 23824–
Landholding Agency: Army
Property Numbers: 219011037, 210011039, 219011041–219011042, 219011044
Status: Underutilized
Comment: 2,500 sq. ft. each; selected periods reserved for military/training exercises; most recent use—Hdqts. Bldg.

Bldgs. 2402, 2869, T2410, 3002, 3005
Fort Pickett
Blackstone Co.: Nottoway, VA 23930–
Landholding Agency: Army
Property Numbers: 219011045, 219011048–219011049, 219011051–219011052
Status: Underutilized
Comment: 1,176 sq. ft. each; selected periods of time reserved for military/training exercises; most recent use—Hdqts. Bldg.

Bldgs. 1897, 2229, 2238–2239, 2373, 2462–2463, 2671, 2672–2673, 2864, 2865, 3061–3063
Fort Pickett
Blackstone Co.: Nottoway, VA 23824–
Landholding Agency: Army
Property Numbers: 219011050, 219011053–219011059, 219011061–219011063, 219011066, 219011069, 219011072, 219011075
Status: Underutilized
Comment: 2,761 sq. ft. each; most recent use-veh. maint. shop; selected periods are reserved for military/training exercises.

Bldgs. 1725, 2608, 2651, 2803, 2817
Fort Pickett
Blackstone Co.: Nottoway, VA 23824–
Landholding Agency: Army
Property Numbers: 219011078, 219011082, 219011087, 219011090
Status: Underutilized
Comment: 2,300 sq. ft. each; most recent use-dining fac; selected periods are reserved for military/training exercises.

Bldgs. 1352, 3026
Fort Pickett
Blackstone Co.: Nottoway, VA 23824–
Landholding Agency: Army
Property Numbers: 219011092, 219011095
Status: Underutilized
Comment: 3,500 sq. ft. each; most recent-dining fac; selected periods are reserved for military/training exercises.

Bldg. 1932
Fort Belvoir
Goethals Road
Fort Belvoir Co.: Fairfax, VA 22060–
Landholding Agency: Army
Property Number: 219012310
Status: Unutilized
Comment: 13,780 sq. ft.; 2 floors; most recent use—storage; All utilities have been removed; needs rehab.

Bldg. 2222
Fort Belvoir
Fort Belvoir Co: Fairfax, VA 22060–
Location: West of Foster Road
Landholding Agency: Army
Property Number: 219012315
Status: Unutilized
Comment: 3800 sq. ft. per floor; 2 floors; concrete foundation/frame building; no utilities.

Bldg. 1932
Fort Belvoir
Goethals Road
Fort Belvoir Co.: Fairfax, VA 22060–
Landholding Agency: Army
Property Number: 219012318
Status: Unutilized
Comment: 6,890 sq. ft. per floor; two floors; frame on concrete foundation; possible asbestos; utilities disconnected; quarters.

Bldg. T–6015
U.S. Army Logistics Center & Fort Lee
Shop Road
Fort Lee Co.: Prince George, VA 23801–
Landholding Agency: Army
Property Number: 219012376
Status: Unutilized
Comment: 2,124 sq. ft.; 2 story; most recent use—barracks; poor condition; needs major rehab.

Bldg. T–6018
U.S. Army Logistics Center and Fort Lee
Shop Road
Fort Lee Co.: Prince George, VA 23801–
Landholding Agency: Army
Property Number: 219012396
Status: Unutilized
Comment: 1,575 sq. ft., 1 floor, no utilities, possible asbestos, needs rehab, off site use only.

Bldg. 227
Fort Belvoir
OPS General Purpose
Fort Belvoir Co.: Fairfax, VA 22060–
Location: Off Middleton Road
Landholding Agency: Army
Property Number: 219012555
Status: Unutilized
Comment: 900 sq. ft., 1 floor, most recent use-administration, needs major construction/rehab.

Bldg. 2222
Fort Belvoir Military Reservation
West of Foster Road
Fort Belvoir Co: Fairfax, VA 22060–
Landholding Agency: Army
Property Number: 219013767
Status: Unutilized
Comment: 3,800 sq ft.; story concrete and wood; possible asbestos; most recent use—storage.

Bldg. T–12054
U.S. Army Logistics Center and Fort Lee
Logistics Circle
Fort Lee Co: Prince George, VA 23801–
Landholding Agency: Army
Property Number: 219030328
Status: Unutilized
Comment: 4,095 sq ft.; 1 story sheet metal; needs rehab; presence of asbestos; off-site use only.

Bldg. #43-Admin. Gen Purp Bldg.
Fort Myer
Washington Avenue
Fort Myer Co: Arlington, VA 22211–
Landholding Agency: Army
Property Number: 219120100
Status: Unutilized
Comment: 1,341 sq ft.; two story, brick/wood siding, needs major rehab, possible asbestos, off-site use only.

Washington

Bldg. 875
East 10th Street & Cabell Road
Vancouver Barracks
Vancouver Co: Clark, WA 98661–3896
Landholding Agency: Army
Property Number: 219011616
Status: Excess
Comment: 13,695 sq ft.; 2 story wood frame, extensive fire damage, Historic property.

Bldg. 701
SE Corner, McClelland & McLoughlin Road
Vancouver Barracks
Vancouver Co: Clark, WA 98661–3896
Landholding Agency: Army
Property Number: 219011628
Status: Unutilized
Comment: 1 story wood frame, needs extensive repairs, Historic property.

Wisconsin

Bldgs. T–1058, T–01027—T–01030, T–01035—T–01040, T–01044, T–01046—T–01053, T–01059, T–01063, T–01069, T–01034, T–01041, T–01057, T–01071—T–01080, T–01082—T–01084
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000

Landholding Agency: Army
Property Numbers: 219013435, 219013471–219013480, 219013483, 219013485–219013493, 219013497, 219013502, 219013504–219013505, 219013519, 219013521–219013533
Status: Unutilized
Comment: 4,829 sq. ft. each; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–10122
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013436
Status: Unutilized
Comment: 1,900 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–10123
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013437
Status: Unutilized
Comment: 2,405 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–10135
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013438
Status: Unutilized
Comment: 97 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings; most recent use—power plant.

Bldg. T–10136
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013439
Status: Unutilized
Comment: 96 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings; most recent use—power plant.

Bldg. T–10127
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013440
Status: Unutilized
Comment: 1,148 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. P–10119
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013441
Status: Unutilized
Comment: 215 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. P–10137
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013442
Status: Unutilized
Comment: 192 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings; most recent use—power plant.

Bldgs. T–01088—T–01089, T–01090—T–01093, T–01094—T–01097, T–01014
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Numbers: 219013444–219013445, 219013446–219013449, 219013452–219013455, 219013457
Status: Unutilized
Comment: 5,295 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–10118
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013450
Status: Unutilized
Comment: 1,250 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–10120
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013451
Status: Unutilized
Comment: 1250 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–10113
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013456
Status: Unutilized
Comment: 2393 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–10121
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013458
Status: Unutilized
Comment: 506 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldgs. T–10100—T–10103, T–10105, T–10107, T–10108
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Numbers: 219013459–219013462, 219013463, 219013465–219013466
Status: Unutilized
Comment: 3944 sq. ft. each; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–10106
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013464
Status: Unutilized
Comment: 4105 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–10124
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013467
Status: Unutilized
Comment: 3115 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldgs. T–10125—T10126
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013468–219013469
Status: Unutilized
Comment: 3590 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–10110
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013470
Status: Unutilized
Comment: 2548 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings; most recent use—vehicle storage.

Bldgs. T–01042, T–01043, T–01045, T–01060—T–01062, T–01022—T–01025, T–01064, T–01085—T–01086
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Numbers: 219013481–219013482, 219013484, 219013494–219013496, 219013515–219013518, 219013520, 219013534–219013535
Status: Unutilized
Comment: 4686 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldgs. T–01065—T–01067
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Numbers: 219013498–219013500
Status: Unutilized
Comment: 4793 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–01068
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013501
Status: Unutilized
Comment: 4848 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–01032
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000

Landholding Agency: Army
Property Number: 219013503
Status: Unutilized
Comment: 5588 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–01054
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013506
Status: Unutilized
Comment: 4184 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–01033
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013507
Status: Unutilized
Comment: 5241 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–10112
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013508
Status: Unutilized
Comment: 1273 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings; most recent use—morgue.

Bldg. T–01031
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013509
Status: Unutilized
Comment: 4813 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–01002
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 2190135510
Status: Unutilized
Comment: 2573 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–01010
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013511
Status: Unutilized
Comment: 8799 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–10109
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013512
Status: Unutilized
Comment: 2000 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–01098
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013513
Status: Unutilized
Comment: 7133 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–01099
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013514
Status: Unutilized
Comment: 3294 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–01003
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013536
Status: Unutilized
Comment: 3366 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–01001
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013537
Status: Unutilized
Comment: 3350 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–01005
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013538
Status: Unutilized
Comment: 3253 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–01020
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013539
Status: Unutilized
Comment: 4150 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldgs. T–01070, T–01081
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Numbers: 219013540–219013541
Status: Unutilized
Comment: 7133 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldgs. T–01006—T–01007, T–01009, T–01012—T–01013, T–01015—T–01018
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Numbers: 219013542–219013544, 219013546–219013551
Status: Unutilized
Comment: 5295 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–01011
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013545
Status: Unutilized
Comment: 4236 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–01021
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013552
Status: Unutilized
Comment: 4236 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldgs. T–01004, T–01019
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Numbers: 219013553–219013554
Status: Unutilized
Comment: 2815 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–01056
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013555
Status: Unutilized
Comment: 15657 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Bldg. T–01000
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013556
Status: Unutilized
Comment: 3378 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings; most recent use—fire station.

Bldg. T–01055
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54646–5000
Landholding Agency: Army
Property Number: 219013557
Status: Unutilized
Comment: 5471 sq. ft.; 1 story wood frame; possible asbestos; hospital/patient ward buildings.

Land (by State)

Alaska

Nome Army Site

Nome Co: Nome, AK
Location: Located on shoreline of Norton Sound on Bering Sea.
Landholding Agency: Army
Property Number: 219013779
Status: Underutilized
Comment: 2.2 acres; limited utilities.

Eklutna Dipsersal Site
Fort Richardson
Anchorage Co: Anchorage, AK 99505–
Landholding Agency: Army
Property Number: 219014606
Status: Underutilized
Comment: 500 acres; parkland; environmentally protected.

Arkansas

Pine Bluff Arsenal
Pine Bluff Co: Jefferson, AR 71602–9500
Location: 8 miles north of Pine Bluff on Highway 365
Landholding Agency: Army
Property Number: 219013841
Status: Unutilized
Comment: 1 acre and 3 acres; potential utilities; brush terrain; used as safety buffer; subject to easements.

Illinois

Arlington USAR Center
1515 W. Central Road
Arlington Height Co: Cook, IL 60005–
Landholding Agency: Army
Property Number: 219013921
Status: Underutilized
Comment: 6 acres; access subject to negotiation.

Kansas

Parcel 1
Fort Leavenworth
Combined Arms Center
Fort Leavenworth Co: Leavenworth, KS 66027–5020
Landholding Agency: Army
Property Number: 219012333
Status: Underutilized
Comment: 14.4+ acres.

Parcel 3
Fort Leavenworth
Combined Arms Center
Fort Leavenorth Co: Leavenworth, KS 66027–5020
Landholding Agency: Army
Property Number: 219012336
Status: Underutilized
Comment: 261+ acres; heavily forested; no access to a public right-of-way; selected periods are reserved for military/training exercises.

Parcel 4
Fort Leavenworth
Combined Arms Center
Fort Leavenworth Co: Leavenworth, KS 66027–5020
Landholding Agency: Army
Property Number: 219012339
Status: Underutilized
Comment: 24.1+ acres; selected periods are reserved for military/training exercises; steep/wooded area.

Parcel 6
Fort Leavenworth
Combined Arms Center
Fort Leavenworth Co: Leavenworth, KS 66027–5020
Location: Extreme north east corner of installation in Flood Plain of the Missouri River.
Landholding Agency: Army
Property Number: 219012340
Status: Underutilized
Comment: 1280 acres; selected periods are reserved for military/training exercises.

Parcel F
Fort Leavenworth
Combined Arms Center
Fort Leavenworth Co: Leavenworth, KS 66027–5020
Landholding Agency: Army
Property Number: 219012552
Status: Unutilized
Comment: 33.4 acres; area is land locked; heavily wooded; periodic flooding.

Minnesota

Land
Twin Cities Army Ammunition Plant
New Brighton Co: Ramsey, MN 55112–
Landholding Agency: Army
Property Number: 219120289
Status: Underutilized
Comment: Approx. 25 acres, possible contamination, secured area with alternate access.

Nevada

Parcel A
Hawthorne Army Ammunition Plant
Hawthorne Co: Mineral, NV 89415–
Location: At foot of Eastern slope of Mount Grant in Wassuk Range and S.W. edge of Walker Lane
Landholding Agency: Army
Property Number: 219012049
Status: Unutilized
Comment: 160 acres, road and utility easements, no utility hookup, possible flooding problem.

Parcel B
Hawthorne Army Ammunition Plant
Hawthorne Co: Mineral, NV 89415–
Location: At foot of Eastern slope of Mount Grant in Wassuk Range and S.W. edge of Walker Lane
Landholding Agency: Army
Property Number: 219012056
Status: Unutilized
Comment: 1920 acres; road and utility easements; no utility hookup; possible flooding problem.

Parcel C
Hawthorne Army Ammunition Plant
Hawthorne Co: Mineral, NV 89415–
Location: South-southwest of Hawthorne along HWAAP's South Magazine Area at Western edge of State Route 359
Landholding Agency: Army
Property Number: 219012057
Status: Unutilized
Comment: 85 acres' road and utility easements; no utility hookup.

Parcel D
Hawthorne Army Ammunition Plant
Hawthorne Co: Mineral, NV 89415–
Location: South-southwest of Hawthrone along HWAAP's South Magazine Area at western edge of State Route 359.
Landholding Agency: Army
Property Number: 219012058
Status: Unutilized
Comment: 955 acres; road & utility easements; no utility hookup.

Oklahoma

Parcel No. 8
Fort Gibson Lake
Section 22
Cherokee County, OK
Landholding Agency: Army
Property Number: 219013801
Status: Underutilized
Comment: 5 acres; bushy and timbered; subject to grazing lease.

Parcel No. 9
Fort Gibson Lake
Section 16
Cherokee County, OK
Landholding Agency: Army
Property Number: 219013802
Status: Underutilized
Comment: 7.5 acres; rolling; relatively open; subject to grazing lease; most recent use—recreation.

Parcel No. 10
Fort Gibson Lake
Section 16
Cherokee County, OK
Landholding Agency: Army
Property Number: 219013803
Status: Underutilized
Comment: 36 Acres; rolling; relatively open; subject to grazing lease; most recent use—recreation.

Parcel No. 11
Fort Gibson Lake
Section 16
Cherokee County, OK
Landholding Agency: Army
Property Number: 219013804
Status: Underutilized
Comment: 60.34 acres; semi open with trees; most recent use—recreation.

Parcel No. 12
Fort Gibson Lake
Section 16
Cherokee County, OK
Landholding Agency: Army
Property Number: 219013805
Status: Underutilized
Comment: 6 acres; flat and open; subject to grazing lease; most recent use—recreation.

Parcel No. 13
Fort Gibson Lake
Section 21
Cherokee County, OK
Landholding Agency: Army
Property Number: 219013806
Status: Underutilized
Comment: 7 acres; flat and open; subject to grazing lease; most recent use—recreation.

Parcel No. 17
Fort Gibson Lake
Section 12
Wagoner Co. Co; Wagoner, OK
Landholding Agency: Army
Property Number: 219013807
Status: Underutilized
Comment: 25.09 acres; flat with trees most recent use—recreation.

Parcel No. 18
Fort Gibson Lake
Section 12
Wagoner Co. Co; Wagoner, OK
Landholding Agency: Army
Property Number: 219013808
Status: Underutilized

Comment: 8.77 acres; subject to grazing lease; most recent use—recreation.

Parcel No. 22
Fort Gibson Lake
Section 16 and 21
Wagoner Co. Co; Wagoner, OK
Landholding Agency: Army
Property Number: 219013809
Status: Underutilized
Comment: 177.84 acres; rolling with timbered and open areas; subject to grazing lease; most recent use—recreation.

Parcel No. 32
Fort Gibson Lake
Section 2
Mayes County, OK
Landholding Agency: Army
Property Number: 219013810
Status: Underutilized
Comment: 22 aces; rolling and open; subject to grazing lease; most recent use—recreation.

Parcel No. 33
Fort Gibson Lake
Section 4
Mayes County, OK
Landholding Agency: Army
Property Number: 219013811
Status: Underutilized
Comment: 18 acres; flat and open; subject to grazing lease; most recent use—recreation.

Parcel No. 34
Fort Gibson Lake
Section 34
Mayes County, OK
Landholding Agency: Army
Property Number: 219013812
Status: Underutilized
Comment: 18 acres; hilly-timbered; subject to grazing lease; most recent use—recreation.

Parcel No. 36
Fort Gibson Lake
Section 12
Mayes County, OK
Landholding Agency: Army
Property Number: 219013813
Status: Underutilized
Comment: 19 acres; subject to grazing lease; most recent use—recreation.

Parcel No. 38
Fort Gibson Lake
Section 7 and 8
Mayes County, OK
Landholding Agency: Army
Property Number: 219013814
Status: Underutilized
Comment: 97.39 acres; rolling, partially open with trees; subject to grazing lease; most recent use—recreation.

Parcel No. 40
Fort Gibson Lake
Section 5
Mayes County, OK
Landholding Agency: Army
Property Number: 219013815
Status: Underutilized
Comment: 42 acres; timber; subject to grazing lease; most recent use—recreation.

Parcel No. 41
Fort Gibson Lake
Section 5
Mayes County, OK
Landholding Agency: Army
Property Number: 219013816
Status: Underutilized
Comment: 10 acres; some trees; subject to grazing lease; most recent use—recreation.

Tennessee

Milan Army Ammunition Plant
Milan Co: Carroll, TN 38358-Location: Plant boundary in the northeast corner of the plant & housing area
Landholding Agency: Army
Property Number: 219010547
Status: Excess
Comment: 17.2 acres; right of entry legal constraint

Holston Army Ammunition Plant
Kingsport Co: Hawkins, TN 61299–6000
Landholding Agency: Army
Property Number: 219012338
Status: Unutilized
Comment: 8 acres; unimproved; could provide access; 2 acres unusable; near explosives.

Texas

Land Saginaw Army Aircraft Plt
Saginaw Co: Tarrant, TX 76070-
Landholding Agency: Army
Property Number: 219014814
Status: Unutilized
Comment: 154.3 acres; includes buildings/structures/parking and air strip.

Suitable/Unavailable Properties

Buildings (by State)

Arkansas

S.W. Terry USAR Center
3600 South Pierce Street
Little Rock Co: Pulaski, AR 72204-
Landholding Agency: Army
Property Number: 219014785
Status: Unutilized
Comment: 22350 sq. ft.; 1 story plus mezzanine; masonry frame; possible asbestos in broiler room.

California

P–33 Fort Ord
East Garrison
Fort Ord Co: Monterey, CA 93940-
Landholding Agency: Army
Property Number: 219010723
Status: Unutilized
Comment: 4132 sq. ft.; 1 floor; most recent use—storage

T–68 Fort Ord
East Garrison
Fort Ord Co: Monterey, CA 93940-
Landholding Agency: Army
Property Number: 219010768
Status: Unutilized
Base closure
Comment: 1049 sq. ft.; 1 story; possible asbestos.

Bldg. 226
Parks Reserve Forces Training Area
Dublin Co: Alameda, CA 94129-
Landholding Agency: Army
Property Number: 219013010
Status: Unutilized
Comment: 11500 sq. ft.; 3 story temporary wood; extensive asbestos present; most recent use—barracks.

Bldg. T–220
Artillery Street
Presidio of Monterey Co: Monterey, CA 93940-
Landholding Agency: Army
Property Number: 219014784
Status: Unutilized
Comment: 3343 sq. ft.; 2 story wood frame; most recent use—bowling center.

Bldg. 939
Parks Reserve Forces
Training Area
Dublin Co: Alameda, CA 94129-
Landholding Agency: Army
Property Number: 219030292
Status: Unutilized
Comment: 11300 sq. ft.; 1 story wood frame; needs major rehab; extensive asbestos present.

Georgia

Bldg. 5325
Fort Benning Co: Muscogee, GA 31905-
Landholding Agency: Army
Property Number: 219010140
Status: Unutilized
Comment: 2124 sq. ft.; most recent use—barracks; needs rehab.

Kentucky

Bldgs. 2945, 3165, 3111, 3113
Fort Campbell
Fort Campbell Co: Christian, KY 42223-
Landholding Agency: Army
Property Numbers: 219012543, 219013221, 219013230, 219013231
Status: Underutilized
Comment: 4248 sq. ft. each; 2 story; selected periods are reserved for military/training exercises; possible asbestos

Bldgs. 144, 145
Ft. Campbell
Ft. Campbell Co: Christian, KY 42223-
Landholding Agency: Army
Property Numbers: 219013140-219013141
Status: Underutilized
Comment: 12576 sq. ft. each; 2 story; possible asbestos; most recent use—basic training central issue facility.

Bldgs. 3149, 3143, 3142, 3141
Ft. Campbell
Ft. Campbell Co: Christian, KY 42223-
Landholding Agency: Army
Property Numbers: 219013222, 219013224–219013226
Status: Underutilized
Comment: 2200 sq. ft. each.; 1 story; possible asbestos; selected periods used for military/training exercises.

Bldgs. 3135, 2733, 3132, 3133
Ft. Campbell
Ft. Campbell Co: Christian, KY 42223-
Landholding Agency: Army
Property Numbers: 219013227, 219013229, 219013233–219013234
Status: Underutilized
Comment: 1760 sq. ft. each; 1 story; possible asbestos; selected periods used for military/training exercises.

Bldg. 3134
Ft. Campbell
Ft. Campbell Co: Christian, KY 42223-
Landholding Agency: Army
Property Number: 219013228
Status: Underutilized
Comment: 1880 sq. ft.; 1 story; possible asbestos; selected periods used for military/training.

Louisiana

Bldg. 8323
12th Street
Fort Polk Co: Vernon, LA 71459-5000
Landholding Agency: Army
Property Number: 219012730
Status: Underutilized
Comment: 4015 sq. ft.; temporary wood frame; most recent use—motor pool maintenance shop.

Massachusetts

Bldg. T-206
Fort Devens
Fort Devens Co: Middlesex/Worce, MA 01433-
Landholding Agency: Army
Property Number: 219012345
Status: Underutilized
Comment: 1000 sq ft., 1 story, wood, most recent use—day room.

Bldg. T-209
Fort Devens
Fort Devens, MA 01433-
Landholding Agency: Army
Property Number: 219030265
Status: Underutilized
Comment: 4070 sq. ft.; 2 story wood frame; needs rehab; most recent use—barracks.

New Jersey

Bldgs. 3315-B, 3316-C, 3629-C, 3329-E, 3346-C, 3349-B, 3349-C, 3350-B, 3350-E, 3350-G, 3356-A thru D
Nelson Family Housing
Harty Road
Fort Dix Co: Burlington, NJ 08640-
Landholding Agency: Army
Property Numbers: 219030194, 219030198, 219030206-219030207, 219030223, 219030227-219030228, 219030230-219030232, 219030235-219030238
Status: Unutilized
Comment: 879 sq. ft.; 2 story residence; structurally deteriorated; possible asbestos.

Bldgs. 3315-C, 3349-E, 3351-C&D, 3356-E
Nelson Family Housing
Harty Road
Fort Dix Co: Burlington, NJ 08640-
Landholding Agency: Army
Property Number: 219030195, 219030229, 219030233-219030234, 219030239,
Status: Unutilized
Comment: 595 sq. ft. each; 1 story residence; structurally deteriorated; possible asbestos.

Bldgs. 3316-A&B, 3317-A, 3322-C, 3319-C, 3323-A&B, 3332-A&B, 3333-E, 3336-F, 3336-E, 3338-B, 3339-A, 3340-A, 3342-A, B, C, D, E, 3345-A, 3348-A, B, C
Nelson Family Housing
Singer Road
Fort Dix Co: Burlington, NJ 08640-
Landholding Agency: Army
Property Numbers: 219030196-219030197, 219030199, 219030201-219030204, 219030208-219030220, 219030222, 219030224-219030226
Status: Unutilized
Comment: 975 sq. ft. each; 2 story residences; structurally deteriorated; possible asbestos.

Bldgs. 3318-A, 3325-A, 3344-B
Nelson Family Housing
Singer Road
Fort Dix Co: Burlington, NJ 08640-
Landholding Agency: Army
Property Numbers: 219030200, 219030205, 219030221
Status: Unutilized
Comment: 1267 sq. ft. each; 2 story residence; structurally deteriorated; possible asbestos.

Bldg. 3357-C
Nelson Family Housing
Lexington Avenue
Fort Dix Co: Burlington, NJ 08640-
Landholding Agency: Army
Property Number: 219030240
Status: Unutilized
Comment: 875 sq. ft.; 2 story residence; structurally deteriorated; possible asbestos.

Bldgs. 3357-D, 3357-E
Nelson Family Housing
Lexington Avenue
Fort Dix Co: Burington, NJ 08640-
Landholding Agency: Army
Property Numbers: 219030241-219030242
Status: Unutilized
Comment: 875 sq. ft.; 2 story residence; structurally deterioriated; possible asbestos.

South Carolina

Bldg. 5485
Marion Avenue
Fort Jackson Co: Richland, SC
Landholding Agency: Army
Property Number: 219013897
Status: Unutilized
Comment: 6303 sq. ft.; 1 story permanent structure; former heating plant; deteriorated condition.

Tennessee

Area Q—Housing Area—Q-1
Milan Army Ammunition Plant
Milan Co: Carroll, TN 38358-
Landholding Agency: Army
Property Number: 219120271
Status: Undertilized
Comment: 2024 sq. ft., 2 story wood frame, most recent use—residence, intermittently used during selected periods.

Area Q—Housing Area—Q-29
Milan Army Ammunition Plant
Milan Co: Carroll, TN 38358-
Landholding Agency: Army
Property Number: 219120275
Status: Underutilized
Comment: 2024 sq. ft., 2 story wood frame, most recent use—residence, intermittently used during selected periods.

Texas

Bldg. 809 Fort Hood
20th Street and Central Avenue
Fort Hood Co: Bell, TX 76544-
Landholding Agency: Army
Property Number: 219120114
Status: Unutilized
Comment: 4779 sq. ft., two story wooden structure, needs major rehab, no latrine facilities.

Utah

Bldg. 101
Tooele Army Depot, North Area
2 miles south of Tooele on State Hwy 36
Tooele Co: Tooele, UT 84074-5008
Landholding Agency: Army
Property Number: 219120305
Status: Underutilized
Comment: 1698 sq. ft., 1 story, most recent use—admin. and supply

Virginia

Bldg. 2809
Fort Pickett
Blackstone Co: Nottoway, VA 23824-
Landholding Agency: Army
Property Number: 219030271
Status: Underutilized
Comment: 3500 sq. ft.; selected periods are reserved for military/training exercises; most recent use—recreation building.

Bldg. 2649
Fort Pickett
Blackstone Co: Nottoway, VA 23824-
Landholding Agency: Army
Property Number: 219030272
Status: Underutilized
Comment: 2900 sq. ft.; selected periods are reserved for military/training exercises; most recent use—dining facility.

Bldgs. 2212, 2417
Fort Pickett
Blackstone Co: Nottoway, VA 23824-
Landholding Agency: Army
Property Numbers: 219030279-219030280
Underutilized
Comment: 2256 sq. ft. ea.; selected periods are reserved for military/training exercises; most recent use—headquarters building.

Bldgs. 1693-1695
Fort Pickett
Blackstone Co: Nottoway, VA 23824-
Landholding Agency: Army
Property Numbers: 219030281-219030283
Underutilized
Comment: 6912 sq. ft. ea.; selected periods are reserved for military/training exercises; most recent use—barracks.

Bldgs. T-3029, 3030, T-3037 thru T-3039
Fort Pickett
Blackstone Co: Nottoway, VA 23824-
Landholding Agency: Army
Property Numbers: 219030284-219030288
Underutilized
Comment: 4292 sq. ft. ea.; selected periods are reserved for military/training exercises; most recent use—barracks.

Bldgs. 1356, 1360-1362, 1668-1675, 1678-1685
Fort Pickett
Blackstone Co: Nottoway, VA 23824-
Landholding Agency: Army
Property Numbers: 219030295-219030314
Underutilized
Comment: 11000 sq. ft. ea.; selected periods are reserved for military/training exercises; most recent use—mess hall.

Suitable/To Be Excessed

Buildings (by State)

California

Bldg. 270
Los Alamitos Armed Forces Reserve Center
Main entrance on Lexington Dr.
Los Alamitos Co: Orange, CA 90720-5001
Landholding Agency: Army
Property Number: 219120324
Status: Unutilized
Comment: 90 sq. ft., concrete/aluminum, off-site use only, most recent use—aircraft steam cleaning bldg.

Maryland

Bldg. 101
Walter Reed Army Medical Center

Forest Glen Section
Silver Spring Co: Montgomery, MD 20910–
Landholding Agency: Army
Property Number: 219012678
Status: Underutilized
Comment: 18438 sq. ft.; needs rehab; possible asbestos; building listed on National Historic Register.

Bldg. 104
Walter Reed Army Medical Center
Forest Glen Section
Silver Spring Co: Montgomery, MD 20910–
Landholding Agency: Army
Property Number: 219012679
Status: Underutilized
Comment: 12495 sq. ft.; needs rehab; possible asbestos; building listed on National Historic Register.

Bldg. 107
Walter Reed Army Medical Center
Forest Glen Section
Silver Spring Co: Montgomery, MD 20910–
Landholding Agency: Army
Property Number: 219012680
Status: Underutilized
Comment: 4107 sq. ft.; possible structural deficiencies; possible asbestos; historic property.

Bldg. 120
Walter Reed Army Medical Center
Forest Glen Section
Silver Spring Co: Montgomery, MD 20910–
Landholding Agency: Army
Property Number: 219012681
Status: Underutilized
Comment: 2442 sq. ft.; possible structural deficiencies; possible asbestos; historic property.

Unsuitable Properties

Buildings (by State)

Alabama

80 Bldgs.
Redstone Arsenal
Redstone Arsenal Co: Madison, AL 35898–
Landholding Agency: Army
Property Numbers: 219014000, 219014003–219014005, 219014009, 219014012, 219014015–219014053, 219014055–219014061, 219014064, 219014066, 219014068–219014080, 219014291–219014292, 219110109–219110111, 219120247–219120251, 219130001, 219140614–219140615
Status: Unutilized
Reason: Secured Area

Bldg. P00894
Fort McClellan
3rd Avenue in Area 8 Motor Pool
Fort McClellan Co: Calhoun, AL 36205–5000
Landholding Agency: Army
Property Number: 219110046
Status: Unutilized
Reason: Other
Comment: Gas station

Bldg. T00862
Fort McClellan
Off 21st Street between 2nd & 3rd Avenue
Fort McCellan Co: Calhoun, AL 36205–5000
Landholding Agency: Army
Property Number: 219130019
Status: Unutilized
Reason: Other
Comment: Extensive deterioration

Complex A (55 units)
Anniston Army Depot
Wherry Housing—Terrace Homes Apt.
Anniston Co: Calhoun AL, 36201–
Landholding Agency: Army
Property Number: 219130104
Status: Excess
Reason: Other
Comment: Extensive deterioration

Complex B (20 units)
Anniston Army Depot
Wherry Housing—Terrace Homes Apt.
Anniston Co: Calhoun, AL 36201–
Landholding Agency: Army
Property Number: 219130105
Status: Excess
Reason: Other
Comment: Extensive deterioration

Complex C (14 units)
Anniston Army Depot
Wherry Housing—Terrace Homes Apt.
Anniston Co: Calhoun, AL 36201–
Landholding Agency: Army
Property Number: 219130106
Status: Excess
Reason: Other
Comment: Extensive deterioration

Complex D (7 units)
Anniston Army Depot
Wherry Housing—Terrace Homes Apt.
Anniston Co: Calhoun, AL 36201–
Landholding Agency: Army
Property Number: 219130107
Status: Excess
Reason: Other
Comment: Extensive deterioration

Two Bedroom Apt.
Anniston Army Depot
Wherry Housing—Terrace Homes Apt.
Anniston Co: Calhoun, AL 36201–
Landholding Agency: Army
Property Number: 219130108
Status: Excess
Reason: Other

Alaska

Bldgs. 4006, 3705
Fort Wainwright
6th Infantry Division
Fort Wainwright Co: Fairbanks, AK
Landholding Agency: Army
Property Number: 219013778, 219013780
Status: Excess
Reason: Secured Area

Bldg. 603
Fort Richardson
Fort Richardson Co: Anchorage, AK 99505–
Landholding Agency: Army
Property Number: 219014289
Status: Excess
Reason: Secured Area

Bldg. P01024
MARS Station
Fort Wainwright Co: Fairbanks, AK 99703–
Location: Located on North Post; West of 102nd Street and North of Apple Street.
Landholding Agency: Army
Property Number: 219014685
Status: Unutilized
Reason: Floodway

Bldg. 1188
Sentry Station
Fort Wainwright Co: Fairbanks, AK 99703–
Location: Located at Trainor Gate Entrance
Landholding Agency: Army
Property Number: 219014686
Status: Unutilized
Reason: Floodway

Bldgs. 1514, 1546, 1568
Fort Wainwright Co: Fairbanks, AK 99703–
Landholding Agency: Army
Property Number: 219014687–219014689
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material Secured Area

Bldg. 2050
Sentry Station
Fort Wainwright Co: Fairbanks, AK 99703–
Landholding Agency: Army
Property Number: 219014690
Status: Unutilized
Reason: Floodway

Bldgs. 1066, 1062
Officer's Military Housing
Fort Wainwright Co: Fairbanks, AK 99703–
Location: North of Apple Street and West of 100th Street.
Landholding Agency: Army
Property Number: 219014691–219014692
Status: Underutilized
Reason: Floodway

Arizona

49 Bldgs.
Yuma Proving Ground
Yuma Co: Yuma/La Paz, AZ 85365–9102
Landholding Agency: Army
Property Number: 219011738, 219011744–219011745, 219013931–219013958, 219013962–219013964, 219013966–219013980
Status: Underutilized
Reason: Secured Area

32 Bldgs.
Navajo Depot Activity
Bellemont Co: Coconino, AZ 86015–
Location: 12 miles west of Flagstaff, Arizona on I–40
Landholding Agency: Army
Property Number: 219014560–219014591
Status: Underutilized
Reason: Secured Area

10 properties: 753 earth covered igloos; above ground standard magazines
Navajo Depot Activity
Bellemont Co: Coconino, AZ 86015–
Location: 12 miles west of Flagstaff, Arizona on I–40.
Landholding Agency: Army
Property Number: 219014592–219014601
Status: Underutilized
Reason: Secured Area

9 Bldgs.
Navajo Depot Activity
Bellemont Co: Coconino, AZ 86015–5000
Location: 12 miles west of Flagstaff on I–40
Landholding Agency: Army
Property Number: 219030273–219030274, 219120175–219120181
Status: Unutilized
Reason: Secured Area

Bldgs. 15349, 15388
Fort Huachuca
Sierra Vista Co: Cochise, AZ 85635–
Landholding Agency: Army
Property Number: 219130003–219130004
Status: Excess
Reason: Other
Comment: Extensive deterioration

Arkansas

Fort Smith USAR Center
Fort Smith
1218 South A Street
Fort Smith Co: Sebastian, AR 72901–
Landholding Agency: Army
Property Number: 219014928
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

U.S. Army Garrison
Fort Chaffee
428 Ellis Avenue
Fort Chaffee Co: Sebastian, AR 72905–5000
Landholding Agency: Army
Property Number: 219110114
Status: Underutilized
Reason: Other
Comment: Fuel pumphouse

U.S. Army Garrison
Fort Chaffee
1916 1st Avenue
Fort Chaffee Co: Sebastian, AR 72905–5000
Landholding Agency: Army
Property Number: 219110115
Status: Unutilized
Reason: Other
Comment: Fuel pumphouse

U.S. Army Garrison
Fort Chaffee
2520 1st Avenue
Fort Chaffee Co: Sebastian, AR 72905–5000
Landholding Agency: Army
Property Number: 219110116
Status: Unutilized
Reason: Other
Comment: Fuel pumphouse

California

P–12 Fort Ord
East Garrison
Fort Ord Co: Monterey CA, 93940–
Landholding Agency: Army
Property Number: 219010722
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

16 Bldgs., Fort Ord
Fort Ord Co: Monterey, CA 93940–
Landholding Agency: Army
Property Number: 219010724–219010727, 219010729–219010737, 219010739, 219010741, 219010744
Status: Unutilized
Reason: Secured Area (Some are also within 2000 ft. of flammable or explosive material)

T–1781 Fort Ord
4th St. and 1st Ave.
Fort Ord: Co: Monterey, CA 93940–
Landholding Agency: Army
Property Number: 219010746
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material Other environmental Secured Area
Comment: friable asbestos

T–8, T–9, T–10, T–23, T–26, T–27, T–135 Fort Ord
East Garrison
Fort Ord Co: Monterey, CA 93940–
Landholding Agency: Army
Property Number: 219010747, 219010749, 219010754, 219010758, 219010761, 219010765, 219010774
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

T–1782, T–1783, T–1784, T–1785, T–1786, T–22 Fort Ord
Fort Ord Co: Monterey, CA 93940–
Landholding Agency: Army
Property Number: 219010748, 219010750, 219010752–219010753, 219010755–219010756
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material Other environmental
Comment: friable asbestos

T–1801, T–1787 Fort Ord
4th St. and 1st Ave.
Fort Ord Co: Monterey, CA 93940–
Landholding Agency: Army
Property Number: 219010757, 219010921
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material Secured Area

T–1806, T–1807 Fort Ord
4th St. 2nd Ave.
Fort Ord Co: Monterey, CA 93940–
Landholding Agency: Army
Property Number: 219010759–219010760
Status: Unutilized
Reason: Other environmental Secured Area
Comment: contains friable asbestos

T–2107–2109 Fort Ord
7th St. between 1st and 2nd Ave.
Fort Ord Co: Monterey, CA 93940–
Landholding Agency: Army
Property Number: 219010766–219010767, 219010769
Status: Unutilized
Reason: Secured Area

48 Bldgs. Fort Ord
Fort Ord Co: Monterey, CA 93940–
Landholding Agency: Army
Property Number: 219010775–219010790, 219010792–219010806, 219010808–219010816, 219010818–219010819, 219010821, 219010823–219010824, 219010826, 219010828–219010829
Status: Underutilized
Reason: Secured Area

3 Bldgs. Fort Ord
Fort Ord Co: Monterey, CA 93940–
Landholding Agency: Army
Property Number: 219010791, 219010827, 219010831
Status: Unutilized
Reason: Secured Area

5 Bldgs. Fort Ord
Fort Ord Co: Monterey, CA 93940–
Landholding Agency: Army
Property Number: 219010807, 219010817, 219010820, 219010822, 219010825
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldgs. P–99, T–324
Fort Hunter Liggett
Jolon Co: Monterey, CA 93944–
Landholding Agency: Army
Property Number: 219012413, 219012420
Status: Unutilized
Reason: Other
Comment: Latrine, detached structure.

Bldgs. P–177, P–178, 325
Fort Hunter Liggett
Jolon Co: Monterey, CA 93928–
Landholding Agency: Army
Property Number: 219012414–219012415, 219012600
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 18
Riverbank Army Ammunition Plant
5300 Claus Road
Riverbank Co: Stanislaus, CA 95367–
Landholding Agency: Army
Property Number: 219012554
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material Secured Area

Bldgs. T–323, T–322
Fort Hunter Liggett
Mission Road
Jolon Co: Monterey, CA 93928–
Landholding Agency: Army
Property Number: 219012601–219012602
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material
Comment: Within 2,000 ft of sewage facility.

7 Bldgs.
Fort Ord
Fort Ord Co: Monterey, CA
Landholding Agency: Army
Property Number: 219013574–219013577, 219013579–219013581
Status: Unutilized
Reason: Secured Area

9 Bldgs., Nos. 2–8, 18, 156
Riverbank Army Ammunition Plant
5300 Claus Road
Riverbank Co: Stanislaus, CA 95367–
Landholding Agency: Army
Property Number: 219013582–219013590
Status: Underutilized
Reason: Secured Area

Bldg. T–2880
Fort Ord
13th Street and Corps Pl.
Fort Ord Co: Monterey, CA
Landholding Agency: Army
Property Number: 219013817
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldgs. T–2438, T–2106, T–2524
Fort Ord
Fort Ord Co: Monterey, CA
Landholding Agency: Army
Property Number: 219013818–219013819, 2190113821
Status: Underutilized
Reason: Secured Area

Bldg. T–2404
Fort Ord
Tenth Street and First Avenue
Fort Ord Co: Monterey, CA
Landholding Agency: Army
Property Number: 219013820
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area

Bldgs. T–1952, T–2004
Fort Ord
Fort Ord Co: Monterey, CA
Landholding Agency: Army
Property Number: 219013822–219013823
Status: Unutilized
Reason: Secured Area

Bldg. T–1705
Fort Ord

Third Street and First Avenue
Fort Ord Co: Monterey, CA
Landholding Agency: Army
Property Number: 219013824
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area

Bldg. T–2409
Fort Ord
Tenth Street and Second Avenue
Fort Ord Co: Monterey, CA
Landholding Agency: Army
Property Number: 219013825
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area

Bldgs. T–2550, T–2527
Fort Ord
Ninth Street and Third Avenue
Fort Ord Co: Monterey, CA
Landholding Agency: Army
Property Number: 219013826–219013827
Status: Underutilized
Reason: Secured Area

10 Bldgs.
Fort Ord
Fort Ord Co: Monterey, CA
Landholding Agency: Army
Property Number: 219013828–219013837
Status: Unutilized
Reason: Secured Area

8 Bldgs.
Fort Ord
Fort Ord Co: Monterey, CA
Landholding Agency: Army
Property Number: 219013838–219013839, 219014294–219014299
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area

9 Bldgs.
Oakland Army Base
Oakland Co: Alameda, CA 94626–5000
Landholding Agency: Army
Property Number: 219013903–219013906, 219120048–219120051, 219140568
Status: Unutilized
Reason: Secured Area

Bldg. S–108
Sharpe Army Depot
Lathrop Co: San Joaquin, CA 95331–
Location: Roth Road
Landholding Agency: Army
Property Number: 219014290
Status: Underutilized
Reason: Secured Area

4 Bldgs.
Fort Ord
Fort Ord Co: Monterey, CA 93941–
Landholding Agency: Army
Property Number: 219014300–219014303
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area

Bldg. S–184
Fort Hunter Liggett
Ft. Hunter Liggett Co: Monterey, CA 93928–
Location: POL Road
Landholding Agency: Army
Property Number: 219014602
Status: Underutilized
Reason: Secured Area

17 Bldgs.
Sierra Army Depot
Herlong Co: Lassen, CA 96113–
Landholding Agency: Army
Property Number: 219014695–219014700, 219014703–219014705, 219014713–219014717, 219014719–219014721
Status: Unutilized
Reason: Secured Area

Bldg. S–369
Sierra Army Depot
Herlong Co: Lassen, CA 96113–
Landholding Agency: Army
Property Number: 219014706
Status: Unutilized
Reason: Other Secured Area
Comment: Detached Latrine

Bldg. P–88
Sierra Army Depot
Road Oil Storage
Herlong Co: Lassen, CA 96113–
Landholding Agency: Army
Property Number: 219014707
Status: Unutilized
Reason: Other
Comment: Oil Storage Tank

P–C0707, P–C0708, P–C0808—Igloo
Sierra Army Depot
Magazine Area
Herlong Co: Lassen, CA 96113–
Landholding Agency: Army
Property Number: 219014708–219014710
Status: Unutilized
Reason: Secured Area

Bldgs. 173, 177, 197
Roth Road—Sharpe Army Depot
Lathrop Co: San Joaquin, CA
Landholding Agency: Army
Property Number: 219014940–219014942
Status: Unutilized
Reason: Secured Area

39 Bldgs., Nos. 3001–3040
Wherry Housing, Title VIII
Sierra Army Depot
Herlong Co: Lassen, CA 96113–
Location: Intersection of Susanville Road and Flagler Blvd.
Landholding Agency: Army
Property Number: 219030128–219030167
Status: Unutilized
Reason: Secured Area

27 Bldgs.
Fort Ord
Fort Ord Co: Monterey, CA 93941–5777
Landholding Agency: Army
Property Number: 219030180–219030182, 219030346–219030360, 219040379–219040381, 219110067–219110072
Status: Unutilized
Reason: Secured Area

Bldgs. S–321, T–136 Sierra Army Depot
Herlong Co: Lassen, CA 96113–
Landholding Agency: Army
Property Number: 219120046–219120047
Status: Unutilized
Reason: Secured Area

7 Bldgs. Fort Ord
Fort Ord Co: Monterey, CA 93941–5777
Landholding Agency: Army
Property Number: 219120052–219120057, 219120099
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area

Bldgs. 13, 171, 178 Riverbank Ammun Plant
5300 Claus Road
Riverbank Co: Stanislaus, CA 95367–
Landholding Agency: Army
Property Number: 219120162–219120164
Status: Underutilized
Reason: Secured Area

Bldg. 81
Los Alamitos Armed Forces Reserve Center
Los Alamitos Co: Orange, CA 90720–5001
Location: Main entrance on Lexington Dr.
Landholding Agency: Army
Property Number: 219120276
Status: Unutilized
Reason: Other
Comment: detached latrine

Bldgs. S–80, S–115, S–133, S–136, S–206
Sharpe Site
Roth Road
Lathrop Co: San Joaquin, CA 95331–
Landholding Agency: Army
Property Number: 219140262–219140266
Status: Unutilized
Reason: Secured Area

Colorado

87 Bldgs.
Pueblo Army Depot
Pueblo Co: Pueblo, CO 81001–
Location: 14 miles East of Pueblo City on Highway 50
Landholding Agency: Army
Property Number: 219012209, 219012211, 219012214, 219012216, 219012221, 219012223–219012224, 219012226–219012228, 219012230–219012237, 219012239–219012257, 219012260–219012278, 219012280–219012288, 219012290–219012298, 219012300, 219012303, 219012743, 219012745, 219012747–219012748, 219014845, 219120058–219120063
Status: Unutilized
Reason: Secured Area

Bldgs. T–9643, T–9644
Fort Carson
Butts Airfield
Colorado Springs Co: El Paso, CO 80913–5023
Landholding Agency: Army
Property Number: 219013603–219013604
Status: Unutilized
Reason: Secured Area

Georgia

Fort Stewart
Sewage Treatment Plant
Ft. Stewart Co: Hinesville, GA 31314–
Landholding Agency: Army
Property Number: 219013922
Status: Unutilized
Reason: Other
Comment: Sewage treatment

Railway Spur and Bridge
Fort Gillem
Forest Park Co: Clayton, GA 30050–
Location: Located on Highway 42, Southeast
Landholding Agency: Army
Property Number: 219014293
Status: Unutilized
Reason: Within airport runway clear zone

Facility 12304
Fort Gordon
Augusta Co: Richmond, GA 30905–
Location: Located off Lane Avenue
Landholding Agency: Army
Property Number: 219014787
Status: Unutilized
Reason: Other

Comment: Wheeled vehicle grease/ inspection rack
Bldg. 5397
Fort Benning
Ft. Benning Co:
Muscogee, GA 31905–
Landholding Agency: Army
Property Number: 219120268
Status: Unutilized
Reason: Other
Comment: Detached lavatory bldg.
Bldgs. 19719, 19720
Fort Gordon
Augusta Co: Richmond, GA 30905–
Landholding Agency: Army
Property Number: 219140179–219140180
Status: Unutilized
Reason: Other
Comment: Extensive deterioration
26 Bldgs.
Fort Gordon
Augusta Co: Richmond, GA 30905–
Landholding Agency: Army
Property Number: 219140181–219140206
Status: Unutilized
Reason: Other
Comment: Structural damage

Hawaii

PU–01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11
Schofield Barracks
Kolekole Pass Road
Wahiawa Co: Wahiawa, HI 96786–
Landholding Agency: Army
Property Number: 219014836–219014837
Status: Unutilized
Reason: Secured Area.
TMK 1–6–8–8–11
Dillingham Military Reservation
Waialua Co: Wahiawa, HI 96791–
Location: Property adjacent to 68–999 Farrington Highway
Landholding Agency: Army
Property Number: 219014838
Status: Unutilized
Reason: Other environmental
Comment: Civil Defense—Tsunami Inundated area.
TMK 1–6–9–1–29
Dillingham Military Reservation
Wailua Co: Wahiawa, HI 96791–
Location: In Quarry site
Landholding Agency: Army
Property Number: 219014839
Status: Unutilized
Reason: Secured Area.
P–001, PN–05
Kahuku Training Area
Kahuku Training Area Access Road
Kahuku, HI 96731–
Landholding Agency: Army
Property Number: 219030322–219030323
Status: Underutilized
Reason: Secured Area.
P–88
Aliamanu Military Reservation
Honolulu Co: Honolulu, HI 96818–
Location: Approximately 600 feet from Main Gate on Aliamanu Drive.
Landholding Agency: Army
Property Number: 219030324
Status: Unutilized
Reason: Other environmental
Comment: Friable Asbestos.
P–3384 East Range
Schofield Barracks
East Range Road
Wahiawa Co: Wahiawa, HI 96786–
Landholding Agency: Army
Property Number: 219030361
Status: Unutilized
Reason: Secured Area.
Bldg. T–007
Kahuku Training Area
Old Nike Site 2
Kahuku Co: Kahuku, HI 96731–
Landholding Agency: Army
Property Number: 219140567
Status: Unutilized
Reason: Secured Area.

Illinois

576 Bldgs.
Joliet Army Ammunition Plant
Joliet Co: Will, IL 60436–
Landholding Agency: Army
Property Number: 219010153–219010317, 219010319–219010413, 219010415–219010439, 219011750–219011879, 219011881–219011908, 219012331, 219013076–219013138, 219014722–219014781, 219030277–219030278, 219040354, 219140441–219140446
Status: Unutilized
Reason: Secured Area; many within 2000 ft. of flammable or explosive materials; some within floodway.
Bldg. 251
Rock Island Arsenal
Rock Island Co: Rock Island, IL 61299–5000
Landholding Agency: Army
Property Number: 219012357
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.
Bldg. 725
Fort Sheridan
Highwood Co: Lake, IL 60037–5000
Landholding Agency: Army
Property Number: 219013769
Status: Underutilized
Reason: Secured Area.
Bldgs. 58, 59 and 72, 69, 64, 105
Rock Island Arsenal
Rock Island Co: Rock Island, IL 61299–5000
Landholding Agency: Army
Property Number: 219110104–219110108
Status: Unutilized
Reason: Secured Area.

Indiana

138 Bldgs.
Indiana Army Ammunition Plant (INAAP)
Charlestown Co: Clark, IN 47111–
Landholding Agency: Army
Property Number: 219010913–219010919, 219010925–219010926, 219010929–219010936, 219010952, 219010954–219010955, 219010957, 219010959–219010960, 219010962–219010964, 219010966–219010967, 219010969–219010970, 219011449, 219011454, 219011456–219011457, 219011459–219011464, 219013764, 219013848, 219014608–219014620, 219014622–219014651, 219014653–219014683, 219030315, 219120168–219120171, 219140425–219140440
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.
6 Bldgs.
Indiana Army Ammunition Plant
Charlestown Co: Clark, IN 47111–
Landholding Agency: Army
Property Number: 219010920, 219010924, 219010927–219010928, 219014621, 219014652
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.
52 Bldgs.
Newport Army Ammunition Plant
Newport Co: Vermillion, IN 47966–
Landholding Agency: Army
Property Number: 219011584, 219011586–219011587, 219011589–219011590, 219011592–219011627, 219011629–219011636, 219011638–219011641
Status: Unutilized
Reason: Secured Area.
Bldg T–109
Fort Benjamin Harrison
Beaumont Road
Ft. Benjamin Harrison Co: Marion, IN 47216–5450
Landholding Agency: Army
Property Number: 219011648
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

Iowa

14 Bldgs.
Iowa Army Ammunition Plant
Middletown Co: Des Moines, IA 52638–
Landholding Agency: Army
Property Number: 219012603, 219012605–219012607, 219012609, 219012611, 219012613, 219012615, 219012620, 219012622, 219012624, 219120172–219120174
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.
33 Bldgs.
Iowa Army Ammunition Plant
Middletown Co: Des Moines, IA
Landholding Agency: Army
Property Number: 219013706–219013738
Status: Unutilized
Reason: Secured Area.

Kansas

37 Bldgs.
Kansas Army Ammunition Plant
Production Area
Parsons Co: Labette, KS 67357–
Landholding Agency: Army
Property Number: 219011909–219011945
Status: Unutilized
Reason: Secured Area (Most are within 2000 ft. of flammable or explosive material).
324 Bldgs.
Sunflower Army Ammunition Plant
35425 W. 103rd Street
DeSoto Co: Johnson, KS 66018–
Landholding Agency: Army
Property Number: 219040005–219040006, 219040032–219040353
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Floodway; Secured Area
25 Bldgs.
Sunflower Army Ammunition Plant
35425 W. 103rd Street
DeSoto Co: Johnson, KS 66018–
Landholding Agency: Army
Property Number: 219040007–219040031
Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material; Floodway.

Bldg. 9002
Sunflower Army Ammunition Plant
35525 W. 103rd Street
DeSoto Co: Johnson, KS 66018–
Landholding Agency: Army
Property Number: 219110073
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

34 Bldgs.
Fort Riley
Ft. Riley Co: Geary, KS 66442–
Landholding Agency: Army
Property Number: 219140207–219140240
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

33 Bldgs.
Sunflower Army Ammunition Plant
35425 West 103rd
Desoto Co: Johnson, KS 66018–
Landholding Agency: Army
Property Number: 219140569–219140577, 219140580–219140592, 219140594, 219140599–219140601, 219140606–219140612
Status: Unutilized
Reason: Secured Area; Within 2000 ft. of flammable or explosive material; Floodway.

11 Latrines
Sunflower Army Ammunition Plant
35425 West 103rd
Desoto Co: Johnson, KS 66018–
Landholding Agency: Army
Property Number: 219140578–219140579, 219140593, 219140595–219140598, 219140602–219140605
Status: Unutilized
Reason: Other
Comment: Detached Latrine.

Kentucky

Bldg. 126
Lexington-Blue Grass Army Depot
Lexington Co: Fayette, KY 40511–
Location: 12 miles northeast of Lexington, Kentucky.
Landholding Agency: Army
Property Number: 219011661
Status: Unutilized
Reason: Other Secured Area
Comment: Sewage treatment facility.

Bldg. 12
Lexington—Blue Grass Army Depot
Lexington Co: Fayette, KY 40511–
Location: 12 miles Northeast of Lexington, Kentucky.
Landholding Agency: Army
Property Number: 219011663
Status: Unutilized
Reason: Other
Comment: Industrial waste treatment plant.

Spring House
Kentucky River Lock and Dam No. 1
Highway 320
Carrollton Co: Carroll, KY 41008–
Landholding Agency: Army
Property Number: 219040416
Status: Unutilized
Reason: Other
Comment: Spring House.

Building
Kentucky River Lock and Dam No. 4
1021 Kentucky Avenue
Frankfort Co: Franklin, KY 40601–9999
Landholding Agency: Army
Property Nubmer: 219040417
Status: Unutilized
Reason: Other
Comment: Coal Storage.

Building
Kentucky River Lock and Dam No. 4
1021 Kentucky Avenue
Frankfort Co: Franklin, KY 40601–9999
Landholding Agency: Army
Property Number: 219040418
Status: Unutilized
Reason: Other
Comment: Coal Storage.

Barn
Kentucky River Lock and Dam No. 3
Highway 561
Pleasureville Co: Henry, KY 40057–
Landholding Agency: Army
Property Number: 219040419
Status: Underutilized
Reason: Other
Comment: 110 year old barn with crumbled foundation.

9 Bldgs.
Fort Knox
Ft. Knox Co: Hardin, KY 40121–
Landholding Agency: Army
Property Number: 219140557–219140565
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Louisiana

25 Bldgs.
Louisiana Army Ammunition Plant
Doylin Co: Webster, LA 71023–
Landholding Agency: Army
Property Number: 219011668–219011670, 219011691, 219011700, 219011714–219011716, 219011718–219011724, 219011726, 219011728, 219011731, 219011733–219011737, 219012112, 219013571–219013572, 219013862–219013869, 219110124–219110137, 219120287–219120290, 219120303, 219140325–219140328
Status: Unutilized
Reason: Secured Area (Most are within 2000 ft. of flammable or explosive material).

Staff Residences
Louisiana Army Ammunition Plant
Doyline Co: Webster, LA 71023–
Landholding Agency: Army
Property Number: 219120284–219120286
Status: Excess
Reason: Secured Area.

Maryland

55 Bldgs.
Aberdeen Proving Ground
Aberdeen City Co: Harford, MD 21005–5001
Landholding Agency: Army
Property Number: 219011406–21901417, 219012608, 219012610, 219012612, 219012614, 219012616–219012617, 219012619, 219012623, 219012625–219012629, 219012631, 219012633–219012635, 219012637–219012642, 219012645–219012651, 219012655–219012664, 219013773, 219014711–219014712, 219030316, 219110140
Status: Unutilized
Reason: Most are in a secured area. (Some are within 2000 ft. of flammable or explosive material) (Some are in a floodway)

P501
Installation #24235
Ballast House
La Plata Co: Charles, MD 20646–
Location: At the end of the access road
Landholding Agency: Army Property Number: 219011643
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

26 Bldgs.
Fort George G. Meade
Fort Meade Co: Anne Arundel, MD 20755–
Landholding Agency: Army
Property Number: 219014789, 219014847, 21904365–219040366, 219040368–219040372, 219120153–219120158, 219130034–219130044
Status: Unutilized
Reason: Secured Area.

Bldg. 10401
Aberdeen Proving Ground
Aberdeen Area
Harford Co: Harford, MD 21005–5001
Landholding Agency: Army
Property Number: 219110138
Status: Unutilized
Reason: Other
Comment: Sewage treatment plant.

Bldg. 10402
Aberdeen Proving Ground
Aberdeen Area
Aberdeen City Co: Harford, MD 21005–5001
Landholding Agency: Army Property Number: 219110139
Status: Unutilized
Reason: Other
Comment: Sewage pumping station.

Bldgs. 142–1467, USARC Gaithersburg 8510 Snouffers School Road
Gaitherburg Co: Montgomery, MD 20879–1624
Landholding Agency: Army
Property Number: 219120009–219120013
Status: Unutilized
Reason: Secured Area.

84 Bldgs. Ft. George G. Meade
Ft Meade Co: Anne Arundel, MD 20755–
Landholding Agency: Army
Property Number: 219130045–219130059, 219140455–219140523
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Massachusetts

Material Technology Lab
405 Arsenal Street
Watertown Co: Middlesex, MA 02132–
Landholding Agency: Army
Property Number: 219120161
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material; Floodway; secured Area.

14 Bldgs.
Fort Devens
Ft. Devens Co: Middlesex/Worce, MA 01433–
Landholding Agency: Army
Property Number: 219140241–219140254
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Michigan

Bldgs. 602, 604
US Army Garrison Selfridge

Mt. Clemens Co: Macomb, MI 48043–
Landholding Agency: Army
Property Number: 219012355–219012356
Status: Unutilized
Reason: Within airport runway clear zone; Floodway;
Secured Area.

Detroit Arsenal Tank Plant
28251 Van Dyke Avenue
Warren Co: Macomb, MI 48090–
Landholding Agency: Army
Property Number: 219014605
Status: Underutilized
Reason: Secured Area.

33 Bldgs.
Fort Custer Training Center
2501 26th Street
Augusta Co: Kalamazoo, MI 49102–9205
Landholding Agency: Army
Property Number: 219014947–219014963, 219120001–219120008, 219120447–219140454
Status: Unutilized
Reason: Secured Area.

Minnesota

Bldgs. 113, 575, 598
Twin Cities Army Ammunition Plant
New Brighton Co: Ramsey, MN 55112–
Landholding Agency: Army
Property Number: 219120165–219120167
Status: Unutilized
Reason: Secured Area.

Mississippi

Bldgs. 8301, 8303–8305, 9158
Mississippi Army Ammunition Plant
Stennis Space Center Co: Hancock, MS 39529–7000
Landholding Agency: Army
Property Number: 219040438–219040442
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Missouri

Lake City Army Ammo. Plant
59, 59A, 59C, 59B
Independence Co: Jackson, MO 64050–
Landholding Agency: Army
Property Number: 219013666–219013669
Status: Unutilized
Reason: Secured Area.

Building-Stockton Lake Project
Old Mill Area
Co: Cedar, MO 65785–
Landholding Agency: Army
Property Number: 219040414
Status: Unutilized
Reason: Floodway.

Bldg #1, 2, 3
St. Louis Army Ammunition Plant
4800 Goodfellow Blvd.
St. Louis Co: St. Louis, MO 63120–1798
Landholding Agency: Army
Property Number: 219120067–219120069
Status: Unutilized
Reason: Secured Area.

79 Bldgs.
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski, MO 65473–5000
Landholding Agency: Army
Property Number: 219140348–219140424, 219140634–219140635
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

Nebraska

13 Bldgs.
Cornhusker Army Ammunition Plant
Grand Island Co: Hall, NE 68802–
Location: 4 miles west (Potash Road)
Landholding Agency: Army
Property Number: 219013849–219013861
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

Nevada

124 Bldgs.
Hawthorne Army Ammunition Plant
Hawthorne Co: Mineral, NV 89415–
Landholding Agency: Army
Property Number: 219011953, 219011995, 219011957–219011958, 219011960, 219011962–219011963, 219011965–219011967, 219011969, 219011971–219011973, 219011975, 219011979, 219011981, 219011983, 219011985–219011986, 219011988–219011989, 219011991–219011993, 219011995, 219011998–219012001, 219012003–219012004, 219012006–219012008, 219012010–219012012, 219012014–219012015, 219012017–219012020, 219012022–219012024, 219012026, 219012027, 219012029–219012030, 219012032–219012033, 219012035–219012036, 219012038–219012040, 219012042–219012043, 219012045–219012048, 219012050–219012055, 219012059–219012107, 219013613–219013614
Status: Unutilized
Reason: Secured Area.

Bldg. 396
Hawthorne Army Ammunition Plant
Bachelor Enlisted Qtrs W/Dining Facilities
Hawthorne Co: Mineral, NV 89415–
Location: East side of Decatur Street-North of Maine Avenue
Landholding Agency: Army
Property Number: 219011997
Status: Unutilized
Reason: Within airport runway clear zone; Secured Area.

64 Bldgs.
Hawthorne Army Ammunition Plant
Hawthorne Co: Mineral, NV 89415–
Landholding Agency: Army
Property Number: 219012002, 219012005, 219012009, 219012013, 219012016, 219012021, 219012025, 219012028, 219012031, 219012034, 219012037, 219012041, 219012044, 219013615–219013665
Status: Underutilized
Reason: Secured Area (Some within airport runway clear zone; many within 2000 ft. of flammable or explosive material).

62 Concrete Explo. Mag. Stor.
Hawthorne Army Ammunition Plant
Hawthorne Co: Mineral, NV 89415–
Location: North Mag. Area
Landholding Agency: Army
Property Number: 219120150
Status: Unutilized
Reason: Secured Area.

259 Concrete Explo. Mag. Stor.
Hawthorne Army Ammunition Plant
Hawthorne Co: Mineral, NV 89415–
Location: South & Central Mag. Areas
Landholding Agency: Army
Property Number: 219120151
Status: Unutilized
Reason: Secured Area.

New Jersey

194 Bldgs.
Armament Res. Dev. & Eng. Ctr.
Picatinny Arsenal Co: Morris, NJ 07806–5000
Location: Route 15 North
Landholding Agency: Army
Property Number: 219010440–219010474, 219010476, 219010478, 219010639–219010721, 219012423–219012475, 219013787, 219014306–219014321, 219030269–219030270, 219140616–219140617
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

12 Bldgs.
Armament Reserve Dev. and Engineering Center
Route 15 North
Picatinny Arsenal Co: Morris, NJ 07806–
Landholding Agency: Army
Property Number: 219012756–219012767
Status: Excess
Reason: Secured Area.

Bldg. 2337
Fort Monmouth
Charles Wood Area
Wall Co: Monmouth, NJ 07719–
Landholding Agency: Army
Property Number: 219012828
Status: Unutilized
Reason: Secured Area.

17 Bldgs. (Evans Area)
Fort Monmouth
Wall Co: Monmouth, NJ 07719–
Landholding Agency: Army
Property Number: 219012829–219012844, 219013786
Status: Unutilized
Reason: Secured Area.

Bldgs. 13–14, 15A, 41, 100, 110–111
Military Ocean Terminal
Bayonne Co: Hudson, NJ 07002–
Location: Foot of 32nd Street and Route 169.
Landholding Agency: Army
Property Number: 219013890–219013896
Status: Unutilized
Reason: Floodway; Secured Area.

New York

Bldgs. 10, 20, 40
Watervliet Arsenal
Watervliet Co: Albany, NY 12189–4050
Landholding Agency: Army
Property Number: 219012514, 219012516, 219012519
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 25
Watervliet Arsenal
Watervliet Co: Albany, NY 12189–4050
Landholding Agency: Army
Property Number: 219012521
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area
Comment: Contamination.

Bldg. 110
Fort Totten
110 Duane Road
Bayside Co: Queens, NY 11359–
Landholding Agency: Army
Property Number: 219012589
Status: Unutilized

Reason: Other
Comment: Contamination.

Ohio

62 Bldgs.
Ravenna Army Ammunition Plant
Ravenna Co: Portage, OH 44266–9297
Landholding Agency: Army
Property Number: 21901476–219012507, 219012509–219012513, 219012515, 219012517–219012518, 219012520, 219012522–219012523, 219012525–219012528, 219012530–219012532, 219012534–219012535, 219012537, 219013670–219013677, 219013781
Status: Unutilized
Reason: Secured Area.

Oklahoma

Bldg. P–2505
Fort Sill
2505 Sheridan Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219011243
Status: Unutilized
Reason: Other
Comment: Latrine, detached structure.

553 Bldgs.
McAlester Army Ammunition Plant
McAlester Co: Pittsburg, OK 74501–5000
Landholding Agency: Army
Property Number: 219011674 219011680, 219011684, 219011687, 219012113, 219013792–219013793, 219013981–219013995, 219014081–219014102, 219014104, 219014107–219014137, 219014139, 219014141–219014159, 219014161–219014162, 219014165–219014216, 219014218–219014274, 219014336–219014559, 219030007–219030127, 219040004
Status: Underutilized
Reason: Secured Area (Some are within 2000 ft. of flammable or explosive material).

P–3042, Fort Sill
3042 Austin Road
Lawton Co: Comanche, OK 73503–5100
Landholding Agency: Army
Property Number: 219130060
Status: Unutilized
Reason: Other
Comment: Structurally unsound.

33 Bldgs.
Fort Sill
Lawton Co: Comanche, OK 73503–
Landholding Agency: Army
Property Number: 219140524–219140556
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Oregon

11 Bldgs.
Tooele Army Depot
Umatilla Depot Activity
Hermiston Co: Morrow/Umatilla, OR 97838–
Landholding Agency: Army
Property Number: 219012174–219012176, 219012178–219012179, 219012190–219012191, 219012197–219012198, 219012217, 219012229
Status: Underutilized
Reason: Secured Area.

24 Bldgs.
Tooele Army Depot
Umatilla Depot Activity
Hermiston Co: Morrow/Umatilla, OR 97838–
Landholding Agency: Army
Property Number: 219012177, 219012185–219012186, 219012189, 219012195–219012196, 219012199–219012205, 219012207–219012208, 219012225, 219012279, 219014304–219014305, 219014782, 219014844, 219030362–219030363, 219120032
Status: Unutilized
Reason: Secured Area.

Pennsylvania

Defense Personnel Support Ctr.
2800 South 20th Street
Philadelphia Co: Philadelphia, PA 19101–8419
Landholding Agency: Army
Property Number: 219011664
Status: Underutilized
Reason: Other Environmental; Secured Area
Comment: Friable Asbestos.

Hays Army Ammunition Plant
300 Miffin Road
Pittsburgh Co: Allegheny, PA 15207–
Landholding Agency: Army
Property Number: 219011666
Status: Excess
Reason: Secured Area.

58 Bldgs.
Fort Indiantown GAP
Annville Co: Lebanon, PA 17003–5011
Landholding Agency: Army
Property Number: 219140276–219140324
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

South Carolina

25 Bldgs.—Fort Jackson
Ft. Jackson Co: Richland, SC 29207–
Landholding Agency: Army
Property Number: 219120291–219120302, 219140329, 219140331, 219140333, 219140337–219140346
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. D–5674
Fort Jackson
Ft. Jackson Co: Richland, SC 29207–
Landholding Agency: Army
Property Number: 219140330
Status: Unutilized
Reason: Other
Comment: Detached Latrine.

4 Bldgs.
Fort Jackson
Ft. Jackson Co: Richland, SC 29207–
Landholding Agency: Army
Property Number: 219140332, 219140334–219140336
Status: Underutilized
Reason: Other
Comment: Structural damage.

Tennessee

Bldg. 100
Volunteer Army Ammo. Plant
Chattanooga Co: Hamilton, TN 37422–
Landholding Agency: Army
Property Number: 219010475
Status: Unutilized
Reason: within 2000 ft. of flammable or explosive material; Secured Area.

23 Bldgs.
Volunteer Army Ammo. Plant
Chattanooga Co: Hamilton, TN 37422–
Landholding Agency: Army
Property Number: 219010477, 219010479–219010500
Status: Unutilized
Reason: Secured Area (Some are within 2000 ft. of flammable or explosive material).

45 Bldgs.
Milan Army Ammunition Plant
Milan Co: Carroll, TN 38358–
Landholding Agency: Army
Property Number: 219010501, 219010503, 219010505, 219010545, 219010551, 219010554, 219010557, 219010567, 219010569, 219010573, 219010576, 219010596, 219010600–219010602, 219010604, 219010606–219010607, 219010610–219010611, 219010613–219010622, 219010624–219010634, 219010922, 219030317–219030319
Status: Unutilized
Reason: Secured Area (Some are within 2000 ft. of flammable or explosive material).

198 Bldgs.
Milan Army Ammunition Plant
Milan Co: Carroll, TN 38358–
Landholding Agency: Army
Property Number: 219010504, 219010506–219010508, 219010510, 219010515, 219010521, 219010523, 219010525–219010526, 219010531, 219010538–219010539, 219010544, 219010546, 219010548–219010550, 219010553, 219010555–219010556, 219010558, 219010561–219010566, 219010568, 219010570–219010572, 219010574–219010575, 219010577–219010582, 219010584–219010586, 219010588–219010595, 219010597, 219010599, 219010635–219010638, 219010923, 219014792–219014795, 219014797, 219014801–219014802, 219014804–219014811, 219030321, 21911001–21910031, 219110074–21911001, 219120182–219120246
Status: Underutilized
Reason: Secured Area (Some are within 2000 ft. of flammable or explosive material).

23 Bldgs.
Holtston Army Ammunition Plant
Kingsport Co: Hawkins, TN 61299–6000
Landholding Agency; Army
Property Number: 219012304–219012309, 219012311–219012312, 219012314, 219012316–219012317, 219012319, 219012325, 219012328, 219012330, 219012332, 219012334–219012335, 219012337, 219013789–219013790, 219030266, 219140613
Status: Unutilized
Reason: Secured Area (Some are within 2000 ft. of flammable or explosive material).

Texas

Saginaw Army Aricraft plant
Saginaw Co: Tarrant, TX 76079–
Landholding Agency: Army
Property Number: 219011665
Status: Unutilized
Reason: Other
Comment: Easement to city of Saginaw for sewer pipeline ending 5/15/2023.

18 Bldgs.
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana Co: Bowie, TX 75505–9100
Landholding Agency: Army
Property Number: 219012524, 219012529, 219012533, 219012536, 219012539–219012540, 219012542, 219012544–219012545, 219030337–219030345
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldgs. 0021A, 0027A
Longhorn Army Ammunition Plant
Karnack Co: Harrison, TX 75661–
Location: State highway 43 north
Landholding Agency: Army
Property Number: 219012546, 219012548,
Status: Underutilized
Reason: Secured Area.

Bldg. 14
Saginaw Army Aircraft Plant
Saginaw Co: Tarrant, TX 76070–
Landholding Agency: Army
Property Number: 219014823
Status: Unutilized
Reason: Other
Comment: Pump house.

Bldg. 9042
Possum Kingdom Rec Area
Star Route, Box 200
Grayford Co: Palo Pinto, TX 76045–
Landholding Agency: Army
Property Number: 219040397
Status: Unutilized
Reason: Other
Comment: Detached latrine.

Bldg. 9046
Possum Kingdom Rec Area
Star Route, Box 200
Grayford Co: Palo Pinto, TX 76045–
Landholding Agency: Army
Property Number: 219040399
Status: Unutilized
Reason: Other
Comment: Sewage treatment plant.

Bldg. 9047
Possum Kingdom Rec Araq
Star Route, Box 200
Grayford Co: Palo Pinto, TX 76045–
Landholding Agency: Army
Property Number: 219040400
Status: Unutilized
Reason: Other
Comment: Chlorine Building.

Bldg. 4801
Fort Bliss
4801 Drake Street
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219110064
Status: Unutilized
Reason: Other
Comment: Gas Station.

Bldg. 40A Red River Army Depot
Texarkana Co: Bowie, TX 75505–
Landholding Agency: Army
Property Number: 219120064
Status: Unutilized
Reason: Secured Area.

Bldg. T–1191, T–1198 Fort Sam Houston
San Antonio Co: Bexar, TX 78234–5000
Landholding Agency: Army
Property Number: 219120065–219120066
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

27 Ammunition Magazines
Fort Bliss Ammunition Supply Point
El Paso Co: El Paso, TX 79916–
Landholding Agency: Army
Property Number: 219120072–219120098
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 05
Red River Army Depot
18 miles W. of Texarkana, Hwy. 82
Texarkana Col: Bowie, TX 75507–5000
Landholding Agency: Army
Property Number: 219130002
Status: Excess
Reason: Secured Area.

Bldg. 247
Red River Army Depot
18 miles west of Texarkana U.S. Hwy. 82
Texarkana Co: Bowie, TX 75507–5000
Landholding Agency: Army
Property Number: 219140255
Status: Underutilized
Reason: Secured Area.

Utah

21 Bldgs.
Tooele Army Depot
Tooele Co: Tooele, UT 84074–5008
Landholding Agency: Army
Property Number: 219012114–219012115, 219012121, 219012138, 219012140, 219012150, 219012153, 219012159, 219012162, 219012164–219012167, 219012169–219012170, 219012172, 219012752, 219012755, 219030366, 219120031, 219120283
Status: Unutilized
Reason: Secured Area.

18 Bldgs.
Tooele Army Depot
Tooele Co: Tooele, UT 84074–5008
Landholding Agency: Army
Property Number: 219012142–219012144, 219012148–219012149, 219012152, 219012155, 219012156, 219012158, 219012163, 219012171, 219012742, 219012750–219012751, 219014938, 219040003, 219120279, 219120281
Status: Underutilized
Reason: Secured Area.

4 Bldgs.
Dugway Proving Ground
Dugway Co: Toole, UT 84022–
Landholding Agency: Army
Property Number: 219013998–219013999
Status: Underutilized
Reason: Secured Area.

Bldg. 7156
Dugway Proving Ground
Dugway Co: Toole, UT 84022–
Landholding Agency: Army
Property Number: 219014693
Status: Unutilized
Reason: Secured Area.

Bldg. 104
Tooele Army Depot, North Area
Tooele Co: Tooele, UT 84074–5008
Landholding Agency: Army
Property Number: 219120014
Status: Underutilized
Reason: Other
Comment: Extensive deterioration.

13 Bldgs.
Tooele Army Depot, South Area
Tooele Co: Tooele, UT 84074–5008
Landholding Agency: Army
Property Number: 219120015–21912027
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

8 Bldgs.
Dugway Proving Ground
Dugway Co: Tooele, UT 84022–
Landholding Agency: Army
Property Number: 219130008, 219130011–219130013, 219130015–219130018
Status: Underutilized
Reason: Secured Area.

3 Bldgs.
Dugway Proving Ground
Dugway Co: Tooele, UT 84022–
Landholding Agency: Army
Property Number: 219130009–219130010, 219130014
Status: Unutilized
Reason: Secured Area.

Virginia

165 Bldgs.
Radford Army Ammunition Plant
Radford Co: Montgomery, VA 24141–
Location: State Highway 114
Landholding Agency: Army
Property Number: 219010833, 219010836, 219010839, 219010842, 219010844, 219010847–219010890, 219010892–219010912, 219011521–219011577, 219011581–219011583, 219011585, 219011588, 219011591, 219013559–219013570, 219110142–219110143, 219120070–219120071, 219140618–219140633
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

13 Bldgs.
Radford Army Ammunition Plant
Radford Co: Montgomery, VA 24141–
Location: State Highway 114
Landholding Agency: Army
Property Number: 219010834–219010835, 219010837–219010838, 219010840–219010841, 219010843, 219010845–219010846, 219010891, 219011578–219011580
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Other; Secured Area
Comment: Latrine, detached structure.

4 Bldgs.
Fort Belvoir Co: Fairfax, VA 22060–
Landholding Agency: Army
Property Number: 219012547, 219012553, 219012556, 219012562
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

22 Bldgs.
U.S. Army Combined Arms Support Command
Fort Lee Co: Prince George, VA 23801–
Landholding Agency: Army
Property Number: 219120033–219120045, 219120160, 219130006–219130007, 219140256–219140261
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Washington

6 Bldgs.
130–228th Street, S.W.
Federal Regional Center (FEMA) Laboratory
Bothell Co: Snohomish, WA 98021–
Landholding Agency: Army
Property Number: 219011637, 219011642, 219011644, 219011646–219011647, 219011649
Status: Unutilized
Reason: Secured Area.

35 Bldgs.
Fort Lewis
Fort Lewis Co: Pierce, WA 98433–5000

Landholding Agency: Army
Property Number: 219011651–219011652, 219011654–219011660, 219011662, 219013782, 219013882–219013888, 219013900, 219013907–219013920, 219110144, 219140566
Status: Unutilized
Reason: Secured Area.

Bldg. 209
Yakima Firing Center
Yakima Co: Yakima, WA 98901–5000
Location: Exit 26 off I–82 on Yakima Firing Center Road
Landholding Agency: Army
Property Number: 219040363
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Wisconsin

6 Bldgs.
Badger Army Ammunition Plant
Baraboo Co: Sauk, WI 53913–
Landholding Agency: Army
Property Number: 219011094, 219011209–219011212, 219011217
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material; Other environmental; Secured Area
Comment: friable asbestos.

154 Bldgs.
Badger Army Ammunition Plant
Baraboo Co: Sauk, WI 53913–
Landholding Agency: Army
Property Number: 219011104, 219011106, 219011108–219011113, 219011115–219011117, 219011119–219011120, 219011122–219011139, 219011141–219011142, 219011144, 219011148–219011208, 219011213–219011216, 219011218–219011234, 219011236, 219011238, 219011240, 219011242, 219011244, 219011247, 219011249, 219011251, 219011254, 219011256, 219011259, 219011263, 219011265, 219011268, 219011270, 219011275, 219011277, 219011280, 219011282, 219011284, 219011286, 219011290, 219011293, 219011295, 219011297, 219011300, 219011302, 219011304–219011311, 219011317, 219011319, 219011320–219011321, 219011323
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Other environmental; Secured Area
Comment: friable asbestos.

Bldg. P–10111
Fort McCoy
Army Hospital Complex
Sparta Co: Monroe, WI 54656–5000
Landholding Agency: Army
Property Number: 219013443
Status: Unutilized
Reason: Other
Comment: Structure is boiler plant for hospital.

Bldg. 264
Badger Army Ammunition Plant
Bus Station
Baraboo Co: Sauk, WI 53913–
Landholding Agency: Army
Property Number: 219013784
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

6 Bldgs.
Badger Army Ammunition Plant
Baraboo Co: Sauk, WI
Landholding Agency: Army
Property Number: 219013870–219013875
Status: Underutilized
Reason: Secured Area.

5 Bldgs.
Badger Army Ammunition Plant
Baraboo Co: Sauk, WI
Landholding Agency: Army
Property Number: 219013876–219013878, 219030275–219030276
Status: Unutilized
Reason: Secured Area.

Land (by State)

Alaska

Dike Range
Fort Wainwright
Fort Wainwright Co: Fairbanks, AK 99703–
Location: 14 miles south of Fairbanks
Landholding Agency: Army
Property Number: 219014684
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Floodway.

Eklutna Mountain & Glacier
Training Site
Fort Richardson Co: Anchorage, AK 99505–
Location: 18 miles from Fort Richardson
Landholding Agency: Army
Property Number: 219014788
Status: Unutilized
Reason: Other
Comment: Unexploded ordanance.

Davis Range
Fort Richardson
Fort Richardson Co: Anchorage, AK 99505–
Location: SW Portion of Installation
Landholding Agency: Army
Property Number: 219030267
Status: Underutilized
Reason: Secured Area.

Georgia

Facility EH001
Fort Gordon
Augusta Co: Richmond, GA 30905–
Location: Located at the Eisenhower Army Medical Center
Landholding Agency: Army
Property Number: 219014786
Status: Unutilized
Reason: Other
Comment: heliport—concrete pad.

Illinois

Group 66A
Joliet Army Ammunition Plant
Joliet Co: Will, IL 60436–
Landholding Agency: Army
Property Number: 219010414
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Parcel 1
Joliet Army Ammunition Plant
Joliet Co: Will, IL 60436–
Location: South of the 811 Magazine Area, adjacent to the River Road.
Landholding Agency: Army
Property Number: 219012810
Status: Excess
Reason: Within 2000 ft of flammable or explosive material; Floodway.

Parcel No. 2, 3
Joliet Army Ammunition Plant
Joliet Co: Will, IL 60436–
Landholding Agency: Army
Property Number: 219013796–219013797
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material; Floodway.

Parcel No. 4, 5, 6
Joliet Army Ammunition Plant
Joliet Co: Will, IL 60436–
Landholding Agency: Army
Property Number: 219013798–219013800
Status: Unutilized
Reason: Within 2000 ft of flammable or explosive material; Floodway.

Homewood USAR Center
18760 S. Halsted Street
Homewood Co: Cook, IL 60430–
Landholding Agency: Army
Property Number: 219014067
Status: Underutilized
Reason: Secured Area.

Indiana

Newport Army Ammunition Plant
East of 14th St. & North of S. Blvd.
Newport Co: Vermillion, IN 47966–
Landholding Agency: Army
Property Number: 219012360
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Louisiana

Land
Louisiana Army Ammunition Plant
Doyline Co: Webster, LA
Landholding Agency: Army
Property Number: 219013923
Status: Unutilized
Reason: Other
Comment: barrow pit, predominately under water.

Maryland

Carroll Island
Aberdeen Proving Ground
Edgewood Area
Aberdeen City Co: Harford, MD 21010–5425
Landholding Agency: Army
Property Number: 219012630
Status: Underutilized
Reason: Floodway; Secured Area.

Graces Quarters
Aberdeen Proving Ground
Edgewood City
Aberdeen City Co: Harford, MD 21010–5425
Landholding Agency: Army
Property Number: 219012632
Status: Underutilized
Reason: Floodway; Secured Area.

Nebraska

Land
Cornhusker Army Ammunition Plant
Potash Road
Grand Island Co: Hall, NE 68802–
Location: 4 miles west of Grand Island.
Landholding Agency: Army
Property Number: 219013785
Status: Underutilized
Reason: Floodway.

New Jersey

Land
Armament Research Development & Eng. Center
Route 15 North

Picatinny Arsenal Co: Morris, NJ 07806–
Landholding Agency: Army
Property Number: 219013788
Status: Unutilized
Reason: Secured Area.

New York

Watervliet Arsenal
Watervliet Co.: Albany, NY 12189–4050
Location: East of Main Arsenal Reservation
Landholding Agency: Army
Property Number: 219012508
Status: Excess
Reason: Other
Comment: Easement to N.Y. State, 6-lane highway construction.

Oklahoma

McAlester Army Ammo. Plant
McAlester Co: Pittsburg, OK 74501–5000
Location: 10 miles south of McAlester, OK
Landholding Agency: Army
Property Number: 219011671
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

McAlester Army Ammo. Plant
McAlester Co: Pittsburg, OK 74501–
Landholding Agency: Army
Property Number: 219014603
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material.

Pennsylvania

Lickdale Railhead
Fort Indiantown Gap
Lickdale Co: Lebanon, PA 17038–
Landholding Agency: Army
Property Number: 219012359
Status: Excess
Reason: Floodway.

Land
Raystown Lake
Huntingdon Co: Huntingdon, PA
Location: Downstream of Raystown Lake.
Landholding Agency: Army
Property Number: 219040420
Status: Excess
Reason: Other
Comment: Property Landlocked.

Tennessee

Land
Volunteer Army Ammunition Plant
Chattanooga Co: Hamilton, TN
Landholding Agency: Army
Property Number: 219013791
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Volunteer Army Ammo. Plant
Chattanooga Co: Hamilton, TN
Location: Area around VAAP—outside fence in buffer zone.
Landholding Agency: Army
Property Number: 219013880
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

McClure Bend
Cordell Hull Dam and Reservoir
Carthage Co: Smith, TN 37030–
Location: Highway 85 to McClure Bend Road.
Landholding Agency: Army
Property Number: 219040412
Status: Underutilized
Reason: Floodway.

Brooks Bend
Cordell Hull Dam and Reservoir
Highway 85 to Brooks Bend Road
Gainesboro Co: Jackson, TN 38562–
Location: Tracts 800, 802–806, 835–837, 900–902, 1000–1003, 1025
Landholding Agency: Army
Property Number: 219040413
Status: Underutilized
Reason: Floodway.

Cheatham Lock and Dam
Highway 12
Ashland City Co: Cheatham, TN 37015–
Location: Tracts E–513, E–512–1 and E–512–2
Landholding Agency: Army
Property Number: 219040415
Status: Underutilized
Reason: Floodway.

Virginia

Fort Belvoir Military Reservation—5.6 Acres
South Post located West of Pohick Road
Fort Belvoir Co: Fairfax, VA 22060–
Location: Right side of King Road
Landholding Agency: Army
Property Number: 219012550
Status: Unutilized
Reason: Within airport runway clear zone; Secured Area
Comment: 5.6 acres.

Wisconsin

Land
Badger Army Ammunition Plant
Baraboo Co: Sauk, WI 53913–
Location: Vacant land within plant boundaries.
Landholding Agency: Army
Property Number: 219013783
Status: Unutilized
Reason: Secured Area.

[FR Doc. 91–30096 Filed 12–19–91; 8:45 am]
BILLING CODE 4210–29–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV–940–02–4212–16; N–21720]

Termination of Desert Land Classification; Nevada

December 9, 1991.

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: This action terminates desert land classification N–21720.

EFFECTIVE DATE: Termination of the classification is effective with the publication of this document.

FOR FURTHER INFORMATION CONTACT: Vienna Wolder, BLM Nevada State Office, 850 Harvard Way, P.O. Box 12000, Reno, NV 89520, 702–785–6526.

SUPPLEMENTARY INFORMATION: Pursuant to section 7 of the Taylor Grazing Act (48 Stat. 1272), desert land classification N–21720 is hereby terminated in its entirety. The following described lands are affected by this action:

Mount Diablo Meridian, Nevada

T. 4 S., R. 36 E.,
Sec. 16, SW¼NE¼;
Sec. 21, N½NE¼.

The area described contains 120 acres in Esmeralda County.

The classification was accomplished pursuant to the Desert Land Act (43 U.S.C. 231, as amended) in response to an application. The application was subsequently relinquished. Since there is no longer any desert land application pending on the land, termination of the classification would allow disposal under the authorities. The land is identified in the Esmeralda-Southern Nye Resource Management Plan for disposal.

The land has been and continues to be open to the operation of the public land laws generally, including the mining laws.

Marla B. Bohl,

Acting Deputy State Director, Operations.

[FR Doc. 91–30386 Filed 12–19–91; 8:45 am]
BILLING CODE 4310–HC–M

[UT–920–92–4120–10]

Utah: Public Meeting on Coal Tract Delineation

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meeting on a coal tract delineation.

SUMMARY: In accordance with the responsibility outlined in the Federal Coal Management Regulations (43 CFR part 3400), the BLM will hold a public meeting to discuss and receive comments on a coal tract delineation the BLM and other interested State and Federal agencies have been working on in the Utah portion of the Uinta Southwestern Utah Coal Region. Specifically, the tract being delineated is located in the Crandall Canyon Area on the Manti-LaSal National Forest of the Wasatch Plateau Coal Field in Central Utah.

SUPPLEMENTARY INFORMATION: BLM has received two coal lease applications under the Leasing by Application program in the area being considered for delineation. Any public comments on the proposed delineation before it is finalized will be useful to the Government in considering this area for possible leasing.

DATES: The public is invited to meet with the Government representatives to

review the proposal on January 16, 1992, at anytime between 1 and 3:30 p.m.

ADDRESSES: The meeting will be held in the conference room of the BLM Price River Area Office, 900 North 700 East, Price, Utah.

FOR FURTHER INFORMATION CONTACT: Max Nielson, Uinta Southwestern Utah Coal Project Manager, Utah State Office, 324 South State Street, suite 301, P.O. Box 45155, Salt Lake City, Utah 84145–0155, Telephone 801–539–4038.

Dated: December 12, 1991.

James M. Parker,

State Director.

[FR Doc. 91–30435 Filed 12–19–91; 8:45 am]

BILLING CODE 4310–DQ–M

[NV–940–02–4212–24; Nev–0889, Nev–012936, Nev–064866, Nev–065120]

Order Providing for Opening of Lands; Nevada

December 9, 1991.

AGENCY: Bureau of Land Management, Interior.

ACTION: Opening order.

SUMMARY: This order will open 3,125.92 acres of public land to the operation of the public land laws, including all or a portion of the mining laws, the mining leasing laws, and material sale laws. The lands were returned to the United States through private exchange, reconveyance of state selection land, or reconveyance of railroad land.

EFFECTIVE DATE: January 21, 1992.

FOR FURTHER INFORMATION CONTACT: Vienna Wolder, BLM, Nevada State Office, P.O. Box 1200, Reno, Nevada 89520, 702–785–6526.

SUPPLEMENTARY INFORMATION: .

1. The following described lands were patented to the Central Pacific Railroad and were reconveyed to the United States on August 16, 1930.

Mount Diablo Merdian, Nevada

T. 32 N., R. 37 E.,
Sec. 17, Lot 5.

2. The following described lands were reconveyed to the United States on February 1, 1954, through an exchange with George and Margaret Gove:

Mount Diablo Meridian, Nevada

T. 37 N., R. 38 E.,
Sec. 22, SE¼SE¼.

3. The following described lands were patented to the Central Pacific Railroad company on October 5, 1928, and were reconveyed to the United States on May 8, 1964, through an exchange with John C. Carpenter Jr. and Andrew J. Magnuson:

Mount Diablo Meridian, Nevada

T. 31 N., R. 50 E.,
Secs. 13, 23, 25;
Sec. 27, NE¼, N½SE¼, SE¼SE¼;
Sec. 35.

4. The following described lands were reconveyed to the United States on March 25, 1957, through an exchange with John J. Reed:

Mount Diablo Meridian, Nevada

T. 31 N., R. 56 E.,
Sec. 27, NW¼.

The areas described aggregate 160.000 acres in Elko County, 2,923.35 acres in Eureka County, 40 acres in Humboldt County, and 2.57 acres in Pershing County.

5. All mineral interests in the above described lands were received by the United States with the following two exceptions: The United States received all minerals except oil and gas in T. 31 N., R. 50 E. and received no mineral interests in T. 31 N., R. 56 E., Sec. 27, NW¼.

6. At 10:00 a.m. on January 21, 1992, all the lands except those in T. 31 N., R. 50 E. will be open to the operation of the public land laws, subject to valid existing rights, existing classifications and withdrawals, and requirements of applicable law. All valid applications received prior to or at 10 a.m. on January 21, 1992, will be considered as simultaneously filed. All other applications received will be considered in order in filing. Publication of an order dated October 8, 1964, opened the lands in T. 31 N., R. 50 E. to surface entry effective November 13, 1964.

7. At 10 a.m. on January 21, 1992, the lands will also be open to the operation of the mining and mineral leasing laws as to minerals received as indicated by paragraph 5 above. Appropriation of lands under the general mining laws prior to the date and time of restoration is unauthorized. Any such attempted appropriation, including attempted adverse possession under 30 U.S.C. 38, shall vest no rights against the United States. Acts required to establish a location and to initiate a right of possession are governed by State law where not in conflict with Federal law. The Bureau of Land Management will not intervene in disputes between rival locators over possessory rights since Congress has provided for such determinations in local courts.

Billy R. Templeton,

State Director, Nevada.

[FR Doc. 91–30387 Filed 12–19–91; 8:45 am]

BILLING CODE 4310–HC–M

[NV–930–02–4212–11; N–4157]

Decision To Divest Title to Land Patented to the White River Fish and Wildlife Improvement Association, Inc., and To Revest Said Title to the Land in the United States

Dated: December 11, 1991.

On December 11, 1991, the Bureau of Land Management, Nevada State Office, issued the following decision to divest title to a parcel of land from the White River Fish and Wildlife Improvement Association, Inc., and to revest said title in the United States. Because the corporation no longer exists and the trustees are either deceased or cannot be located, the decision is being published herein to give notice before this action becomes final.

Decision

White River Fish and Wildlife, Improvement Association, Inc., 826 Kenny Way, Las Vegas, NV 89107

Recreation and Public Purposes Act Patent No. 27–70–0112

(N–4157)

Divestiture of White River Fish and Wildlife Improvement Association's Title—Revestiture of Title in the United States

Pursuant to the provisions of the Recreation and Public Purposes Act (43 U.S.C. 869, *et seq.*), the United States issued Patent No. 27–70–0112, dated May 22, 1970, to the White River Fish and Wildlife Improvement Association, Inc., (hereinafter referred to as the Association) for a 10-acre camp and recreation site on the following-described land:

Mount Diablo Meridian, Nevada

T. 6 N., R. 61 E.,
Sec. 27, S½NE¼SE¼NE¼, N½SE¼SE¼NE¼.

Subsequent field examinations of the land revealed that the Association was not in compliance with the approved plans of management and development because many of the planned improvements had not been constructed and because the area was in a state of disrepair. Photographs taken of the area in 1991 indicate that the site continues to be in a state of disrepair. Attempts to contact the trustees of the Association revealed that four of the trustees are deceased, and the whereabouts of one trustee, Sherman E. Nugent, is unknown. On December 1, 1984, the Nevada Secretary of State's Office revoked the Association's corporate charter because a list of current officers was not filed.

One of the conditions of the patent is the reversion of title to the United States if the patentee or its successor does not comply with the provisions of the approved plans of development and management filed with the Bureau of Land Management on January 19, 1970. The patent further states that the Secretary of the Interior or his delegate, after due notice and opportunity for a hearing, may declare the terms of the grant (patent) terminated in whole or in part.

Therefore, on June 26, 1991, the Ely District Manager issued a Notice to the Association at its address of record informing the Association that its failure to comply constituted a violation of the terms of the patent and the Association to show cause why action should not be taken to revest title to the land in the United States. There was no response to the Notice. Therefore, title to the above-described land is hereby divested from the Association and revested in the United States because the Association no longer exists and because the Association has not been in compliance with the approved plans of management and development since 1979, as required by the patent terms.

Within 30 days of the date of receipt of this decision, you have the right of appeal to the Board of Land Appeals, Office of the Secretary, in accordance with the regulations at 43 CFR 4.400. If an appeal is taken, you must follow the procedures outlined in the enclosed Form 1842–1, Information on Taking Appeals to the Board of Land Appeals. Within 30 days after you appeal, you are required to provide a Statement of Reasons to the Board of Land Appeals and a copy to the Regional Solicitor's Office listed in Item 3 on the form. In addition, please provide this office with a copy of your Statement of Reasons. The appellant has the burden of showing that the decision appealed from is in error.

If no appeal is filed within the time specified, this decision will be deemed to have become final and the appropriate records, including the White Pine County records, will be noted regarding extinguishment of the Association's title to the land and revestiture thereof in the United States.

FOR FURTHER INFORMATION CONTACT: Joanna Buel, BLM, Nevada State Office, 850 Harvard Way, P.O. Box 12000, Reno, NV 89520, 702–785–6512.

Marla B. Bohl,

Acting Deputy State Director, Operations.

[FR Doc. 91–30385 Filed 12–19–91; 8:45 am]

BILLING CODE 4310–HC–M

Minerals Management Service

Notice to Lessees and Operators and Pipeline Right-of-Way Holders

AGENCY: Minerals Management Service, Interior.

ACTION: Notice to lessees and operators of Federal oil, gas, sulphur, and salt leases and pipeline right-of-way holders (NTL) in the Outer Continental Shelf, Gulf of Mexico OCS Region.

SUMMARY: On May 2, 1991, the Minerals Management Service (MMS), Gulf of Mexico OCS Region (GOMR), published a proposed NTL clarifying historic shipwreck survey requirements and the areas on the Outer Continental Shelf (OCS) where such surveys will be required. A significant reduction was proposed (approximately 50 percent) in the area where historic shipwreck surveys will be required. A more concentrated survey interval was also proposed (i.e., from 150 meters to 50 meters) in high probability areas for historic shipwrecks to better locate, evaluate, and protect historic period wrecks that may occur in these high probability areas.

EFFECTIVE DATE: February 17, 1992.

FOR FURTHER INFORMATION CONTACT: Dr. Richard J. Anuskiewicz (504) 736–2796 or Mr. John R. Greene (504) 736–2865.

SUPPLEMENTARY INFORMATION: The purpose of this notice is to inform the public, pursuant to the National Historic Preservation Act of 1966 (Pub. L. 89–665), as amended, the National Environmental Policy Act of 1969 (Pub. L. 91–190), and the OCS Lands Act of 1978 (Pub. L. 95–372), as amended, that the MMS, Gulf of Mexico OCS Region, is amending its historic shipwreck survey requirements. On Thursday, May 23, 1991, a workshop was held at the Minerals Management Service Gulf of Mexico Regional Office in New Orleans, Louisiana. The workshop was attended by representatives from the oil and gas industry and geophysical survey companies, geophysicists, professional marine archaeologists, and archaeologists from Federal and State agencies. Some of the comments presented herein are from the archaeological workshop. Others are in response to formal, written comments sent to the MMS Gulf of Mexico OCS Region regarding the NTL. This final NTL supersedes all other NTL's and Letters to Lessees (LTL's) which relate to archaeological resources in the Gulf of Mexico OCS Region with the exception of the LTL dated November 30, 1990, which instituted the redefined high probability areas for historic period shipwrecks.

Public Comments and Agency Responses

General Comments

Comment: One commenter noted that while the elimination of some 50 percent of the total area, gulf-wide, to be surveyed is proper, the benefit is somewhat offset by tripling the required survey density from 150 meters to 50 meters. The commenter questioned whether the increase in survey density is actually needed unless some anomaly is discovered by a survey under the current survey requirements. Another commenter stated that an increase in survey density should be predicated upon the findings of an initial survey sweep under the currently required 150-meter survey density.

Response: It has been demonstrated that magnetometer survey at a 150-meter linespacing can completely miss a historic period shipwreck. The 1989 MMS-funded study on historic shipwrecks and the evaluation of magnetic anomalies in the northern Gulf of Mexico concluded that the 150-meter survey linespacing methodology cannot differentiate, at an acceptable confidence level, between modern ferromagnetic debris and potential archaeological resources. Given the study conclusions and refinement of the historic shipwreck high probability areas, an increase in the survey linespacing to 50 meters is warranted to better protect a potential resource. Basing an increase in survey density on an inadequate initial sweep would not serve to protect a potential resource.

Specific Comments

Comment: A commenter suggested that any archaeological resource survey requirements should be noted by MMS prior to a lease sale involving a lease with such requirements. The commenter stated that this would be important for both evaluating such leases and scheduling the exploitation of the respective leases.

Response: The MMS Gulf of Mexico OCS Region issued an LTL, dated November 30, 1990, redefining the high probability areas for historic period shipwrecks. The LTL was sent to active lease operators, survey companies, and archaeologists. Included in the package was a refined list of lease blocks having a high probability for the occurrence of historic period shipwrecks. The high probability areas for prehistoric archaeological resources did not change. Identification of these lease blocks may

be made from visuals previously issued by the MMS. In addition, an Information to Lessees (ITL) will be included in each Sale Notice which would direct lessees where to acquire information about which blocks would require an archaeological resource survey. Both the list of redefined high probability areas for historic period shipwrecks and the visuals delineating those areas with a high probability for prehistoric archaeological resources are available from the MMS by request. Under current policy, the MMS provides leaseholders with written notification of the type of archaeological survey needed (if necessary) shortly after awarding the leases. Lessees requiring information as to the type of archaeological survey necessary for specific lease blocks should request such information from the MMS Gulf of Mexico OCS Region.

Comment: A commenter suggested that only targets not considered to be associated with oil and gas activities, fishing activities, and natural phenomena be included in the listing of side-scan sonar targets.

Response: It is useful to have a listing of side scan sonar data associated with the natural and man-made activities addressed in the archaeological survey report. Specific examples would include well locations and geologic outcrops. It is the intent of the NTL not to require a listing of every side-scan sonar feature, but to require a listing of all side-scan sonar contacts which could be related to historic period shipwrecks. The determination of the significance of identified side-scan sonar targets (such as those mentioned in the comments) and their inclusion in the listing of side-scan sonar targets is the responsibility of the professional archaeologists and geophysicists that analyze the data and prepare reports.

Comment: A commenter stated that it would be an imposition from a commercial standpoint to require two adjacent survey lines to be run in different cardinal directions. Further, in certain weather conditions it would not be feasible to accomplish this requirement. It was also stated that unidentified magnetic anomalies which should be shown may not be on adjacent, opposite lines.

Response: The intent of this portion of the NTL is to provide the MMS analysts with data samples which are indicative of data quality taken under differing conditions encountered during the survey. The MMS' remote-sensing survey analysis experience indicates that nearly all surveys have survey lines which have been run in opposite cardinal directions. The MMS is aware that data quality may differ between survey lines that are run with a following sea, versus, those run into a head or quartering sea. Also, the logistics of remote-sensing marine survey suggests that two adjacent lines run in opposite cardinal directions would not be run consecutively. This allows for an interval of time between the running of the survey lines and a subsequent possible change in weather conditions. This would help maximize remote-sensing information and data quality and keep requirements for data submission minimal.

When weather conditions encountered in the survey prevent the acquisition of data on two adjacent survey lines run in different cardinal directions, the preparers of archaeological reports should follow guidelines under the Introduction of the NTL (1.4.). These guidelines state, "When any of the following requirements cannot be met for technical or logistical reasons, an explanation of the problem shall be provided in the archaeological resource report."

In response to the final portion of the comment, it should be noted that the NTL states that whenever possible the magnetometer strip-chart data samples should include unidentified magnetic anomalies. The MMS understands that in many instances two adjacent survey lines will not contain unidentified anomalies.

Comment: A commenter suggested that the section stating "* * * and line direction with Universal Transverse Mercator coordinates, x and y coordinates and latitude/longitude reference points from appropriate regional systems" be changed to read "* * * and line direction in the grid projection in which the lease is described, i.e., UTM, Lambert, TM, etc., that x, y grid coordinates, tics be placed every five inches thereon with geodetic graticules every 60 seconds; and * * * shall be oriented to grid north."

Response: The suggested change will be adopted with the exception that all maps will be oriented to true north.

Comment: A commenter requested that the NTL be specific in its definition of highlighting of sample geophysical survey data versus the annotation of such data. The commenter also requested that MMS state if an unannotated/unhighlighted copy is acceptable.

Response: The MMS understands that highlighting and/or annotating representative sample geophysical survey data as an illustration of the geophysical and/or archaeological analysis of the survey data serves a useful purpose. However, such annotation or highlighting directly on the data sample impedes and delays the interpretation of the few data samples provided in the archaeological survey report. The NTL will be changed to read "* * * any interpretive highlighting or annotation of the sample data shall be on either a separate overlay or a copy of the representative sample data. In no instance should original survey data be highlighted." In those cases where a separate overlay is not used for highlighting or annotation, a second copy of the data sample free of highlighting or annotation should be included in the report.

Comment: A commenter stated that waivers are sometimes granted for magnetometer and side scan sonar hazard survey requirements in deep waters. The commenter stated that these tools are incapable of resolving features which might be indicative of historic shipwrecks in areas of extreme water depths and steep slopes. The commenter requested exception to the requirement for preparation of archaeological reports for specific deep water blocks.

Response: The redefined high probability area for historic period shipwrecks includes deep water blocks which have a high probability for the location of specific shipwrecks. With this increased confidence in the location of these shipwrecks comes the responsibility for protecting these deep water wrecks from impact by oil, gas, sulfur, and salt activities. For this reason, it is necessary that an archaeological report be prepared based on the available geophysical data. The MMS recognizes that, in some cases, due to technical or logistical reasons, data acquisition requirements may not be met. In these few occasions, the MMS will review these instances on a case-by-case basis and make a decision on the probable utility of the data which can be acquired.

Comment: A commenter suggested that variances should be included to provide for use of equipment which may be developed in the future.

Response: The MMS has adopted a conservative approach in the selection of the requisite survey instrumentation to conduct shallow hazard and archaeological resource surveys in the Gulf of Mexico. The present survey instrumentation array, required by the MMS, was adopted as a result of an exhaustive research and testing program and a cooperative evaluation with geophysical survey companies. The new survey methodologies were also derived through an extensive research and testing program which provided a high confidence level for the detection of

historic period shipwrecks and an examination of geomorphic features for prehistoric archaeological sites.

Provisions in the NTL to allow for equipment which might be developed in the future might encourage the use of undeveloped methodology or unproven instruments in remote-sensing surveys in the Gulf of Mexico. New technological developments and possible corresponding survey methodologies must undergo intensive review by MMS to determine if the new technology is suitable to the survey requirements for protection of archaeological resources.

Comment: A commenter stated that single drill site and platform surveys should be limited to those areas likely to be actually used and questioned whether a 3,000 foot area was excessive.

Response: MMS archaeological analysis experience indicates that a 914 meter (3,000 foot) square area centered on the drill site is a reasonable area to require archaeological resource survey within. Review of side-scan sonar records has indicated numerous examples of jack-up rig tripod and anchoring scars extending for several hundreds of feet from the final location. In addition, surveys on leases which have previous wellsites indicate that the radius of loss or toss of ferromagnetic debris from these sites is generally contained within 457 meters. It should also be noted that the new requirement for site specific surveys over a 914 m (3,000 feet) square area is a significant reduction from the previous requirements under NTL 75–3 (Revision No. 1), which required that an area approximately 1,850 meters square be surveyed.

Comment: A commenter suggested that the need for 50 meter parallel offset survey lines for pipelines within the historic high probability areas should be predicated upon such need as indicated by the centerline survey line.

Response: Pipeline survey parameters were configured as a center line with at least two parallel offsets in order to maximize the protection of archaeological resources. A single, center line survey for pipelines would provide, at best, sufficient magnetometer coverage for 25 to 30 meters (82 feet to 100 feet) on either side of the center line. The pipeline right-of-way corridor extends for 100 feet (or 30 meters) on either side of the center line. (i.e., a 200 feet/60 meter corridor). The proposed right-of-way pipeline may be laid anywhere within the corridor. The area of potential impact from the laying of the pipeline (as demonstrated by surveys over existing pipelines) is, in most cases, greater than 25 meters on either side of the center line. In the case of pipeline lay barges, the area of impact from the anchor array is significantly greater than 25 meters from the center line. A single, center line survey would, therefore, not provide sufficient coverage for protection of potential archaeological resources.

Comment: A commenter expressed concern about the protection of the lessee from liability for damage to a historic or prehistoric site when such lessee has taken all required precautions.

Response: The MMS is mandated by law to require protection of archaeological resources from impact due to mineral exploration and development on the Federal OCS. The required remote-sensing survey methodology and subsequent archaeological analysis and report serve to provide such protection for archaeological resources in the Gulf of Mexico OCS Region. The lessee or right-of-way holder are protected from liability for damage to a historic or prehistoric site when the remote-sensing surveys are performed in accordance with this archaeological NTL.

Comment: A commenter suggested that any data indicating a magnetic anomaly encountered in a pipeline survey should be submitted with the archaeological survey report.

Response: While examination of all unidentified magnetic anomalies encountered in a pipeline survey would be beneficial in analysis, it was felt that inclusion of all anomalies would both be unnecessary and present a long-term problem with storage of the reports. In some extreme cases, it is expected that a single pipeline route could contain several hundred unidentified magnetic anomalies. Pipelines with a hundred or more unidentified anomalies are not expected to be unusual under the new MMS archaeological NTL guidelines. MMS archaeological review of pipeline reports indicates that some pipeline route surveys cover a greater area than required for reasons determined by the operator. In these cases, examination of anomalies which occur on survey lines that could not be impacted would be unnecessary. For these reasons, a decision to require magnetometer data from the center line of the survey was made. This will provide MMS archaeological analysts with sufficient data to review data quality, and provide the analyst with the option to request submission of data for examination, if necessary.

Comment: A commenter contended that it is the responsibility of MMS to assure that the survey reports are adequate to locate any historic or prehistoric archaeological resource.

Response: The MMS agrees. The changes in the methodological procedures presented in the new NTL are designed to increase the ability of the remote-sensing survey to differentiate, at an acceptable level, between modern ferromagnetic debris and potential archaeological resources. By issuing these methodological procedures, the MMS is fulfilling its responsibilities to ensure protection of submerged archaeological resources in the Gulf of Mexico OCS Region.

Comment: A commenter expressed concern that the lessee should be held responsible for preventing damages to historic or prehistoric archaeological resources from its operations only, and not to provide particular protection for, nor monies to recover these resources.

Response: The MMS agrees. Enclosure No. 3 of the new NTL describes the procedures which should be taken should an archaeological resource be located in proximity to proposed operations. These procedures are designed to prevent damage to historic or prehistoric archaeological resources and do not require operators to fund recovery of the resources.

Comment: A commenter questioned why the nominal fix-spacing under navigation requirements was to be no more than 150 meters and the shot points on the postplot map were to be at 152 meter (500 feet) intervals.

Response: We thank the commenter for pointing out this inconsistency. The NTL will be made consistent. Nominal fix-spacing will be no more than 152 meters and shot points will be mapped at 152-meter intervals.

Comment: A commenter questioned whether each of the four copies of an archaeological survey report needed to have the required magnetometer data samples.

Response: The Gulf of Mexico OCS Region has determined that only 3 of the 4 required archaeological survey reports shall include the copies of magnetometer data samples. Accordingly, the NTL will be changed to reflect this comment.

Comment: A commenter asked if the new survey methodology would result in an increased cost for new instrumentation.

Response: The new methodology does not require different instrumentation than was previously required.

Date: November 25, 1991.

J. Rogers Pearcy,

Regional Director, Gulf of Mexico Region.

Outer Continental Shelf Archaeological Resource Requirements for the Gulf of Mexico OCS Region

The Federal Government's responsibilities in archaeological resource management and protection on the Outer Continental Shelf (OCS) are based on the requirements of the National Historic Preservation Act of 1966, as amended, and on other applicable laws and regulations. The Minerals Management Service (MMS) has issued regulations at 30 CFR 250.33(b)(15), 250.33(o), 250.34(b)(8)(v)(A), 250.34(s), 250.157(a)(5), as well as lease stipulations which, if invoked, require OCS operators to conduct surveys and prepare reports designed to fulfill these archaeological resource legal responsibilities. Notices to Lessees and Operators (NTL) Nos. 74–10 and 75–3 were issued by the Gulf of Mexico OCS Region (GOMR) to implement the provisions of the lease stipulations. On October 1, 1982, NTL No. 75–3 was revised and issued by the GOMR to provide guidance on uniformity and consistency of archaeological resource field surveys and reports.

In June 1987, the MMS contracted with Texas A & M University to update and improve a 1977 historic resources study and to broaden the historic shipwreck database. This study was specifically designed to reevaluate the zone of historic shipwreck high probability. In November 1989, the study was completed. Based on the study results, the MMS has redefined the high probability areas for the occurrence of historic shipwrecks. This has resulted in a substantial reduction in the number of lease blocks in the Gulf of Mexico (i.e., approximately 50%) requiring a magnetometer survey. The study also demonstrated a compelling need to increase magnetometer data density in the high probability areas in order that historic shipwreck magnetometer patterns may be recognized. This shall be accomplished by reducing the survey linespacing interval, in the historic shipwreck high probability areas, from 150 meters (m) to 50 m. The NTL is presented as a series of enclosures. Enclosure No. 1. is titled Requirements for Archaeological Field Surveys. Enclosure No. 2. is titled Standards for Archaeological Resource Reports. Enclosure No. 3. is titled Requirements for Mitigation and Operational Restrictions.

The provisions of this NTL shall become effective as of February 17, 1992.

J. Rogers Pearcy,

Regional Director.

Enclosures

Enclosure No 1.

Requirements for Archaeological Resource Field Surveys

I. Introduction

After a lease is issued the GOMR will:

(1) Notify the operator, in writing, if the decision is made to invoke the archaeological resource report requirement portion of the stipulation.

(2) Identify to the operator the type of report (historic shipwreck, historic shipwreck/prehistoric site, or prehistoric site) and the standards that shall be required for compliance.

After notification from the GOMR of the decision to invoke the report requirement of the stipulation, the operator shall conduct the appropriate high-resolution remote sensing survey to determine the potential existence of archaeological resources that may be affected by future lease operations. In most cases, the archaeological resource field survey requirements will be similar to those for surveys conducted for shallow hazards or other purposes. The operator is encouraged to conduct the surveys concurrently. Pipeline right-of-way holders are directed to contact the Regional Supervisor, Leasing and Environment, GOMR, for determination of the type of archaeological resource field survey and report that will be required.

In the letter of invocation, the GOMR may request to be notified at least 72 hours prior to commencement of the survey so that arrangements can be made for observation of field procedures. An archaeologist and geophysicist need not be present while the archaeological resource field survey is being conducted, but they should be involved in survey planning. The survey shall be conducted prior to submitting an Exploration Plan, Development Operations Coordination Document, or pipeline application which proposes bottom disturbing operations.

When any of the following requirements cannot be met for technical or logistical reasons, an explanation of the problem shall be provided in the archaeological resource report.

II. Data Acquisition Instrumentation

Geophysical instrumentation for archaeological resource field surveys shall be representative of the state-of-the-art in technological development and shall be deployed in a manner which minimizes interference among the instrumentation systems. All data recorders shall be interfaced into the navigation system to assure proper integration of information. The equipment operator shall ensure that all instrumentation is adequately tuned and that all recorded data are readable, accurate, and properly annotated.

The following instrumentation shall be utilized in conducting archaeological resource field surveys:

A. Magnetometer. A magnetometer need be used only for historic shipwreck (HS) and historic shipwreck/prehistoric site (HS/PS) surveys. Total field intensity instruments shall be used to determine the possible presence of historic shipwrecks. Data obtained shall be of such quality so as to permit detection and evaluation of magnetic anomalies within the survey area.

The sensor of the magnetometer shall be towed as near as possible to the seafloor; a distance of six meters or less is required. A mechanical or digital depth sensor shall be attached to the magnetometer sensor, and each survey line shall be annotated with tow sensor depth and with the start of the line (SOL) and end of the line (EOL) times.

Magnetometer sensitivity shall be one gamma or less, with the data sampling rate not to exceed one-second intervals. The use of the "zero-mode" setting during magnetometer surveying is prohibited. This surveying mode does not measure the ambient magnetic field as required. Background noise level shall not exceed three gammas peak to peak. Analog strip chart recorders shall be equipped with dual trace pens. Recording scales shall include both 1,000-gamma and 100-gamma full scale, respectively. Shot points and recorder speed must be annotated on the strip charts for each survey line. The GOMR recommends that the strip chart recorder speed be approximately two inches per minute. Whenever possible, the magnetometer should be towed a minimum distance of two and one-half vessel lengths behind the vessel to eliminate the magnetic influence and effect of the vessel.

B. Dual channel side-scan sonar. A dual channel side-scan sonar system shall be used to record continuous planimetric images of the seafloor. The system shall be operated in a manner that provides 100 percent coverage of the seafloor in the survey area. Data obtained should be of such quality so as to permit detection and evaluation of seafloor objects and features within the survey area.

Whenever possible, the side-scan sonar sensor shall be towed above the seafloor at a distance of 10 to 20 percent of the range of the instrument. The vertical sound beam width shall be appropriate to the water depth, and the horizontal sound beam width shall provide optimum resolution. Tuning should be accomplished in a manner that enhances the echo returns from small nearby objects and features without sacrificing the quality of echo returns from more distant objects and features.

C. Subbottom profiler. A subbottom profiler system shall be used to determine the character of near-surface geological features. Data obtained should be of such quality so as to permit evaluation of these features for determining any possible prehistoric archaeological significance. The system used shall be capable of providing at least one to two meters of resolution within the upper 15 meters of sediment.

D. Depth sounder. Continuous water depth measurements shall be made using a high-frequency narrow-beam sounder. Bathymetric data shall be recorded with a recording sweep appropriate to topography and water depth.

E. Additional investigation. Under certain conditions, MMS may require additional instrumentation and methods such as underwater television; still, video, or movie cameras; divers; remote or manned submersibles; coring; and additional geophysical survey lines. The operator will be notified, by letter, of such requirements at the time of stipulation invocation. Right-of-Way Pipeline holders are directed to contact the Regional Supervisor, Leasing and Environment, to ascertain whether additional instrumentation and methods are required.

III. Survey Parameters

The following navigation and survey pattern requirements shall be adhered to when conducting archaeological resource field surveys:

A. Navigation. Navigation for the survey shall be accomplished by using a state-of-the-art continuous positioning system correlated to annotated geophysical records. The system shall have an accuracy of 5 meters or less. The nominal fix spacing shall be no more than 152 meters.

B. Survey Pattern. 1. Lease Surveys—When multiple operations on the lease are planned or probable, it may be advantageous to conduct a lease survey. This survey shall cover the entire area of the lease, as well as that portion external to the lease within which operational activities may cause physical and/or long-term magnetic disturbances. The area of physical disturbances includes, but is not limited to, the area within which drilling vessel anchors may be placed, but does not include the area within which work boat anchors may be placed or the area within which similar minimal disturbances may occur. The survey shall be run along parallel primary lines spaced at a maximum of 50 meters for HS or HS/PS surveys and at a maximum of 300 meters for prehistoric site (PS) surveys with cross-tie lines spaced at a maximum of 900 meters for each type of survey. Tighter line spacing may be required by the GOMR in areas of known significant or potentially significant archaeological resources. The operator will be notified by letter of such requirements at the time of stipulation invocation.

Lease HS and HS/PS surveys which are conducted on lease blocks that have been identified by the letter of invocation as being in water depths greater than 60 m shall have the same survey pattern as lease PS surveys.

2. Single Drill Site/Platform Surveys (Site Specific Surveys)—These surveys shall be run in an area approximately 914 meters (3,000 feet) square centered upon the proposed drill site with primary lines spaced at a maximum of 50 meters for HS or HS/PS surveys or at a maximum of 300 meters for PS surveys with three equidistant cross-tie lines. Additional survey lines may be necessary so that the area surveyed includes the area within which operations may cause physical and/or long-term magnetic disturbances. Tighter line spacing may be required by the GOMR in areas of known significant or potentially significant archaeological resources. The area of physical disturbances includes, but is not limited to, the area within which drilling vessel anchors may be placed, but does not include the area within which work boat anchors may be placed or the area within which similar minimal disturbances may occur. Single drill site/platform surveys are not required in areas where lease surveys have already provided sufficient archaeological coverage of the area.

Site-specific HS and HS/PS surveys which are conducted on lease blocks that have been identified by the letter of invocation as being in water depths greater than 60 m shall have the same survey pattern as site-specific PS surveys.

3. Pipeline surveys. (a) *Right-of-Way Pipelines*—The survey pattern for all right-of-way pipelines shall include a line along the proposed pipeline route (center line) and offset parallel lines (on either side of the center line) spaced at a maximum of 50 meters for HS and HS/PS surveys. For PS surveys, the survey shall include a line along the proposed centerline with offset parallel lines spaced at a maximum of 300 meters. The number of offset parallel lines must be sufficient to provide adequate survey coverage of the area within which operations may cause physical and/or long-term magnetic disturbances. A minimum of two offset parallel lines shall be required. The area of physical disturbances includes, but is not limited to, the area where pipeline lay barge anchors will be placed.

A survey for a right-of-way pipeline which will be laid in an area where an HS or HS/PS survey is required and will be in water depths greater than 60 meters shall include a center line with offset parallel lines spaced at a maximum of 300 meters. The number of offset parallel lines must be sufficient to provide adequate survey coverage of the area within which operations may cause physical and/or long-term magnetic disturbances. A minimum of two offset parallel lines shall be required.

(b) *Lease-Term Pipelines*—Archaeological resource surveys for lease-term pipelines which will be laid within leases that have been previously surveyed at 50 m line spacing interval (i.e., HS, or HS/PS) are not required. Surveys for lease-term pipelines which will be laid within block(s) that have been previously surveyed and are exclusively considered to have a high potential for prehistoric archaeological resources (i.e., PS) are also not required.

In water depths shallower than 60 meters, surveys for lease-term pipelines on leases designated to have a high probability for historic period shipwrecks (i.e., HS, HS/PS) shall be conducted using the survey pattern discussed in paragraph 3(a) for right-of-way pipelines. Previous surveys of these leases at 150 or 300 meter linespacing will not be adequate.

Surveys for lease-term pipelines which will be laid within leases in water depths greater than 60 meters are not required. However, for these pipelines, an archaeological resource report based on data obtained from a previous shallow hazard survey shall be required.

Enclosure No. 2

Standards for Archaeological Resource Reports

I. Introduction

An evaluation and synthesis of data gathered during an archaeological resource survey shall be included in a report prepared and signed by an

archaeologist and a geophysicist. Professional personnel in these fields should have credentials and experience sufficient to ensure that they are able to adequately perform the necessary work. As needed, specialists in other fields may participate in data analysis and report preparation.

All original data used to prepare the archaeological resource report shall be maintained by the lessee or permittee and be made available to the GOMR upon request at any time prior to lease termination or pipeline right-of-way relinquishment.

Prior to commencing any drilling, production, or construction operations, the operator/applicant/permittee shall submit to the Regional Supervisor, Field Operations, an original report and three (3) copies to determine the potential existence of any archaeological resource that may be affected by the operations. In the case of historic shipwreck reports, the required representative magnetometer data samples must be included in the original report and two (2) of the three (3) copies. The report shall be based on an assessment of the data from remote-sensing surveys in accordance with the specifications of this NTL, subsequent appropriate LTL's, and other pertinent archaeological and environmental information. Data required for shallow hazard surveys and platform foundation analyses shall generally be sufficient for PS resource reports.

II. Contents of Archaeological Resource Reports

Archaeological resource reports shall include the following information:

A. A description of the area surveyed including lease number(s), block numbers(s), OCS lease area(s), and water depths.

B. A listing of personnel and duties for individuals involved in survey planning, survey conduct, and report preparation.

C. A discussion of the archaeological resource field survey including the following:

(1) A brief description of the navigation system with a statement of its estimated accuracy for the area surveyed.

(2) A brief description of survey instrumentation including scale, sensitivity settings, sampling rate per second, and tow depths where required.

(3) A description of the survey vessel including vessel size, sensor configuration, navigation antenna locations, and cable lengths.

(4) Vessel speed and course changes.

(5) Sea state and weather conditions.

(6) A copy of the original daily survey operations log.

(7) A description of survey procedures including a statement of survey and record quality, a comparison of survey line crossings, and a discussion of any problems which may affect the ability of the report preparation personnel to determine the potential for archaeological resources in the survey area.

D. A navigation postplot map of the survey area at a scale of 1:12,000 showing survey lines, shot points at 152 meter (500 feet) intervals, line direction in the grid projection in which the lease is described, e.g., UTM, Lambert, TM, etc., and x, y grid coordinates and tics placed every five inches thereon with geodetic graticules every 60 seconds. This map, or separate maps at the same scale which also show survey lines, shot points, and line direction, shall be oriented to true north and shall delineate the following, as appropriate:

(1) The horizational and vertical extent of all relict geomorphic features having potential for associated prehistoric sites. Such areas includes, but are not limited to, tidal estuaries, embayments, barrier islands, beach ridge sequences, spits, alluvial terraces, and stream channels. When relict fluvial systems are recorded, the map shall:

(a) Differentiate between generations of channeling when more than one generation is present;

(b) Show any internal channel features such as point bar deposits and terraces;

(c) Delineate any channel margin features such as natural levee ridges; and

(d) Indicate all depths of channel banks and channel axes.

Note: An isopach map of channel fill sediments is often the most efficient means of conveying the above information, but this method alone will not allow differentiation between more than one generation of channeling.

(2) Bathymetry.

(3) All magnetic anomalies and seafloor side-scan sonar contacts of unknown source (i.e., magnetic anomaly, map symbol = ; side-scan sonar contact, map symbol = (SSS). The duration of all magnetic anomalies shall be plotted on the survey map at a scale of 1:12,000.

(4) Sites of proposed oil and gas operations (i.e., proposed well locations, platform sites, and/or pipelines), when available at the time of report preparation.

(5) Sites of former oil and gas operations (i.e., abandoned well locations, platform sites, and/or pipelines).

E. If an analysis of the potential for prehistoric sites within the survey area is required, the report shall include:

(1) A review of current existing literature on the late Pleistocene and Holocene geology, paleogeography and sea level change in the area, marine and coastal prehistory, and previous archaeological resource reports in the area, when available. A list of suggested references will be made available upon request.

(2) A discussion of relict geomorphic features and their archaeological potential to include the following:

(a) The type, age, and association of the features mapped;

(b) The acoustic characteristics of channels and their fill material;

(c) Evidence for preservation or erosion of channel margins;

(d) Evidence for more than one generation of fluvial downcutting; and

(e) The sea level curves used in the assessment.

(3) A discussion of the potential for identification and evaluation of buried prehistoric sites based on the capabilities of current technology in relation to the thickness and composition of sediments overlying the area of a potential site.

F. If an analysis of the potential for historic shipwrecks within the survey area is required, the report shall include, as appropriate, the following:

(1) A current review of existing records for reported shipwreck locations in the survey area and adjacent areas;

(2) A list of the magnetic anomalies with the lease block and survey line location (corrected for sensor offset), gamma intensity, lateral extent (duration), whether the anomaly is characterized by a dipolar or monopolar signature, and magnetometer sensor tow depth of each;

(3) A list of side-scan sonor contacts with the lease block and survey line location (corrected for sensor offset), size, shape, and height of protrusion above the seafloor of each;

(4) A discussion of any magnetic anomalies and side-scan sonar contacts of unknown source in terms of their potential as historic shipwrecks;

(5) A discussion of any correlation between magnetic anomalies or side-scan sonar contacts and known or probable sources;

(6) A discussion of the potential for shipwreck preservation in terms of the effects of past and present marine processes; and

(7) A discussion of the potential for identification and evaluation of potential shipwrecks based on the capabilities of current technology in

relation to the water depth, probable thickness and composition of sediments overlying the potential shipwreck location, and the preservation potential.

C. Representative data samples, as appropriate, shall be submitted for the following:

(1) A representative sample of subbottom profiler data for each type of relict landform identified. When more than one generation of fluvial channeling is evident, a sample depicting each shall be submitted. Each sample must be readable and include horizontal and vertical scales. Any interpretive highlighting or annotation of the sample data shall be on either a separate overlay or a copy of the representative same data. In no instance should original survey data be highlighted. If relict channel features are referenced in the text of the archaeological report, representative copies of the subbottom profiler record of these geologic features shall be included in the report.

(2) A copy of the side-scan sonar data where contacts representing unidentified objects are recorded. The copies must be readable and shall include the scale. Any highlighting or annotation of the sample data shall be on either a separate overlay or a copy of the representative sample data. In *no* instance should original survey data be highlighted.

(3) Magnetometer data as follows:

(a) for lease surveys and site specific surveys, a clear copy of three complete lines of magnetometer data. Two of these lines shall be representative data samples of primary survey lines and the third survey line shall be a cross-tie line. The primary survey lines shall be adjacent lines and run in two different cardinal directions (e.g., one survey line heading north and the other heading south). Whenever possible these survey lines shall include unidentified magnetic anomalies.

(b) for pipeline surveys (i.e., lease term or right-of-way) that are three miles or longer in length, a clear copy of approximately one-quarter (25%) of the magnetometer data (analog strip chart) for the center line of the survey. For pipeline surveys less than three miles in length, the entire center line magnetometer survey shall be submitted. These data shall include representative samples of unidentified magnetic anomalies (if any) that were recorded on the center line. Sample data may be reduced in size for report reproduction. Data quality must be sufficient to clearly depict both the 1000-gamma and 100-gamma scale traces of the analog strip chart recorder.

H. A summary of conclusions and recommendations supported by the archaeological resource field survey data and archaeological analyses including:

(1) A discussion of known or potential archaeological resources;

(2) Recommendations for avoidance or for further archaeological investigations; and/or

(3) Recommendation that operations be permitted because data recovery negates adverse effects to archaeological resources.

I. A discussion of the data and results from any additional investigations that may be required by the GOMR shall be appended to the archaeological resource report.

III. Review of Archaeological Resource Reports

A. The GOMR will determine whether a report meets the requirements contained in the invocation notification and/or this NTL. The review will be conducted by personnel with archaeological, geophysical, and other appropriate expertise. The GOMR will determine if the survey was performed properly and will evaluate the geophysical interpretations and archaeological conclusions.

B. If the report is not adequate or complete, the GOMR will notify the operator or right-of-way holder, in writing, of the problems and identify the data or information necessary to correct or complete the report.

C. Based on the GOMR review of the report findings, the GOMR will notify the operator or right-of-way holder, in writing, of any mitigating measures or operational restrictions which may be required.

D. A previously submitted archaeological resource report may be acceptable for satisfying the archaeological resource report requirements under a new lease agreement, particularly if the lease falls exclusively within the area of high probability for the occurrence of prehistoric archaeological resources. Prior to submittal of an Exploration Plan or Development Operations Coordination Document, the operator shall submit to the Regional Supervisor, Leasing and Environment, a written request for review of an archaeological report prepared for an expired lease to determine its compliance with current MMS requirements. A clean copy of the report to be reviewed shall be included with the operator's request.

Enclosure No. 3

Requirements for Mitigation and Operational Restrictions

A. When an archaeological resource field survey and report indicate that a potential archaeological resource may be present and lease operations or pipeline right-of-way operations are proposed within its immediate area, the GOMR will require the operator or right-of-way holder to either:

1. Locate the operation so as not to adversely affect the area of the archaeological resource; or

2. Establish to the satisfaction of the GOMR that an archaeological resource does not exist or will not be adversely affected by operations. This shall be done by further archaeological investigation, conducted by an archaeologist and a geophysicist, using survey equipment and techniques deemed necessary by the GOMR. A report on the investigation shall be submitted to the GOMR for review.

B. If the GOMR determines that an archaeological resource is present in the area and may be adversely affected by operations, the operator or right-of-way holder will be notified immediately. Under these circumstances, the GOMR is required to engage in additional consultations in accordance with 36 CFR 800.4. The operator or right-of-way holder shall take no action that may adversely affect the archaeological resource until the GOMR has concluded these consultations and has provided the operator with instructions on how to protect the resource.

C. If the operator or right-of-way holder discovers any archaeological resource while conducting operations, a report of the discovery shall be immediately made to the GOMR. The operator or right-of-way holder shall make every reasonable effort to preserve the archaeological resource until the GOMR has issued instructions on how to protect it.

[FR Doc. 91-30444 Filed 12-19-91; 8:45 am]
BILLING CODE 4310-MR-M

INTERNATIONAL BOUNDARY AND WATER COMMISSION

United States and Mexico; United States Section; International Agreement for Permanent Solution of the Safety Problem at the International Bridge of the Americas at El Paso, TX and Ciudad Juarez, Chihuahua; Finding of No Significant Impact

AGENCY: United States Section, International Boundary and Water Commission, United States and Mexico.

ACTION: Notice of finding of no significant impact.

SUMMARY: Based on an Environmental Assessment, the U.S. Section finds that the proposed action that the United States Government enter into an agreement with the Government of Mexico through the International Boundary and Water Commission (Commission) for a permanent solution to the safety problem at the International Bridge of the Americas (BOTA) at El Paso, Texas, and Ciudad Juarez, Chihuahua, is not a major federal action that would have a significant adverse effect on the quality of the human environment. Therefore, pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Council on Environmental Quality Final Regulations (40 CFR parts 1500 through 1508); and the U.S. Section's Operational Procedures for Implementing Section 102 of NEPA, published in the **Federal Register** September 2, 1981 (46 FR 44083); the U.S. Section hereby gives notice that an environmental impact statement will not be prepared for the proposed project.

FOR FURTHER INFORMATION CONTACT: Mr. M.R. Ybarra, U.S. Section Secretary, International Boundary and Water Commission, United States and Mexico, U.S. Section 4171 North Mesa Street, C–310, El Paso, Texas 79902–1422. Telephone: (915) 534–6698.

Proposed Action

An international agreement between the United States and Mexico is proposed through a Minute of the International Boundary and Water Commission, United States and Mexico, (IBWC) to replace the international Bridge of the Americas at El Paso, Texas—Ciudad Juarez, Chihuahua, in as early a manner as possible, in essentially the same place and configuration as the existing bridge under the terms existing in international treaties and agreements in force. The urgency is due to the structurally deficient condition of the existing bridge.

Alternatives Considered

Four Alternatives were considered:

1. IBWC Rehabilitation of Existing Bridge

The existing bridge would be strengthened by replacing the existing concrete slab, strengthening the piers, and making miscellaneous repairs. While this alternative had merit early in 1991, the present structural condition of the bridge is such that it would not be prudent to give further consideration to this alternative.

2. IBWC Replacement of Existing Bridge

A new Bridge of the Americas (BOTA) would be constructed in the approximately the same place, size, and configuration as the existing bridge. Improvements to lane vehicle widths, commercial lanes and ingress and egress would be undertaken. The bridge would not involve large scale modifications to inspection facilities and associated roadways. Replacement would be in application of the 1963 Chamizal Convention, such that the bridge would continue to be toll-free. The United States and Mexican Governments would equally share in the cost of the part of the bridge that spans the Rio Grande levee to levee, approximately 40 percent of the bridge's length, and the U.S. Government would pay for the cost of replacing the elevated section (the remaining 60 percent of the bridge) that facilitates access to the existing facilities. The United States Section has budget authority to seek appropriations for a replacement bridge and request annual operation and maintenance funding. This alternative, if acceptable to the U.S. Congress for appropriation purposes, and to Mexico, would permit as fast as possible replacement of the bridge, an important factor due to its condition. This alternative is considered as the preferred alternative.

3. Non-IBWC Replacement of Existing Bridge

The IBWC make arrangements for agencies or entities in each country, other than the IBWC, to assume the responsibility for replacing the existing bridge in the configuration, location, and size that such agencies or entities may determine. Tolls, which are contrary to the provisions of the Chamizal Convention, would be necessary to recover the cost of financing a replacement bridge. Tolls would work an economic hardship upon individuals that for years traveled freely back and forth to work and shop in either country. Authorization to construct a replacement bridge in this manner would take considerable time as it would involve a need to arrange financing in both countries and additional lengthy and uncertain bilateral understandings. The structural deficiency of the bridge requires as rapid replacement as possible, and thus this alternative was not preferred.

4. No Action Alternative

This would be a status quo arrangement which is not acceptable. The safety of millions of people who use this bridge would be in continued peril. Without remedial action, the distressed condition of the 24-year old BOTA will continue to deteriorate due to questionable construction materials and the constant and heavy traffic. These factors, among others, precluded giving this alternative further consideration.

Finding of the Environmental Assessment

The Environmental Assessment finds that the preferred alternative does not constitute a major federal action which would cause a significant local, regional or national impact on the environment since it:

(a) Removes the danger of life and property on or under this bridge which a structurally deficient bridge subject to further deterioration represents.

(b) Provides a structurally sound bridge that would serve the commercial and noncommercial needs of an international community.

(c) Effects common to construction alternatives would be short-term. Fugitive dust and equipment emissions would be minimized through implementation of standardized construction practices.

(d) There would not be a significant impact to air quality and all local, state and federal air quality regulations would be followed.

(e) There would not be any impacts to surface water, nor would the construction alternatives impact upon the capabilities of the international Rio Grande Rectification Project to carry flood flows should the need arise during construction.

(f) Construction related impacts on traffic would be short lived.

(g) A replacement bridge would permit continued use of existing and additional inspection facilities now under construction, which include commercial inspection docks capable of handling more than four times the present loaded trucks presently inspected in the El Paso area.

(h) The United States and Mexico would be complying with pertinent provisions of the 1963 Chamizal Convention, including that the bridge would continue to be toll-free and that the cost of the part of the bridge that

spans the Rio Grande levee to levee be equally shared by the two countries.

(i) A replacement bridge would be constructed in as timely as possible manner.

(j) Would not affect fish and wildlife, including endangered and threatened species in the immediate area of the proposed project.

(k) Would not affect cultural resources listed on or determined to be eligible for listing on the National Register of Historic Places.

On the basis of the Environmental Assessment, a finding of no significant impact is adopted, and unless additional information which may effect this decision is brought to our attention within thirty (30) days of the date of this notice, an environment impact statement will not be prepared.

Dated: December 9, 1991.

Suzette Zaboroski,

Staff Counsel.

[FR Doc. 91-30384 Filed 12-19-91; 8:45 am]

BILLING CODE 4710-03-M

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 31919]

Exemption; Norfolk & Western Railway Co.—Trackage Rights Exemption—Consolidated Rail Corp.

Consolidated Rail Corporation (Conrail) has agreed to grant overhead trackage rights to Norfolk and Western Railway Company (NW) over approximately 2.3 miles of rail line at Fort Wayne, IN. The trackage rights involve: (1) 1.9 miles of Conrail's Fort Wayne Line between milepost 319.1±, via "Mike" Interlocking, and milepost 321.0±, near "Junction" Interlocking; and (2) 0.4 mile of Conrail's GR&I Branch between the connection with Conrail's Fort Wayne Line at milepost 93.3± and the property line between Conrail and NW at and including the connection with NW in the vicinity of "Park" Interlocking at milepost 93.7±.[1]

[1] The trackage rights agreement confers upon NW the right to operate its trains, locomotives, cars, and equipment, including but not limited to equipment in the account of TCS, with its own crews, in overhead service over Conrail between the termini of the involved trackage, with the right to enter or exit also at "Mike" Interlocking. In a proceeding related to this proposed service NW has filed an offer of financial assistance to purchase approximately 0.8 miles of Conrail's Fourth Street Industrial Track in Fort Wayne. See Docket No. AB-167 (Sub-No. 756N), Consolidated Rail Corporation—Abandonment—In Fort Wayne, Allen County, IN.

The trackage rights were to become effective on or soon after December 9, 1991.

This notice is filed under 49 CFR 1180.2(d)(7). Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not stay the transaction. Pleadings must be filed with the Commission and served on: R. Allan Wimbish, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510-2191.

As a condition to the use of the exemption, any employees affected by the trackage rights will be protected pursuant to Norfolk and Western Ry. Co.—Trackage Rights—BN, 354 I.C.C. 605 (1978), as modified in Mendocino Coast Ry.—Lease and Operate, 360 I.C.C. 653 (1980).

Dated: December 16, 1991.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 91-30437 Filed 12-19-91; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF LABOR

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR part 1, appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedes decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon and Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., room S-3014, Washington, DC 20210.

Modifications to General Wage Determination Decisions

The numbers of the decisions listed in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume, State, and page number(s). Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

Volume I

Georgia:
GA91-4 (Feb. 22, 1991)..... p. All.
Kentucky:
KY91-26 (Feb. 22, 1991)..... p. All.
KY91-27 (Feb. 22, 1991)..... p. All.
KY91-28 (Feb. 22, 1991)..... p. All.
Massachusetts:
MA91-1 (Feb. 22, 1991)..... p. 421, p. 423.
New Jersey:
NJ91-3 (Feb. 22, 1991)..... p. 721, pp. 724, 734.
New York
NY91-2 (Feb. 22, 1991)..... p. 777, pp. 779-780, 785.
NY91-3 (Feb. 22, 1991)..... p. 797, p. 798.
NY91-4 (Feb. 22, 1991)..... p. 807, p. 808.
NY91-5 (Feb. 22, 1991)..... p. 817, pp. 818, 822.
NY91-6 (Feb. 22, 1991)..... p. 827, p. 828.
NY91-7 (Feb. 22, 1991)..... p. 837, pp. 838, 843.
NY91-11 (Feb. 22, 1991)..... p. 885, pp. 886, 888.
NY91-12 (Feb. 22, 1991)..... p. 893, p. 894.
NY91-14 (Feb. 22, 1991)..... p. 911, p. 912.
NY91-15 (Feb. 22, 1991)..... p. 915, p. 916.
NY91-17 (Feb. 22, 1991)..... p. 921, p. 922.
NY91-18 (Feb. 22, 1991)..... p. 931, pp. 932, 934.
NY91-19 (Feb. 22, 1991)..... p. 943, pp. 944-948.
NY91-20 (Feb. 22, 1991)..... p. 949, p. 950.
Rhode Island:
RI91-1 (Feb. 22, 1991)..... p. 1149, p. 1150.
Tennessee:
TN91-1 (Feb. 22, 1991)..... p. 1189, p. 1190.

Volume II

Arkansas:
AR91-1 (Feb. 22, 1991)..... p. 3, p. 4.
AR91-8 (Feb. 22, 1991)..... p. 21, p. 22.
Illinois:
IL91-1 (Feb. 22, 1991)..... p. 69, p. 79.
IL91-2 (Feb. 22, 1991)..... p. 97, pp. 100, 103.
IL91-6 (Feb. 22, 1991)..... p. 133, pp. 134-136b.
IL91-8 (Feb. 22, 1991)..... p. 145, p. 148.
Indiana:
IN91-3 (Feb. 22, 1991)..... p. 279, pp. 280-282.
Kansas:
KS91-11 (Feb. 22, 1991)..... p. 389, p. 390.
Ohio:
OH91-2 (Feb. 22, 1991)..... p. 821, pp. 822-840b.

Volume III

California:
CA91-4 (Feb. 22, 1991)..... p. 75, pp. 89, 97.

General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country. Subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 783-3238.

When ordering subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the three separate volumes, arranged by State. Subscriptions include an annual edition (issued on or about January 1) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates will be distributed to subscribers.

Signed at Washington, DC this 13th day of December 1991.

Alan L. Moss,

Director, Division of Wage Determinations.

[FR Doc. 91-30223 Filed 12-19-91; 8:45 am]

BILLING CODE 4510-27-M

Employment and Training Administration

Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under section 221 (a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to section 221 (a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under title II, chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 30, 1991.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 30, 1991.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210.

Signed at Washington, DC this 9th day of December 1991.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

APPENDIX

Petitioner (Union/Workers/Firm)	Location	Date received	Date of petition	Petition No.	Articles produced
Amerada Hess Corp., Dist. Ofc. (Wkrs)	Tioga, ND	12/09/91	11/27/91	26,635	Oil, Natural Gas.
Amerada Hess Corp., Gas Plant (Wkrs)	Tioga, ND	12/09/91	11/27/91	26,636	Oil and Gas.
American Cyanamid (USWA)	Linden, NJ	12/09/91	11/18/91	26,637	Malathion Insecticide.
American Hunter Exploration Ltd (Wkrs)	Denver, CO	12/09/91	11/20/91	26,638	Oil and Gas.
Colebrook-Terry, Inc. (Wkrs)	Colebrook, PA	12/09/91	11/27/91	26,639	Lingerie Garments.
Custom Optics, Inc. (Wkrs)	Saddlebrook, NJ	12/09/91	11/20/91	26,640	Optical Wear and Supplies.

APPENDIX—Continued

Petitioner (Union/Workers/Firm)	Location	Date received	Date of petition	Petition No.	Articles produced
Drilex Systems, Inc. (Wkrs)	Casper, WY	12/09/91	11/15/91	26,641	Oil, Gas Drilling.
Drilex Systems, Inc. (Wkrs)	Oklahoma City, OK	12/09/91	11/15/91	26,642	Oil, Gas Drilling.
Duxbak, Inc. (co)	Cambridge, MD	12/09/91	12/01/91	26,643	Men's Apparel.
Duxbak, Inc. (co)	Willards, MD	12/09/91	12/01/91	26,644	Men's Apparel.
Goodyear Tire & Rubber Co. (Wkrs)	Union City, TN	12/09/91	11/26/91	26,645	Orig. Equip. Auto Tires.
Halliburton Services (Wkrs)	Big Springs, TX	12/09/91	11/25/91	26,646	Oilfield Services.
Lancaster Mould Co. (Wkrs)	Lancaster, OH	12/09/91	11/27/91	26,647	Glass Pressware and Container Moulds.
Marine Drilling Co. (Co)	Sugar Land, TX	12/09/91	10/29/91	26,648	Oil, Gas Drilling.
Massillon Stainless Steel (Wkrs)	Massillon, OH	12/09/91	11/24/91	26,649	Finished Stainless Steel Coils.
PPG Industries (Wkrs)	Pittsburgh, PA	12/09/91	11/21/91	26,650	Fabricated Auto products.
Terry Colebrook (Wkrs)	Colebrook, PA	12/09/91	11/27/91	26,651	Lingerie Garments.
Tex/Con Oil & Gas Co. (Co)	Houston, TX	12/09/91	11/21/91	26,652	Oil, Gas Exploration.
Tex/Con Oil & Gas Co. (Co)	Crescent, OK	12/09/91	11/21/91	26,653	Oil, Gas Exploration.
Tex/Con Oil & Gas Co. (Co)	Gorham, KS	12/09/91	11/21/91	26,654	Oil, Gas Exploration.
Tex/Cor Oil & Gas Co. (Co)	Portland, TX	12/09/91	11/21/91	26,655	Oil, Gas Exploration.

[FR Doc. 91-30458 Filed 12-19-91; 8:45 am]
BILLING CODE 4510-30-M

Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for adjustment assistance issued during the period of November 1991.

In order for an affirmative determination to be made and a certification of eligibility to apply for adjustment assistance to be issued, each of the group eligibility requirements of section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Negative Determinations

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-26,333; Motion Control Industries, Inc., Ridgway, PA

TA-W-26,409; Genicom Corp., Herkimer, NY

TA-W-26,422; Unisys Corp., Roseville, MN

TA-W-26,425; United Coulson Heel Co., Hanover, PA

TA-W-26,404; Chickasha Manufacturing Co., Inc., Chickasha, OK

In the following cases, the investigation revealed that the criteria for eligibility has not been met for the reasons specified.

TA-W-26,369; Teledyne Wisconsin Motor, West Allis, WI

Increased imports did not contribute importantly to worker separations at the firm.

TA-W-26,411; JE Merit Constructors, Inc., Addy, WY

The workers' firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

TA-W-26,421; Uinat Oil and Gas, Inc., Roosevelt, UT

The investigation revealed that criterion (2) has not been met. Sales or production did not decline during the relevant period as required for certification.

TA-W-26,398; The Timkin Co., Canton, OH

The workers' firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

Affirmative Determinations

TA-W-26,408; General Automotive Specialty Co., North Burnswick, NJ

A certification was issued covering all workers separated on or after December 5, 1991.

TA-W-26,331; Keller Furniture of Indiana, Linton, IN

A certification was issued covering all workers separated on or after September 4, 1990.

TA-W-26,413; Quinn Audio Products, Lake Worth, FL

A certification was issued covering all workers separated on or after September 23, 1990.

TA-W-26,415; Schlumberger, Larose Offshore Office, Cutoff, LA

A certification was issued covering all workers separated on or after January 1, 1991.

TA-W-26,416; Schlumberger, Well Service Office, Belle Chase, LA

A certification was issued covering all workers separated on or after January 1, 1991.

TA-W-26,416A; Schlumberger, Special Service Office, Belle Chase, LA

A certification was issued covering all workers separated on or after January 1, 1991.

TA-W-26,417; Schlumberger, Renovation Center, Belle Chase, LA

A certification was issued covering all workers separated on or after January 1, 1991.

TA-W-26,382; General Electric Aerospace Aircraft Control Systems Dept, Evendale, OH

A certification was issued covering all workers separated on or after October 18, 1990.

TA-W-26,383; General Electric Aerospace Aircraft Control Systems Dept, Bellevue, WA

A certification was issued covering all workers separated on or after October 18, 1990.

TA-W-26,449; The Western Co. of North America, Kilgore, TX

A certification was issued covering all workers separated on or after January 1, 1991.

TA-W-26,400; Adonis Apparel, Inc., Albron, IL

A certification was issued covering all workers separated on or after September 26, 1990.

TA-W-26,384; General Electric Aerospace Aircraft Control Systems Dept, Ft. Wayne, IN

A certification was issued covering all workers separated on or after October 18, 1990.

I hereby certify that the aforementioned determinations were issued during the month of November, 1991. Copies of these determinations are available for inspection in Room C-4318, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 during normal business hours or will be mailed to persons to write to the above address.

Dated: December 11, 1991.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 91-30459 Filed 12-19-91; 8:45 am]

BILLING CODE 4510-30-M

Tonka Corporation et al.; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In the matter of TA-W-26,130, St. Louis Park, MN, Tonka Products Division TA-W-26,133, St. Louis Park, MN, TA-W-26,134, El Paso, TX, and Sales Personnel Operating in the Following States TA-W-26,133A, Ohio, TA-W-26,133B, Illinois, TA-W-26,133C, California, TA-W-26,133D, Washington, TA-W-26,133E, New Jersey, TA-W-26,133F, New York, TA-W-26,133G, Texas.

Parker Brothers Division TA-W-26,143, Beverly, MA, TA-W-26,144, Salem, MA, and Sales Personnel Operating in the Following States TA-W-26,143A, Maine, TA-W-26,143B, New Hampshire, TA-W-26,143C, Nevada, TA-W-26,143D, Florida.

Kenner Products Division TA-W-26.145, Cincinnati, OH, and Sales Personnel Operating in the Following States TA-W-26,145A, Texas, TA-W-26,145B, Missouri, TA-W-26,145C, Michigan.

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273) The Department of Labor issued a Certification of Eligibility to apply for worker adjustment assistance on October 23, 1991, applicable to all workers of Tonka Corporation, St. Louis Park, Minnesota (TA-W-26,130); Tonka Products Division, St. Louis Park, Minnesota (TA-W-26,133) and El Paso, Texas (TA-W-26,134; Parker Brothers Division, Beverly, Massachusetts (TA-W-26,143) and Salem, Massachusetts (TA-W-26,144); and the Kenner Products Division, Cincinnati, Ohio (TA-W-26,145). The notice was published in the **Federal Register** on November 5, 1991 (56 FR 56530).

New information obtained from the company shows that several sales workers who worked for the Parker Brothers Division and the Kenner Products Division were not included in the certifications. The new information shows that the sales workers for the Parker Brothers Division and the Kenner Products Division worked primarily out of their homes in other States. The intent of the certification is to include all workers who were adversely affected by increased imports of articles like or directly competitive with toys and games. Therefore, the certifications are amended to include the sales workers for the Parker Brothers Division and the Kenner Products Division.

The amended notice applicable to TA-W-26,130; TA-W-26,133; TA-W-26,134; TA-W-26,143; TA-W-26,144 and TA-W-26,145 is hereby issued as follows:

All workers of the following firms of Tonka Corporation: (1) Tonka Corporation, St. Louis Park, Minnesota (TA-W-26,130); (2) Tonka Products Division, St. Louis Park, Minnesota (TA-W-26,133) and (3) El Paso, Texas (TA-W-26,134); (4) Parker Brothers Division, Beverly, Massachusetts (TA-W-26,143) and (5) Salem, Massachusetts (TA-W-26,144; and (6) Kenner Products Division, Cincinnati, Ohio (TA-W-26,145) who became totally or partially separated from employment on or after July 17, 1990, and all Tonka Products Division's sales personnel operating in the following States: Ohio, Illinois, California, Washington, New Jersey, New York and Texas (TA-W-26,133A-G); all Parker Brothers Division's sales personnel operating in the following States: Maine, New Hampshire, Nevada, and Florida (TA-W-26,143A-D); and all Kenner Products Division's sales personnel operating in the following States: Texas, Missouri, and Michigan (TA-W-26,145A-C) who became totally or partially separated from employment on or January 1, 1991 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed in Washington, DC, this 6th day of December 1991.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 91-30460 Filed 12-19-91, 8:45 am]

BILLING CODE 4510-30-M

Pension and Welfare Benefits Administration

[Exemption Application No. D-6674]

Withdrawal of Notice of Proposed Exemption Involving the PKF-Mark III, Inc. Profit Sharing Plan (the Plan) Located in Newtown, PA

In the **Federal Register** dated October 11, 1991 (56 FR 51410), the Department of Labor published a notice of proposed exemption from the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 and from certain taxes imposed by the Internal Revenue Code of 1986. The notice of proposed exemption concerned the prospective sale for cash of an interest in Kings Woods Associates from the Plan to PKF-Mark III, Inc., a party in interest with respect to the Plan.

By letter dated November 15, 1991, the applicant has requested that the exemption application be withdrawn.

Accordingly, the notice of proposed exemption is hereby withdrawn.

Signed at Washington, DC, this 9th day of December, 1991.

Ivan Strasfeld,

Director of Exemption Determinations, Pension and Welfare Benefits Administration, U.S. Department of Labor.

[FR Doc. 91-30457 Filed 12-19-91; 8:45 am]

BILLING CODE 4510-29-M

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

Arts National Council; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a meeting of the Office of Public Partnership Advisory Panel (State and Regional Section) to the National Council on the Arts will be held on January 9, 1992, from 8:30 a.m.-5:30 p.m. and January 10 from 8:30 a.m.-4:30 p.m. in room M-14 at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506.

This meeting will be open to the public on a space available basis. The topics will include orientation for panelists, application review, discussion of application review process, budget review, guidelines and policy.

Any person may observe meetings, or portions thereof, of advisory panels which are open to the public, and may be permitted to participate in the panel's discussions at the discretion of the panel chairman and with the approval of the full-time Federal employee in attendance.

If you need special accommodations due to a disability, please contact the Office of Special Constituencies, National Endowment for the Arts, 1100 Pennsylvania Avenue, NW., Washington, DC 20506, 202/682-5532, TTY 202/682-5496, at least seven (7) days prior to the meeting.

Further information with reference to this meeting can be obtained from Ms. Yvonne M. Sabine, Advisory Committe Management Officer, National Endowment for the Arts, Washington, DC 20506, or call (202) 682-5433.

Dated: December 16, 1991.

Yvonne M. Sabine,

Director, Council and Panel Operations, National Endowment for the Arts.

[FR Doc. 91-30420 Filed 12-19-91; 8:45 am]

BILLING CODE 7537-01-M

Media Arts Advisory Panel; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the Media Arts Advisory Panel (Film/Video Production Prescreening #1 Section)) to the National Council on the Arts will be held on January 7-8, 1991 from 9 a.m.-6:30 p.m. and January 9 from 9 a.m.-6 p.m. in room 716 of the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the Agency by grant applicants. In accordance with the determination of the Chairman of November 20, 1991, these sessions will be closed to the public pursuant to subsections (c)(4), (6) and (9)(B) of section 552b of title 5, United States Code.

Further information with reference to this meeting can be obtained from Ms. Yvonne M. Sabine, Advisory Committee Management Officer, National Endowment for the Arts, Washington, DC 20506, or call (202) 682-5433.

Dated: December 16, 1991.

Yvonne M. Sabine,

Director, Council and Panel Operations, National Endowment for the Arts.

[FR Doc. 91-30419 Filed 12-19-91; 8:45 am]

BILLING CODE 7537-01-M

NUCLEAR REGULATORY COMMISSION

Documents Containing Reporting or Recordkeeping Requirements: Office of Management and Budget Review

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of the Office of Management and Budget review of information collection.

SUMMARY: The Nuclear Regulatory Commission (NRC) has recently submitted to the Office of Management and Budget (OMB) for review the following proposals for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

1. Type of Submission, new, revision, or extension: Revision.

2. Titles of the information collection: 10 CFR part 25—Access Authorization for Licensee Personnel; and 10 CFR part 95—Security Facility Approval and Safeguarding of National Security Information and Restricted Data.

3. The form number if applicable: Not applicable.

4. How often the collection is required: On occasion.

5. Who will be required or asked to report: Nuclear facility licensees and other organizations requiring access to NRC classified information.

6. An estimate of the number of responses: 10 CFR part 25—169. 10 CFR part 95—25.

7. An estimate of the total number of hours needed to complete the requirement or request: 10 CFR part 25—.7 per response; 215. 10 CFR part 95—7.8 per response; 513.

8. An indication of whether section 3504(h), Public Law 96-511 applies: Not applicable.

9. Abstract: 10 CFR parts 25 and 95—Licensees and other organizations are required to provide information and maintain records to ensure that an adequate level of protection is provided NRC classified information and material.

Copies of the submittal may be inspected or obtained for a fee from the NRC Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC.

Comments and questions can be directed by mail to the OMB reviewer: Ronald Minsk, Office of Information and Regulatory Affairs, (3150-0046) (3150-0047), NEOB-3019, Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted by telephone at (202) 395-3084. The NRC Clearance Officer is Brenda Jo Shelton, (301) 492-8132.

Dated at Bethesda, Maryland, this 10th day of December 1991.

For the Nuclear Regulatory Commission.

Gerald F. Cranford,

Designated Senior Official for Information Resources Management.

[FR Doc. 91-30442 Filed 12-19-91; 8:45 am]

BILLING CODE 7590-01-M

Aging Research Information Conference; Meeting

ACTION: Notice of meeting.

SUMMARY: The study of nuclear power plant aging is an important part of the NRC's current research program for understanding aging degradation of structures, components, and systems to assure continued safe operation of nuclear power plants for 40 years or more. The nuclear community worldwide has entered a period when such information on age-related degradation in nuclear power plants is bound to play a vital role in decisions involving plant shut-down or continued operation. The NRC Aging Research Information Conference will provide a forum for exchanging information on age-related degradation of components, systems, and structures. The main objective of this conference is to discuss the results of NRC aging research with industry.

The conference is being organized for NRC by Brookhaven National Laboratory. A panel discussion session will be held on March 27, 1992, to solicit directions for future research work and for utilization of the research results to enhance reliability. Topics to be discussed include effectiveness of maintenance to manage aging, aging degradation, risk evaluation of aging, aging assessment of major reactor coolant pressure boundary components, such as reactor vessels and piping, category I structures, electrical and mechanical components (EDGs, valves, pumps, CB/relays, batteries, battery chargers/inverters, transformers, cables, penetrations, snubbers, heat exchangers, and pressure transmitters), fluid-mechanical and electrical systems (AFW, CRD, SW, RHR, HP-ECC, CCW, RPS, and Class 1E distribution), recordkeeping, residual life evaluation, and codes and standards.

DATES: March 24-27, 1992.

ADDRESS OF CONFERENCE: Holiday Inn Crowne Plaza, 1750 Rockville Pike, Rockville, MD.

ADMISSION: Prior registration is required. A registration fee of $125 is being charged to defray the cost of the meeting. Only the first 500 registrants are assured participation. To register, contact Dr. Mano Subudhi, Brookhaven National Laboratory, Building 130, Upton, New York 11973.

FOR FURTHER INFORMATION CONTACT: Mr. Satish K. Aggarwal, Program Manager, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Phone 301-492-3823. (5 U.S.C. 552(a)).

Dated at Rockville, Maryland, this 12th day of December, 1991.

For the Nuclear Regulatory Commission.

Lawrence C. Shao,

Director, Division of Engineering, Office of Nuclear Regulatory Research.

[FR Doc. 91-30441 Filed 12-19-91; 8:45 am]

BILLING CODE 7590-01-M

Notice of Intent To Amend License Approving Change to a Reclamation Plan for an Inactive Uranium Recovery Facility—Bear Creek

AGENCY: Nuclear Regulatory Commission.

ACTION: Approval of revision to reclamation plan for an inactive uranium recovery facility.

1. Description of Federal Action:

In accordance with a memorandum of understanding (MOU) between the Environmental Protection Agency (EPA) and the Nuclear Regulatory Commission (NRC) published in the **Federal Register** on October 25, 1991, (volume 56, No. 207, pp. 55432-55435), NRC hereby notices the intent to approve a request for revisions of a reclamation plan from Bear Creek Uranium Company, a subsidiary of Union Pacific, for their Bear Creek Uranium Mill, Docket No. 40-8452, Source Material License No. SUA-1310.

This request, dated September 30, 1986, and subsequent submittals justifies modification of the reclamation and closure plan approved by the NRC as part of the license renewal on September 28, 1984. The basis for this change is the decrease in the volume of tailings due to premature shut down of the mill.

The NRC staff has reviewed the proposed reclamation plan against current design guidance and has determined that it meets or exceeds the requirements of 10 CFR 40, appendix A. In accordance with the above referenced MOU, a 45-day period will be provided for receipt of comments regarding NRC's intent to amend the Bear Creek Uranium Company license.

As stipulated in the MOU, the NRC is noticing the intent to amend the license. Comments on the proposed action or a request for hearing should be submitted within 45 days of the date of publication of this notice.

2. Contact: Copies of the license amendment request and the staff analysis which is the basis for revision to the license are available for inspection at the Uranium Recovery Field Office, 730 Simms, suite 100, Lakewood, Colorado, and at the Public Document Room, 2120 L Street, NW., Washington, DC. Comments or questions regarding the intended licensing action may be directed to the Director, Uranium Recovery Field Office, P.O. Box 25325, Denver, CO 80225.

Subject: Bear Creek Facility Reclamation Plan.

Dated at Denver, Colorado this 12th day of December, 1991.

For the Nuclear Regulatory Commission.

Edward F. Hawkins,

Deputy Director, Uranium Recovery Field Office, Division of Radiation Safety and Safeguards, Region IV.

[FR Doc. 91-30440 Filed 12-19-91; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF MANAGEMENT AND BUDGET

Rescission of OMB Circular No. A-120, Guidelines for the Use of Advisory and Assistance Services

AGENCY: Office of Management and Budget, Executive Office of the President.

ACTION: Notice of rescission of OMB Circular No. A-120.

SUMMARY: Notice is hereby given that the Office of Management and Budget (OMB) intends to rescind Circular No. A-120, Guidelines for the Use of Advisory and Assistance Services, upon the issuance in final version of an Office of Federal Procurement Policy (OFPP) Policy Letter on "Management Oversight of Service Contracting". The Policy Letter is being proposed for public comment concurrently with this notice of OMB's intent to rescind Circular No. A-120. The text of the proposed Policy Letter, and a statement of the reasons for replacing Circular No. A-120 with a Policy Letter, is set forth in the separate notice seeking comment on the proposed Policy Letter. The provisions of Circular No. A-120 will remain in effect until publication of a final version of the replacement Policy Letter.

DATES: Comments on the proposed rescission of Circular No. A-120 and its replacement by the proposed Policy Letter on "Management Oversight of Service Contracting" must be received on or before February 18, 1992.

ADDRESSES: Comments should be sent to Dr. Allan V. Burman, Administrator, Office of Federal Procurement Policy, Office of Management and Budget, 725 17th Street, NW., room 9001, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Linda G. Williams, Deputy Associate Administrator, (202) 395-3300. Copies of Circular No. A-120 are available at the address above.

Dated: December 10, 1991.

Allan V. Burman,

Administrator.

[FR Doc. 91-30431 Filed 12-19-91; 8:45 am]

BILLING CODE 3110-01-M

List of Designated Federal Entities and Federal Entities

AGENCY: Office of Management and Budget.

ACTION: Notice.

SUMMARY: This Notice provides a list of designated Federal entities and Federal entities, as required by the Inspector General Act Amendments of 1988.

FOR FURTHER INFORMATION CONTACT: Suzanne Murrin (telephone: 202-395-6911), Office of Federal Financial Management.

SUPPLEMENTARY INFORMATION: This Notice provides a copy of the 1991 List of Designated Federal Entities and Federal Entities, which the Office of Management and Budget is required to publish annually under the Inspector General Act Amendments of 1988 (Public Law 100-504).

The List is divided into two groups: Designated Federal Entities and Federal Entities. The Designated Federal Entities are required to establish and maintain an Office of Inspector General. The 33 Designated Federal Entities are as listed in the amendments. Hence, the 1991 list of them is unchanged from the 1990 list.

Federal Entities are required to report annually to each House of the Congress and the Office of Management and Budget on audit and investigative activities in their organizations. The amendments define Federal Entities as "any Government controlled corporation (within the meaning of section 103(1) of title 5, United States Code), any Government controlled corporation (within the meaning of section 103(2) of such title), or any other entity in the Executive branch of the Government, or any independent regulatory agency" other than the Executive Office of the President and agencies with statutory Inspectors General. There are four changes in the 1991 list from the 1990 list.

The List was prepared in consultation with the U.S. General Accounting Office.

Harold Steinberg,

Deputy Controller, Office of Federal Financial Management.

Herein follows the text of the 1991 List of Designated Federal Entities and Federal Entities:

1991 List of Designated Federal Entities and Federal Entities

Public Law 100-504, "The Inspector General Act Amendments of 1988", requires the Office of Management and Budget to publish a list of "Designated Federal Entities" and "Federal Entities" and the heads of such entities. Designated Federal Entities were required to establish an Office of Inspector General before April 17, 1989. Federal Entities are required to report annually to each House of the Congress and the Office of Management and Budget on audit and investigative activities in their organizations.

Designated Federal Entities

1. ACTION—Director
2. Amtrak—Chairman
3. Appalachian Regional Commission—Federal Co-Chairman
4. The Board of Governors, Federal Reserve System—Chairman
5. Board for International Broadcasting—Chairman
6. Commodity Futures Trading Commission—Chairman
7. Consumer Product Safety Commission—Chairman
8. Corporation for Public Broadcasting—Board of Directors
9. Equal Employment Opportunity Commission—Chairman
10. Farm Credit Administration—Chairman
11. Federal Communications Commission—Chairman
12. Federal Deposit Insurance Corporation—Chairman
13. Federal Election Commission—Chairman
14. Federal Housing Finance Board—Chairman
15. Federal Labor Relations Authority—Chairman
16. Federal Maritime Commission—Chairman
17. Federal Trade Commission—Chairman
18. Interstate Commerce Commission—Chairman
19. Legal Services Corporation—Board of Directors
20. National Archives and Records Administration—Archivist of the United States
21. National Credit Union Administration—Board of Directors
22. National Endowment for the Arts—Chairman
23. National Endowment for the Humanities—Chairman
24. National Labor Relations Board—Chairman
25. National Science Foundation—National Science Board
26. Panama Canal Commission—Chairman
27. Peace Corps—Director
28. Pension Benefit Guaranty Corporation—Chairman
29. Securities and Exchange Commission—Chairman
30. Smithsonian Institution—Secretary
31. Tennessee Valley Authority—Board of Directors
32. United States International Trade Commission—Chairman
33. United States Postal Service—Postmaster General

Federal Entities

1. Administrative Conference of the United States—Chairman
2. Advisory Commission on Conferences in Ocean Shipping—Chairman
3. Advisory Commission on Intergovernmental Relations—Chairman
4. Advisory Committee on Federal Pay—Chairman
5. Advisory Council on Historic Preservation—Chairman
6. African Development Foundation—Chairman
7. American Battle Monuments Commission—Chairman
8. Architectural and Transportation Barriers Compliance Board—Chairman
9. Barry Goldwater Scholarship and Excellence in Education Foundation—Chairman
10. Christopher Columbus Quincentenary Jubilee Commission—Chairman
11. Commission for the Preservation of America's Heritage Abroad—Chairman
12. Commission of Fine Arts—Chairman
13. Commission on Agricultural Workers—Chairman
14. Commission on the Bicentennial of the United States Constitution—Chairman
15. Commission on Civil Rights—Chairman
16. Committee for Purchase from the Blind and other Severely Handicapped—Chairman
17. Competitiveness Policy Council—Chairman
18. Defense Nuclear Facilities Safety Board—Chairman
19. Delaware River Basin Commission—U.S. Commissioner
20. Export-Import Bank—President and Chairman
21. Farm Credit System Assistance Board—Chairman
22. Farm Credit System Insurance Corporation—Board of Directors
23. Federal Mediation and Conciliation Service—Director
24. Federal Mine Safety and Health Review Commission—Chairman
25. Federal Retirement Thrift Investment Board—Chairman
26. Franklin Delano Roosevelt Memorial Commission—Chairman
27. Harry S Truman Scholarship Foundation—Chairman
28. Illinois and Michigan Canal National Heritage Corridor Commission—Chairman
29. Institute of Museum Services—Director
30. Inter-American Foundation—Chairman
31. Interagency Council on the Homeless—Chairman
32. International Cultural and Trade Center Commission President
33. Interstate Commission on the Potomac River Basin—Chairman
34. James Madison Memorial Fellowship Foundation—Chairman
35. Japan-U.S. Friendship Commission—Chairman
36. Marine Mammal Commission—Chairman
37. Martin Luther King, Jr. Federal Holiday Commission—Chairman
38. Merit Systems Protection Board—Chairman
39. National Capital Planning Commission—Chairman
40. National Commission on Libraries and Information Science—Chairman
41. National Commission on Migrant Education—Chairman
42. National Commission on Responsibilities for Financing Postsecondary Education—Chairman
43. National Commission to Prevent Infant Mortality—Chairman
44. National Council on Disability—Chairman
45. National Endowment for Democracy—President
46. National Gallery of Art—Board of Trustees
47. National Mediation Board—Chairman
48. National Transportation Safety Board—Chairman
49. Neighborhood Reinvestment Corporation—Chairman
50. Occupational Safety and Health Review Commission—Chairman
51. Office of Government Ethics—Director
52. Offices of Independent Counsels—Independent Counsels
53. Office of Navajo and Hopi Indian Relocation—Chairman
54. Office of Special Counsel—Special Counsel
55. Office of the Nuclear Waste Negotiator—Negotiator
56. Overseas Private Investment Corporation—President
57. Pennsylvania Avenue Development Corporation—Chairman
58. Postal Rate Commission—Chairman

59. Resolution Trust Corporation Oversight Board—Chairperson
60. Selective Service System—Director
61. State Justice Institute—Director
62. Susquehanna River Basin Commission—U. S. Commissioner
63. U.S. Holocaust Memorial Council—Chairman
64. U.S. Institute of Peace—Chairman
65. U.S. Soldiers' and Airmen's Home—Governor
66. Woodrow Wilson International Center for Scholars—Board of Trustees

[FR Doc. 91-30476 Filed 12-19-91; 8:45 am]
BILLING CODE 3110-01-M

Office of Federal Procurement Policy

Policy Letter on Management Oversight of Service Contracting

AGENCY: Executive Office of the President, Office of Management and Budget (OMB), Office of Federal Procurement Policy.

ACTION: The Office of Federal Procurement Policy (OFPP) is requesting comments on a proposed Policy Letter on the "Management Oversight of Service Contracting" to replace OMB Circular No. A-120, "Guidelines for the Use of Advisory and Assistance Services".

SUMMARY: The Federal Government contracts for a wide variety of services from housekeeping and grounds maintenance to highly specialized technical and managerial advice. Such services provide essential support for an agency to successfully accomplish its mission. Accordingly, it is important that the government effectively plans for and manages the use of these contracts.

Over the years, however, both real and perceived problems have been identified with the use of service contracting. The major problem areas—associated primarily with the use of contracts for consulting services—include the lack of competition in the award of these contracts, the potential for conflicts of interest on the part of nonpersonal services contractors, and the failure of the government to exercise adequate control over these contractors.

Although guidance in OMB Circular No. A-120 focuses on defining, controlling, and reporting contracts for advisory and assistance services, discrepancies in reporting and applying effective management controls have continued due to the difficulty in developing a clear definition of the types of services that need more management scrutiny. These definitional and reporting problems have caused the Executive branch to take a new, more comprehensive approach to applying good management practices to the use of service contracting in general.

This proposed Policy Letter focuses on specific types of service contracting problems, encourages better management practices and greater management emphasis to ensure that effective controls are in place, and requires management reports on agencies' compliance. The Policy Letter sets out a series of questions as guidelines for agencies to use in improving controls in the five areas that require increased management scrutiny: Contracting out inherently governmental functions; competition; cost effectiveness; control; and conflicts of interests.

The proposed Policy Letter is applicable to services obtained under service contracts above the small purchase threshold. Requirements for construction are excluded.

Services obtained by personnel appointments and advisory committees are not covered by this Policy Letter as guidance is contained in chapter 304 of the Federal Personnel Manual, the General Services Administration regulations, 41 CFR, part 101-6, and OMB Bulletin No. 89-08, Improved Management of Federal Advisory Committee Operations, issued December 23, 1988.

The proposed Policy Letter requires each agency to designate a senior management official, at the Senior Executive Service level, to be responsible and accountable for ensuring compliance with the provision contained therein. Each agency is also required to establish written management control procedures which outline the senior management official's responsibilities as it relates to the review and approval of requirements for these services, and the process to follow to correct and document any noncompliance with established management controls.

The proposed Policy Letter also gives the senior management official the flexibility of designating certain types of services for a class rather than individual review if it can be justified to the agency head that those services are not subject to abuse in the above problem areas. Guidelines are provided on the types of services that may be reviewed on a class basis.

The reporting requirements in the proposed Policy Letter are designed to ensure that the management controls are implemented properly, that potential abuses and their corrective action are documented, and that any class reviews are justified and documented in agencies' management control procedures. Agencies will be required to continue reporting data on contract actions for services in the Federal Procurement Data System. However, the requirement to separately categorize contracted advisory and assistance services will be eliminated.

COMMENT DATE: Comments must be received on or before February 18, 1992.

ADDRESSES: Comments should be sent to Dr. Allan V. Burman, Administrator, Office of Federal Procurement Policy, Office of Management and Budget, 725 17th Street, NW., room 9001, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Linda G. Williams, Deputy Associate Administrator, (202) 395-3300.

Dated: December 10, 1991.

Allan V. Burman,

Administrator.

Policy Letter 92—to the Heads of Executive Departments and Establishments

Subject: Management Oversight of Service Contracting

1. Purpose. This Policy Letter establishes Government-wide policy, assigns responsibilities, and provides guidance for Executive Departments and agencies in managing the acquisition and use of services.

2. Authority. This Policy Letter is issued pursuant to section 6(a) of the Office of Federal Procurement Policy (OFPP) Act, as amended, codified at 41 U.S.C. 405.

3. Rescission. This Policy Letter supersedes the Office of Management and Budget (OMB) Circular No. A-120, "Guidelines for the Use of Advisory and Assistance Services", dated January 4, 1988.

4. Background. The Federal Government contracts for a wide variety of services, from highly specialized technical, scientific and managerial advice to routine support functions, such as grounds maintenance. Such services provide essential support to agencies in accomplishing their missions. This Policy Letter has been developed to provide a new, more comprehensive approach to managing and using service contracts, and to provide specific guidance on what constitutes good management practices in the use of such contracts.

5. Definition. Services are identifiable tasks to be performed, rather than the delivery of an end item of supply. The term "services" also includes tasks that are delivered under a contract where the

primary purpose of the contract is to provide supplies.

6. Exclusions. Services that are (1) obtained by personnel appointments and advisory committees, (2) obtained under nonpersonal services contracts that are below the small purchase threshold or (3) are for construction, as defined in part 36 of the Federal Acquisition Regulation, are excluded from coverage under this Policy Letter.

7. Policy. When contracting for services, it is the policy of the Federal Government that:

(1) Services are to be obtained and used in ways that assure that the Government retains control of decision-making authority; and

(2) Effective management practices and controls are applied to prevent abuses of the policies and guidelines contained herein.

8. Good Management Practices. While effective management oversight is required for all types of service contracts, some require less oversight than others, as, for example, such routine services as lawn mowing and food preparation. Conversely, services that tend to affect government decision-making, support or influence policy development, or affect program management are more susceptible to abuse. These, therefore, require a greater level of scrutiny.

The following sections offer guidance to assure that good management practices are being followed. Agencies must review requirements for services contracts either on an individual or a class basis to see if any of the following guidelines apply. If they do apply, and if the response to any of the questions listed below is affirmative, the responsible management official must ensure that procedures are in place to eliminate the potential for abuse. If necessary, the requirement should be returned to the requesting organization for appropriate corrective action.

a. Inherently Governmental Functions. When contracting for services, agencies must:

(1) Not use such contracts to perform inherently governmental functions,

(2) Provide an enhanced degree of management controls and oversight when contracting for functions that directly support the performance of inherently governmental functions, and

(3) Ensure that any final agency action reflects the ideas, analyses, and conclusions of agency officials and the laws and policies of the United States.

If the response to any of the following questions is affirmative, the contract requirement may be for an inherently governmental function:

(1) Will the contract require the contractor to exercise substantial discretion in applying government authority, or use substantial value judgments in making decisions for the government?

(2) Will the contract require the contractor to be involved in monetary transactions and entitlements such as tax collection and revenue disbursements, control of treasury accounts, or the administration of public trusts?

b. Cost Effectiveness. When a valid service requirement exists, agency officials must develop means to satisfy the requirement in the most cost effective manner. If the response to any of the following questions is affirmative, the agency may not be obtaining the requirement in the most cost effective manner:

(1) Is the statement of need so broadly written that it does not validate the need for a specific service?

(2) Is the statement of need so broadly written that it does not permit adequate evaluation of contractor versus in-house performance?

(3) Does the acquisition plan adequately prescribe the choice of contract type, quality assurance plan, competition requirements, and other related requirements to ensure that contractors will have the incentive to control costs under the contract?

(4) Does the acquisition plan adequately address the cost effectiveness of using contractor support (either long term or short term) versus in-house performance?

c. Control. When contracting for highly specialized or technical services, agencies should ensure that sufficient technical expertise is available within the agency. Agency officials need to be able to make sound judgments on what the requirements should be, the estimated costs, and whether the contractor is performing according to the contract terms and conditions. Agency officials must retain control over and remain accountable for policy decisions that may be based, in part, on a contractor's performance and work products. If the response to any of the following questions is affirmative, there may be a control problem:

(1) Will the contractor provide advice, analysis and evaluation, opinions, alternatives, or recommendations that could significantly influence agency policy development or decision-making?

(2) Will the contract result in a long term effort to fulfill some critical agency function?

(3) Is the quality assurance plan overly general, making it difficult to adequately monitor contractor performance?

(4) Is the statement of work so broadly written that it does not specify a contract deliverable or require progress reporting on contractor performance?

(5) Is the cost estimate so general that the contracting office will have difficulty in effectively determining cost reasonableness?

(6) Does the Government have the expertise to evaluate independently the contractor's approach, methodology, results, options, conclusions, or recommendations?

d. Conflicts of Interest. Agency officials must ensure that any potential conflicts of interest are identified and appropriate steps taken to avoid or mitigate them. Service contracts are not to be awarded to any individual or organization which may have an unfair competitive advantage over competing contractors unless every effort is first taken to mitigate such conflict.

If the response to any of the following questions is affirmative, there may be a potential for a conflict of interest:

(1) Will the work under this contract create a significant conflict of interest on a future acquisition?

(2) Is the requirement for support services (such as system engineering or technical direction) such that the potential offerors could have developed the system design specifications or been involved in the production of the system?

(3) Have potential offerors participated in work involving the same program or activity?

(4) Will the contractor be evaluating a competitor's work?

(5) Does the requirement for services require the contractor to evaluate its own products or activities?

(6) Will the work place the contractor in a position to influence broad government decision-making, e.g. developing regulations, that will affect the contractor's current and/or future business?

(7) Will the work under this contract affect the interests of the contractor's other clients?

(8) Are any of the potential offerors former agency officials that were substantially involved in developing the requirement for these services within the past two years?

e. Competition. Full and open competition is one way to reduce the potential for favoritism and conflicts of interest. To maximize competition, the Competition in Contracting Act requires thorough acquisition planning and limits exceptions. The Act provides that lack of advance planning is not adequate

justification for sole source contracting. Any justification for a noncompetitive contract should provide a detailed explanation as to why competition can not be achieved. Plans should be made to minimize the number of subsequent noncompetitive awards.

If the response to any of the following questions is affirmative, competition may be unnecessarily limited:

(1) Is the statement of work narrowly defined with unnecessarily restrictive specifications or performance standards?

(2) Is the requirement likely to create a continuous and dependent arrangement with the same contractor?

(3) Is the use of an indefinite quantity or term contract arrangement appropriate to obtain the required services?

(4) Will the requirement be obtained through the use of other than full and open competition?

9. Responsibilities.

a. Heads of Agencies. Agency heads (or their designees) shall:

(1) Designate a Senior Management Official, at the Senior Executive Service level, to be responsible and accountable for assuring that management controls are implemented and monitored to comply with the provisions of this Policy Letter. Consideration should be given to inclusion of this function as a critical element in the Senior Management Official's performance appraisal.

(2) Establish written procedures that outline the Senior Management Official's oversight responsibilities as they relate to the review and approval of requests for services, and the process to follow to correct and document any noncompliance with these good management practices. At a minimum, the procedures should ensure that:

(a) Requirements for services above the small purchase threshold are fully justified in writing, including a statement of need and a certification that the services do not duplicate previously performed work or services and are being obtained in the most cost effective manner;

(b) In-house technical expertise is sufficient to monitor and assess contractor performance, and to retain control over policy decisions and other governmental functions that may be based on the contractor's work products;

(c) Requirements are reviewed to ensure that no inherently governmental functions are being performed by contractors (See OFPP Policy Letter 92–X, "Inherently Governmental Functions");

(d) The agency does not rely on contractors to the point where noncompetitive environments are created;

(e) Organizational and individual conflicts of interests, as defined in OFPP Policy Letter 89–1 "Conflicts of Interest Policies Applicable to Consultants," 54 FR 51805 (1989) are avoided or mitigated;

(f) Contracts are properly administered and monitored to evaluate contractor compliance with contract requirements and performance standards. (See: OFPP Policy Letter 91–2, Service Contracting, 56 FR 15110 (1991), and OFPP's "Government-Wide Guideline on Contract Administration"); and

(g) Data on each contract action for services is reported to the Federal Procurement Data System (FPDS) in accordance with the FPDS Reporting Manual

(3) Ensure that the agency's program for compliance with the Federal Managers' Financial Integrity Act (FMFIA) covers service contracting, and that any disclosed material control weaknesses are reported in agency annual statements of assurance (FMFIA Reports).

(4) Assure that the Agency Procurement Executive, in establishing criteria and performance standards for evaluating the agency's procurement systems in accordance with Executive Order 12352, takes into account the requirements of this Policy letter. The Agency Procurement Executive shall confer with the Senior Management Official regarding compliance with this Policy Letter prior to certifying that the procurement system meets required standards of performance. A copy of the resulting certification shall be provided to the Office of Federal Procurement Policy.

(5) Develop implementation strategies and initiate staff training necessary to assure effective implementation of these policies upon the effective date of this Policy Letter.

b. Agency Senior Management Officials. The Agency Senior Management Official, as designated above, shall:

(1) Prepare and submit an annual report to the Agency Head, with a copy of the Office of Federal Procurement Policy, on agency implementation of the policies and procedures in this Policy Letter. The report shall include:

(a) A description of the agency's management control procedures;

(b) Identification of the types of services, including justification statements and review levels, that are being reviewed on a class basis;

(c) The number and estimated dollar value of requirements for services that were reviewed individually (excluding requirements for class reviews) to ensure compliance with this Policy Letter;

(d) Any changes made in the control process to avoid problems of non-compliance; and

(e) A summary of the findings that relate to the sample of contracts reviewed after contract completion to ensure that contractor performance met contract requirements, and accurate and complete data were reported to the FPDS.

(2) Establish, as necessary, specific review levels to approve requirements for services. At a minimum, approvals should be provided at least one level above the requesting organization and, for fourth quarter requirements, at least two levels above the requesting organization.

(3) Designate, as appropriate, certain types of services for a class review rather than review each requirement individually, as long as that decision is justified, documented, and reported to the Agency Head.

Note: Services that could be reviewed on a class basis are not normally subject to abuse in the five areas of concern set forth in section 8 of this Policy Letter. Such blue collar services as lawn mowing, landscaping, janitorial functions, food preparation, messenger services, building maintenance, reproduction and printing, trash collection, and snow removal are examples of services that may be appropriate for class review.

(4) Define the review levels and class designations in the agency's management control procedures, and assure that any such class reviews or delegations of authority are performed in a manner that will ensure compliance with this Policy Letter.

(5) Conduct periodic and systematic reviews or audits of purchases for services below the small purchase threshold to ensure that abuses are not occurring regarding these acquisitions.

c. Federal Acquisition Regulatory Council. The Federal Acquisition Regulatory Council shall ensure that Government-wide regulations to conform to the policies establishes herein are promulgated in the first Federal Acquisition Circular issued 210 days after the effective date of this Policy Letter.

d. Office of Management and Budget (OMB). OMB, through the President's Council on Integrity and Efficiency, will request that the Inspectors General periodically review established management control procedures to ensure their compliance with this Policy Letter.

10. Judicial Review. This policy letter is not intended to provide a constitutional or statutory interpretation of any kind and it is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person. It is intended only to provide policy guidance to agencies in the exercise of their discretion concerning Federal contracting. Thus, this policy letter is not intended, and should not be construed, to create any substantive or procedural basis on which to challenge any agency action or inaction on the ground that such action or inaction was not in accordance with this policy letter.

11. Information Contact. For information regarding this Policy Letter contact Linda G. Williams, Deputy Associate Administrator, Office of Federal Procurement Policy, 725 17th Street, NW., Washington, DC, telephone (202) 395–3300.

12. Effective Date. This Policy Letter is effective 30 days after the date of issuance.

Allan V. Burman,

Administrator.

[FR Doc. 91–30016 Filed 12–19–91; 8:45 am]

BILLING CODE 3110–01–M

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

National Advisory Committee on Semiconductors

The purpose of the National Advisory Committee on Semiconductors (NACS) is to devise and promulgate a national semiconductor strategy, including research and development. The implementation of this strategy should assure the continued leadership of the United States in semiconductor technology. The Committee will meet on Tuesday, January 7, 1991 at the Office of Science and Technology Policy, Old Executive Office Building, 17th and Pennsylvania Avenue, NW., Washington, DC. The proposed agenda is:

1. Briefing of the Committee on its organization and administration.

2. Discussion by the Committee of a national semiconductor strategy and supporting studies regarding semiconductors.

3. Discussion of the annual report of the Committee.

The meeting will be closed to the public.

A portion of the discussion of Committee organization will necessitate the disclosure of information of a personal nature, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. Accordingly, this portion of the meeting will be closed to the public, pursuant to 5 U.S.C. 552b. (c)(6). The discussion of supporting studies related to semiconductor technology and the semiconductor industry will require discussion of confidential commercial information. This portion of the meeting will be closed to the public pursuant to 5 U.S.C. 552b. (c)(4).

Dated: December 17, 1991.

Damar W. Hawkins,

Executive Assistant to D. Allan Bromley, Office of Science and Technology Policy.

[FR Doc. 91–30507 Filed 12–19–91; 8:45 am]

BILLING CODE 3170–02–M

PENSION BENEFIT GUARANTY CORPORATION

Approval of a Collection of Information Under the Paperwork Reduction Act; Procedure for Complying With Statutory Notification Requirement

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of OMB approval.

SUMMARY: The Office of Management and Budget ("OMB") has approved a new collection of information, PBGC Form 200, under the Paperwork Reduction Act. This collection of information implements a statutory requirement to notify the Pension Benefit Guaranty Corporation ("PGBC") of a failure to make a required payment to a single-employer plan covered by title IV of the Employee Retirement Income Security Act of 1974 when the total of unpaid balances of required payments not made when due (including interest) exceeds $1 million. The PBGC needs this information to make decisions regarding enforcement of the statutory lien imposed in favor of the plan for failure to make required contributions. A copy of Form 200 together with the related instructions is appended to this notice.

FOR FURTHER INFORMATION CONTACT: Judith A. Neibrief, Attorney, Office of the General Counsel (Code 22500, Pension Benefit Guaranty Corporation, 2020 K Street, NW., Washington, DC 20006, 202–778–8850 (202–778–8859 for TTY and TDD). (These are not toll-free numbers.) For copies of Form 200 or assistance with the form or instructions, see the contacts listed in the instructions).

SUPPLEMENTARY INFORMATION:

Background

The Pension Benefit Guaranty Corporation ("PBGC") administers the pension plan termination insurance program under title IV of the Employee Retirement Income Security Act of 1974 ("PPA"), Congress amended the minimum funding standards of section 412 of the Internal Revenue Code of 1986 ("Code") (26 U.S.C. 412) and section 302 of ERISA (29 U.S.C. 1082) by, among other things, adding identical lien provisions as new subsection (n) and new subsection (f), respectively (section 9304(e)(2) of the Omnibus Budget Reconciliation Act of 1986 (Pub. L. 100–203)). These provisions apply for any post-1987 plan year for which the funded current liability percentage (as defined in Code section 412(1)(8)(B) and ERISA section 302(d)(8)(B)) of a defined benefit plan other than a multiemployer plan (*i.e.*, a single-employer plan) is less than 100 percent.

Section 412(n)(1) of the Code and section 302(f)(1) of ERISA impose a lien in favor of a plan that is subject to the minimum funding standards if (1) any person fails to make a required installment or any other payment required under section 412 of the Code and section 302 of ERISA when due, and (2) the unpaid balance of the required installment or other payment (including interest), when added to the aggregate unpaid balance of all preceding such installments or other payments for which payment was not made when due (including interest), exceeds $1 million. The lien is upon all property and rights to property (whether real or personal) belonging to the person or persons that are liable for required contributions (*i.e.*, a contributing sponsor and each member of the controlled group of which that contributing sponsor is a member).

Any such lien may be perfected and enforced only by the PBGC or, at its direction, by the plan's contributing sponsor or any member of the contributing sponsor's controlled group (Code section 412(n)(5) and ERISA section 302(f)(5)). Therefore, section 412(n)(4) of the Code and section 302(f)(e) of ERISA require persons committing payment failures to notify the PBGC, within 10 days of the due date for the required installment or other required payment, whenever there is a failure to make a required payment and the total of the unpaid balances (including interest) exceeds $1 million.

PBGC Form 200

The PBGC developed PBGC Form 200, Notice of Failure to Make Required Contributions, and related filing

instructions, to implement the statutory notification requirement with respect to single-employer plans that are covered by Title IV of ERISA and, on November 15, 1991, notified the public that it had requested Office of Management and Budget ("OMB") approval of this new collection of information (56 FR 58090). The PBGC requested that OMB conduct its review of Form 200 on an expedited schedule of 30 days and published a copy of Form 200, together with the related instructions, as an appendix to the notice. In the notice of request for OMB approval, the PBGC also anticipated publication of today's notice of the collection of information approved by OMB before January 1, 1992, the effective date of the interim final, procedural rule requiring use of Form 200 (56 FR 57977, November 15, 1991).

OMB received no comments that warrant modification of the form and approved Form 200, as submitted by the PBGC, under control number 1212–0041 (expiration date: November 30, 1994). Therefore, Form 200, a facsimile of which is appended to this notice together with filing instructions, must be used for any notice of failure to make required contributions for which the 10-day filing period ends on or after January 1, 1992. (The PBGC will accept photocopies of the appended facsimile form. (See the filing instructions, which also include information on how to request copies of Form 200.))

As explained in the PBGC's prior notice, Form 200 must be filed by a contributing sponsor and, if a contributing sponsor is a member of a parent-subsidiary controlled group of corporations or group of trades or businesses under common control, the parent of such group. (Where there is more than one parent, "parent" refers to the parent at the highest level in the chain of corporations and/or other organizations comprising the group.) Since each member of a controlled group of which a contributing sponsor is a member is liable for payment of all required contributions and installments (Code section 412(c)(11) and ERISA section 302(c)(11)), all members of the controlled group commit a failure described in paragraph (f)(1) and, hence, are subject to the statutory notification requirement. Nevertheless, to minimize the reporting burden, the PBGC (at this time) considers compliance with a requirement to file Form 200 by either a contributing sponsor or a parent to satisfy the notification requirement for all members of the same controlled group as the person who files Form 200. (The PBGC emphasizes that the scope of the filing requirement does not in any way limit the joint and several liability for required payments of each controlled group member, the imposition of the statutory lien on all assets of each controlled group member, or the ability of the PBGC to take all appropriate steps to perfect and enforce the lien.)

In Part I of Form 200, the filer must identify the plan, its administrator, the contributing sponsor or parent filing the form, all members of a controlled group of which the filer is a member (along with a description of the structure of that group), any other contributing sponsor(s), and an authorized contact. In parts II and III, the filer must provide information that the PBGC needs (1) to determine the amount of the statutory lien, (2) to evaluate the funding status of the plan, and (3) to evaluate the financial condition of the filer and members of the same controlled group (if any). Finally, in part IV, an officer (or individual of comparable authority) of the filer must certify the information provided to the enrolled actuary and other information (including documentation) in the filing, and an enrolled actuary would certify the payment failure-related information.

Issued at Washington, DC, this 17th day of December, 1991.

James B. Lockhart III,

Executive Director, Pension Benefit Guaranty Corporation.

Appendix

BILLING CODE 7708–01–M

FILING INSTRUCTIONS FOR NOTICE OF FAILURE TO MAKE REQUIRED CONTRIBUTIONS

PBGC FORM 200

PAPERWORK REDUCTION ACT NOTICE

The PBGC needs this information to make decisions regarding enforcement of a lien imposed by ERISA section 302(f)(1) and Code section 412(n)(1). You are required to provide this notification pursuant to ERISA section 302(f)(4) and Code section 412(n)(4). Confidentiality is limited to that provided under the Freedom of Information Act and the Privacy Act.

The estimated time needed to complete this form is 5.75 hours when a payment failure first results in a total of unpaid balances that exceeds $1 million and 2.75 hours when there is a subsequent payment failure and the total of unpaid balances continues to exceed $1 million. These times are estimated averages that will vary depending on the nature and organizational structure of persons liable for plan contributions (in particular, whether the plan's contributing sponsor is a member of a controlled group and, if so, the size of that group) and on the funding history of the plan.

If you have any comments concerning the accuracy of these time estimates or suggestions for improving the form or these instructions, please send your comments to the Pension Benefit Guaranty Corporation, Office of the General Counsel, (Code 22500), 2020 K Street, N.W., Washington, D.C. 20006-1860 and Office of Management and Budget, OIRA, Attention Desk Officer - PBGC, Room 3001, New Executive Office Building, Washington, D.C. 20503.

INTRODUCTION

ERISA section 302(f) and Code section 412(n) include the same lien provisions relating to a failure to make required contributions to a single-employer plan subject to the minimum funding standards (ERISA section 302/Code section 412) for any post-1987 plan year for which the plan's funded current liability percentage (as defined in ERISA section 302(d)(8)(B)/Code section 412(l)(8)(B)) is less than 100 percent.

There is a lien in favor of the plan if:

(1) any person fails to make a required installment or any other payment required under ERISA section 302 and Code section 412 when due, and

(2) the unpaid balance of the required installment or other payment (including interest), when added to the aggregate unpaid balance of all preceding such installments or other payments for which payment was not made when due (including interest), exceeds $1 million.

The amount of the lien is equal to the lesser of (1) the amount by which the unpaid balances (including interest) described above exceed $1 million or (2) the aggregate unpaid balance of required installments and other payments (including interest) for plan years beginning after 1987 for which payment has not been made when due. This amount is treated as taxes due and owing the United States.

The lien is upon all property and rights to property (whether real or personal) belonging to the person or persons who are liable for required contributions (i.e., a contributing sponsor and each member of the controlled group of which that contributing sponsor is a member). It arises on the 60th day following the due date for the required payment and continues until the last day of the first plan year in which the total of unpaid balances described above no longer exceeds $1 million.

Any lien imposed for failure to make required contributions may be perfected and enforced only by the PBGC or, at its direction, by the plan's contributing sponsor or any member of the contributing sponsor's controlled group. Therefore, ERISA section 302(f)(4)(A) and Code section 412(n)(4)(A) require that the PBGC be notified whenever there is a failure to make a required payment and the total of unpaid balances (including interest) exceeds $1 million. Notice must be provided within 10 days of the due date for the required payment.

To comply with this notification requirement with respect to a single-employer plan that is covered by Title IV of ERISA, the PBGC requires that a contributing sponsor and, if that contributing sponsor is a member of a parent-subsidiary controlled group, the parent, file Form 200 whenever such a failure occurs.

Note: The PBGC's decision not to require (at this time) controlled group members other than contributing sponsors and parents to file Form 200 does not in any way limit the joint and several liability of each controlled group member for required payments (whether the controlled group of which a contributing sponsor is a member is a "parent-subsidiary", "brother-sister", or "combined" group), the imposition of the lien on all assets of each controlled group member, or the ability of the PBGC to take all appropriate steps to perfect and enforce the lien.

The PBGC has restricted Form 200 to information generally needed in its decisionmaking regarding enforcement of a lien imposed by ERISA section 302(f) and Code section 412(n). If the PBGC concludes that it needs additional information in a particular case, it will notify (in writing) the person required to supplement the Form 200 and specify the date by which the additional information must be submitted.

Note: Pursuant to ERISA section 4071, the PBGC may assess a penalty against any person who fails to provide a notice or other material information required under ERISA section 302(f)(4), or any regulations thereunder, within the applicable time limit. The penalty is payable to the PBGC and may not exceed $1000 for each day that the failure continues.

DEFINITIONS

As used in PBGC Form 200 and these instructions--

"Code" means the Internal Revenue Code of 1986, as amended.

"Contributing sponsor" means the person entitled to receive a deduction under Code section 404(a)(1) for contributions required to be made to the plan under ERISA section 302 and Code section 412.

"Controlled group", for purposes of ERISA section 302(f) and Code section 412(n), means any group treated as a single employer under subsection (b), (c), (m), or (o) of Code section 414.

"Covered by Title IV of ERISA" means that a plan so described is covered by ERISA section 4021(a) and not excluded under ERISA section 4021(b).

"DOL" means the Department of Labor.

"Due date" means the date set forth in ERISA section 302(e) and Code section 412(m) for payment of a required installment and, in the case of a payment other than a required installment, the date such payment is required to be made under ERISA section 302 and Code section 412.

"ERISA" means the Employee Retirement Income Security Act of 1974, as amended.

"IRS" means the Internal Revenue Service.

"Parent" means the parent of a "parent-subsidiary" controlled group of corporations or group of trades or businesses under common control (within the meaning of subsection (b) or (c) of Code section 414 and the regulations thereunder). Where there is more than one parent in a "parent-subsidiary" group, the term "parent" refers to the parent at the highest level in the chain of corporations and/or other organizations comprising the group. (For example, if Corporation A owns all of the stock of Corporation B and Corporation C, and Corporation B owns all of the stock of Corporation X, the contributing sponsor, then the "parent" of Corporation X is Corporation A.)

"PBGC" means the Pension Benefit Guaranty Corporation.

"Required installment" means any of the four quarterly contribution payments required for each plan year by ERISA section 302(e) and Code section 412(m).

"Required payment" means a required installment or other payment required under ERISA section 302 and Code section 412.

"SEC" means the Securities and Exchange Commission.

"Single-employer plan" means a defined benefit plan (as defined in ERISA section 3(35)) that is not a multiemployer plan (as defined in ERISA section 4001(a)(3)).

GENERAL INSTRUCTIONS

The filer should assure that an appropriate response is provided for each item, as follows:

1. If an item requests a date, enter two digits in each box, e.g., enter "07" for July.

2. If responding to an item requires the attachment of documentation or information, mark the attachment to identify the item to which it responds.

No additions or deletions may be made to the certifications.

Who Must File

Form 200 must be filed by (1) a contributing sponsor and (2) if a contributing sponsor is a member of a "parent-subsidiary" controlled group, the parent of such group. However, if a timely and complete Form 200 is properly filed by either a contributing sponsor or the parent, the PBGC will deem the other to have so filed. (As noted above (see "Introduction"), each other member of any controlled group of which a contributing sponsor is a member also is jointly and severally liable for required payments and the PBGC may enforce the statutory lien imposed on its assets.)

When to File

Form 200, including all required documentation and information, must be filed with the PBGC no later than 10 days after the due date for the required payment.

> **Note:** Form 200 must be filed each time there is a failure described in ERISA section 302(f)(1) and Code section 412(n)(1) and the total of unpaid balances of required payments (including interest) exceeds $1 million.

The filing date for Form 200 is the date on which it is received by the PBGC office specified below (see "Where to File"), if it is received no later than 4 p.m. on a weekday other than a Federal holiday. If it is received after 4 p.m. or on a weekend or a Federal holiday, the Form 200 is deemed to be filed on the next regular business day.

In computing the 10-day period, the due date of the payment that resulted in the requirement to notify the PBGC is not included. Form 200 is due 10 days thereafter unless that day is a Saturday, Sunday, or Federal holiday, in which case the 10-day period runs until 4 p.m. on the next day that is not a Saturday, Sunday, or Federal holiday.

Where to File

Form 200 may be delivered by mail or by hand to:

Pension Benefit Guaranty Corporation
Case Operations and Compliance Department
Room 5500 (Code 45000)
2020 K Street, N.W.
Washington, D.C. 20006-1860

For Copies of PBGC Form 200, Questions, Problems

To request copies of Form 200, contact the PBGC's Control Division (Code 45200) at the address or telephone number shown below.

Those who have questions or problems regarding Form 200 or these instructions may contact:

Pension Benefit Guaranty Corporation
Case Operations and Compliance Department
Administrative Review and Technical Assistance Division
(Code 45400)
2020 K Street, N.W.
Washington D.C. 20006-1860
Telephone: (202) 778-8800

Hearing impaired persons may telephone (202) 778-8859.

These phone numbers are not toll-free numbers, and the PBGC cannot accept collect calls.

Use of Facsimile Forms

The PBGC will accept a reproduction or other facsimile of Form 200 if it presents the same items in the same location. However, any required signature must be an original.

Failure to Timely File

Pursuant to ERISA section 4071, the PBGC may assess a penalty for failure to timely file a complete Form 200. This penalty is payable to the PBGC and may not exceed $1000 a day for each day that the failure continues.

Previously Submitted Information

Because ERISA section 302(f)(4)(A) and Code section 412(n)(4)(A) require that the PBGC be notified each time there is a failure to make a required payment and the total of unpaid balances of required payments (including interest) exceeds $1 million, more than one filing may be required regarding the same plan, and at least some of the information included in a previous Form 200 may continue to be accurate and responsive at the time that a subsequent Form 200 must be filed. It also is possible that information submitted to the PBGC in another context (e.g., in a distress termination filing pursuant to ERISA section 4041(c) or in a notice of a reportable event required by 29 CFR Part 2615) is responsive. Therefore, a filer may respond to an item that calls for previously submitted documentation or other information by identifying the previous submission in which the response was provided.

SPECIFIC INSTRUCTIONS

Part I. General Plan Information

1a Enter the complete name of the plan as it appears on the plan document.

b Enter the first day of the plan year for which the payment described in item 7a was required.

2 Enter the name, address, and telephone number of the individual or the board or other entity, if any, specifically designated as plan administrator by the terms of the plan or trust agreement. If none is so designated or if a contributing sponsor is so designated, enter the name, address, and telephone number of that contributing sponsor.

3a Enter the name, address, and telephone number of (1) the contributing sponsor that is filing this form or (2) if the parent is filing this form, the controlled group member that is the contributing sponsor. (If the parent is filing and the plan covers the employees of more than one controlled group member, provide information with respect to the controlled group member with the greatest number of participants.)

b Enter the 9-digit employer identification number (EIN) assigned to the contributing sponsor in item 3a by the IRS for income tax purposes and the 3-digit plan number (PN) assigned by the contributing sponsor.

c If the EIN/PN in item 3b is different from that used in earlier filings with the PBGC (including premium and reportable event filings), the DOL, or the IRS, enter the EIN/PN previously reported. (If a different EIN or PN has not been used for this contributing sponsor/plan in previous filings, enter "NA" (not applicable).)

4b If you checked "Yes" to item 4a, enter the name, address, telephone number, and EIN (or "none" if there is no EIN) of the parent (i.e., the filer or the parent of the filer's controlled group). (If the controlled group is a "brother-sister" group, enter "none".)

d If you checked "Yes" to item 4c, attach a statement with (1) the name, address, telephone number, and EIN (or state that there is no EIN) of each other controlled group member and (2) a description of the structure of the controlled group. (The description must include the relationship of each member of the parent-subsidiary, brother-sister, or combined group, as applicable, to the controlled group. For example: "Corporation A, the parent of a parent-subsidiary group of trades or businesses under common control, has three wholly-owned subsidiaries, Corporation B, Corporation C, and Partnership D. Corporation B and Corporation C each owns 50 percent of the stock of Corporation X, the contributing sponsor. Partnership D owns all of the stock of Corporation Y.")

5a Check "Yes" if the plan is maintained by two or more contributing sponsors and all plan assets are available to pay benefits to all plan participants and beneficiaries.

b If you checked "Yes" to item 5a, attach a statement with (1) the name of each contributing sponsor and (2) the address, telephone number, and EIN (or state that there is no EIN) of any contributing sponsor(s) for which this information is not provided in response to previous items.

6 Enter the name, address, and telephone number of an individual who is an authorized representative of the contributing sponsor or the parent filing this form if this is not the individual signing the certification in item 12.

Part II. Plan Funding Information

Note: An enrolled actuary must certify that the information in items 7 and 8, among other things, conforms to applicable Code and IRS requirements (see item 11).

7a Describe the required payment that was not made when due, resulting in the requirement to notify the PBGC (e.g., "the second quarterly installment for the plan year beginning on July 1, 1991").

8a Enter the total amount, as of the due date in item 7b, of the unpaid balance of the required payment described in item 7a and the aggregate unpaid balance of all preceding required payments for which payment was not made when due (i.e., include in this amount the unpaid balances, including interest, of all required payments for which payment was not made when due).

b Describe how the amount in item 8a was determined, including the actuarial assumptions and methods used if different from the actuarial assumptions and methods used in the plan actuarial valuation report submitted in response to item 9a.

9c Attach a copy of any IRS letter(s) granting or modifying a funding waiver (under ERISA section 303/Code section 412(d)) or an extension of the amortization period (under ERISA section 304/Code section 412(e)) for any plan year, except a letter relating to (1) a waived funding deficiency that has been fully amortized (pursuant to ERISA section 302(b)(2)(C)/Code section 412(b)(2)(C)) or (2) an extended amortization period that has ended if all contributions required pursuant thereto have been made.

d Attach a statement describing any pending request(s) for a funding waiver (under ERISA section 303/Code section 412(d)) and/or for an extension of the amortization period (under ERISA section 304/Code section 412(e)), including the relief requested.

Part III. Contributing Sponsor and Controlled Group Financial Information

10a Attach copies of audited or, if not available, unaudited financial statements that were prepared for the contributing sponsor and each other controlled group member individually, including balance sheets, income statements, statements of cash flows, and notes to financial statements and annual reports. However, if financial statements were only prepared on a consolidated basis for more than one controlled group member, consolidated financial statements and consolidating financial statements or, if not available, consolidating trial balances that identify each controlled group member individually may be attached instead.

Part IV. Certification

11 This certification must be made by an enrolled actuary.

12 This certification must be made by an officer (or an individual of comparable authority in an unincorporated organization) of the contributing sponsor or parent that is filing the Form 200.

PBGC Form 200

Approved OMB 1212-0041
Expires 11/30/94

Notice of Failure to Make Required Contributions

FOR PBGC USE ONLY

File this form to notify the Pension Benefit Guaranty Corporation of a failure to make required contributions (see ERISA section 302(f)(4)(A) and Code section 412(n)(4)(A)) to a single-employer plan that is covered by Title IV of ERISA.

- Do NOT file this form for any other employee benefit plan.
- Do NOT file this form with the Internal Revenue Service.
- Do NOT file this form UNLESS the plan's funded current liability percentage is less than 100 percent.
- Do NOT file this form UNLESS the total of unpaid balances of required payments exceeds $1 million.

PART I. GENERAL PLAN INFORMATION

1a Plan name

b Plan year commencement date

Month Day Year

2

2 Plan administrator

_____
Name

_____
Address (number and street)

_____
City or town State ZIP Code

Telephone number__________
Area Code

3a Contributing sponsor

_____
Name

_____
Address (number and street)

_____
City or town State ZIP Code

Telephone number__________
Area Code

b Employer identification and plan numbers

Enter 9 Digit EIN Enter 3 Digit PN

c Different EIN and/or PN used in previous filings with the PBGC, DOL, or IRS

Enter 9 Digit EIN Enter 3 Digit PN

4a Is the contributing sponsor in item 3a a member of a controlled group?

☐ YES ☐ NO

b If you checked "Yes" to item 4a, that contributing sponsor's parent (if none, enter "none")

Name

Company/Firm

Address (number and street)

City or town State ZIP Code

Telephone number___

6 Authorized contact (if same as individual signing certification in item 12, enter "same")

_____
Name

_____
Address (number and street)

_____
City or town State ZIP Code

Telephone number__________
Area Code

PART II. PLAN FUNDING INFORMATION

7a Describe the required payment that resulted in the requirement to notify the PBGC

_____

_____

_____

b Due date for the required payment described in item 7a

Month Day Year

8a Total of unpaid balances of required payments (including interest)

$_____

b Describe how the amount in item 8a was determined

_____

_____

_____

9 Submit the following documentation and information with this form:

a Copy of most recent plan actuarial valuation report;

b Copy of Form 5500, Schedule B, for most recent plan year for which filed;

c Copy of any IRS letter(s) granting or modifying a funding waiver and/or an extension of the amortization period;

d Statement describing any pending request(s) for a funding waiver and/or for an extension of the amortization period.

PART III. CONTRIBUTING SPONSOR AND CONTROLLED GROUP FINANCIAL INFORMATION

10 Submit the following documentation with this form with respect to the contributing sponsor in item 3a and each other member of the same controlled group as that contributing sponsor:

a Copies of financial statements for the most recent three fiscal years for which available and of the most recent interim financial statements;

b Copies of any SEC filings during the past 6 months, including Form 10-K, Form 10-Q, and Form 8-K;

c If any member of the controlled group currently is the subject of a bankruptcy, insolvency, receivership, or similar proceeding, copies of any Statement of Affairs, Disclosure Statement, and Plan of Reorganization (or similar filing(s)) and interim financial reports filed in such proceeding.

PART IV. CERTIFICATIONS

11 Enrolled Actuary Certification

I certify that, to the best of my knowledge and belief, the information contained in items 7 and 8 of this form is true, correct, and complete and conforms to all applicable laws and regulations. In making this certification, I recognize that knowingly and willfully making false, fictitious, or fraudulent statements to the PBGC is punishable under 18 U.S.C. 1001.

_____

Name (type or print)

_____

Enrollment number

_____

Company/Firm

_____

Address (number and street)

_____

City or town State ZIP Code

Telephone number__________

Area Code

_____ _____

Signature Date

12 Contributing Sponsor or Parent Certification

I certify that, to the best of my knowledge and belief, the information made available to the enrolled actuary and all other information and documentation in this filing is true, correct, and complete and conforms to all applicable laws and regulations. In making this certification, I recognize that knowingly and willfully making false, fictitious. or fraudulent statements to the PBGC is punishable under 18 U.S.C. 1001.

Name and title (type or print)

Name of contributing sponsor or parent

Address (number and street)

City or town State ZIP Code

Telephone number___

POSTAL RATE COMMISSION

[Docket No. A92-4]

Notice and Order Accepting Appeal and Establishing Procedural Schedule Under 39 U.S.C. 404(b)(5)

Issued December 17, 1991.

Before Commissioners: George W. Haley, Chairman; Henry R. Folsom, Vice-Chairman; John W. Crutcher; W. H. "Trey" LeBlanc III; H. Edward Quick, Jr.

In the Matter of: Carrothers, Ohio 44823, Christine Sizemore, et al., Petitioners

Docket Number: A92-4.

Name of Affected Post Office: Carrothers, Ohio 44823.

Name(s) of Petitioner(s): Christine Sizemore, et al.

Type of Determination: Closing.

Date of Filing of Appeal Papers: December 11, 1991.

Categories of Issues Apparently Raised:

1. Effect on the community [39 U.S.C. 404(b)(2)(A)];

2. Effect on postal services [39 U.S.C. 404(b)(2)(C)].

Other legal issues may be disclosed by the record when it is filed; or, conversely, the determination made by the Postal Service may be found to dispose of one or more of these issues.

In the interest of expedition, in light of the 120-day decision schedule [39 U.S.C. 404(b)(5)], the Commission reserves the right to request of the Postal Service memoranda of law on any appropriate issue. If requested, such memoranda will be due 20 days from the issuance of the request; a copy shall be served on the petitioner. In a brief or motion to dismiss or affirm, the Postal Service may incorporate by reference any such memoranda previously filed.

The Commission orders:

(A) The record in this appeal shall be filed on or before December 26, 1991.

(B) The Secretary shall publish this Notice and Order and Procedural Schedule in the **Federal Register.**

By the Commission.

Charles L. Clapp,

Secretary.

December 11, 1991: Filing of Petition.

December 17, 1991: Notice and Order of Filing of Appeal.

January 6, 1992: Last day for filing of petitions to intervene [see 39 CFR 3001.111(b)].

January 21, 1992: Petitioner's Participant Statement or Initial Brief [see 39 CFR 3001.115(a) and (b)].

February 10, 1992: Postal Service Answering Brief [see 39 CFR 3001.115(c)].

February 25, 1992: Petitioner's Reply Brief should petitioner choose to file one [see 39 CFR 3001.115(d)].

March 3, 1992: Deadline for motions by any party requesting oral argument. The Commission will schedule oral argument only when it is a necessary addition to the written filings [see 39 CFR 3001.116].

April 8, 1992: Expiration of 120-day decisional schedule [see 39 CFR 404(b)(5)].

[FR Doc. 91-30461 Filed 12-19-91; 8:45 am]

BILLING CODE 7710-FW-M

[Docket No. A92-3]

Notice and Order Accepting Appeal and Establishing Procedural Schedule Under 39 U.S.C. 404(b)(5)

Before Commissioners: George W. Haley, Chairman; Henry R. Folsom, Vice Chairman; John W. Crutcher; W. H. "Trey" LeBlanc III; H. Edward Quick, Jr.

In the Matter of: Susank, Kansas 67580, Mrs. Wilbert Boese.

Docket Number: A92-3.

Name of Affected Post Office: Susank, Kansas.

Name(s) of Petitioner(s): Mrs. Wilbert Boese.

Type of Determination: Closing.

Date of Filing of Appeal Papers: December 9, 1991.

Categories of Issues Apparently Raised:

1. Effect on the community (39 U.S.C. 404(b)(2)(A)).

2. Effect on postal services (39 U.S.C. 404(b)(2)(C)).

3. Effect on the economic savings of the Postal Service (39 U.S.C. 404(b)(2)(D)).

Other legal issues may be disclosed by the record when it is filed; or, conversely, the determination made by the Postal Service may be found to dispose of one or more of these issues.

In the interest of expedition, in light of the 120-day decision schedule (39 U.S.C. 404(b)(5)), the Commission reserves the right to request of the Postal Service memoranda of law on any appropriate issue. If requested, such memoranda will be due 20 days from the issuance of the request; a copy shall be served on the petitioner. In a brief or motion to dismiss or affirm, the Postal Service may incorporate by reference any such memoranda previously filed.

The Commission orders:

(A) The record in this appeal shall be filed on or before December 24, 1991.

(B) The Secretary shall publish this Notice and Order and Procedural Schedule in the **Federal Register.**

By the Commission

Charles L. Clapp,

Secretary.

December 9, 1991: Filing of Petition.

December 17, 1991: Notice and Order of Filing of Appeal.

January 6, 1992: Last day for filing of petitions to intervene (see 39 CFR 3001.111(b)).

January 21, 1992: Petitioner's Participant Statement or Initial Brief (see 39 CFR 3001.115 (a) and (b)).

February 10, 1992: Postal Service Answering Brief (see 39 CFR 3001.115(c)).

February 25, 1992: Petitioner's Reply Brief should petitioner choose to file one (see 39 CFR 3001.115(d)).

March 3, 1992: Deadline for motions by any party requesting oral argument. The Commission will schedule oral argument only when it is a necessary addition to the written filings (see 39 CFR 3001.116).

April 6, 1992: Expiration of 120-day decisional schedule (see 39 U.S.C. 404(b)(5)).

[FR Doc. 91-30462 Filed 12-19-91; 8:45 am]

BILLING CODE 7710-FW-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-30078; File No. SR-GSCC-91-03]

Self-Regulatory Organizations; Government Securities Clearing Corporation; Order Temporarily Approving a Proposed Rule Change Relating to Comparison and Netting of Non-Member Trades

December 13, 1991.

On July 23, 1991, pursuant to section 19(b) of the Securities Exchange Act of 1934 ("Act"), [1] the Government Securities Clearing Corporation ("GSCC") filed with the Securities and Exchange Commission ("Commission") a proposed rule change (File No. SR-GSCC-91-03) concerning enhancements to its comparison and netting systems. Notice of the proposal was published in the **Federal Register** on September 5, 1991.[2] No comments were received. This order approves the proposal on a temporary basis until December 31, 1992.

I. Description

The proposed rule change would allow GSCC netting members to submit

[1] 15 U.S.C. 73s(b).

[2] Securities Exchange Act Release No. 29627 (August 29, 1991), 56 FR 43950.

to GSCC trading activity of non-members. The proposal effectively would expand the scope of trades eligible for GSCC's comparison and netting systems by allowing GSCC to identify, compare and net trades where one or both sides to the transaction are non-members that have entered into clearing or correspondent arrangements with a GSCC member. The proposal, however, would not result in GSCC's interacting directly with non-members.[3]

The proposal would require that a member, who intends to submit non-member trading activity to GSCC, provide advance notice of its intent to act on behalf of a non-member.[4] Members would be required to provide separate notices listing the non-member correspondents whose trading activity the member will introduce for comparison only, and correspondents whose trading activity the member will introduce into GSCC's system for both comparison and netting. To submit trades to GSCC's netting system, GSCC members must guarantee performance by the non-member and must complete delivery, receipt and payment on netted trades. If the submitting member determines not to guarantee non-member's trades, GSCC will not include those trades in the trade netting system.[5]

In order to identify non-member trades in GSCC's comparison system, the proposal would add two "executing firm" information fields to GSCC's trade data format, allowing the netting member to indicate: (1) The identity of the executing party associated with the submitting member, and (2) the identity of the executing party associated with the contra-party member.[6] Members would continue to submit proprietary trades as usual (*i.e.*, leaving the executing firm fields blank).

In addition to the currently required data, executing firm information would be required to be matched in order for the trade to be compared. GSCC believes that the addition of the new information fields initially may adversely affect successful comparison of trade data.[7] In an effort to avoid any increase in uncompared trades, GSCC would make the following exceptions: (1) If GSCC comparison yields an uncompared trade because of unmatched executing firm information but the trade data agrees in all other respects, GSCC would assume that the executing firm information was incorrectly submitted by one side of the trade, and would compare the trade based on a match between the submitting members; (2) if the identity of the executing firm on one side of a trade is not provided, GSCC would compare the trade assuming that there is no executing firm on that side of the trade; (3) if a trade submitted to GSCC does not identify the contra-party submitting member, but the contra-party executing firm information is provided, and the contra-party submitting member has submitted standing instructions [8] designating that member as the submitting member for the identified contra-party executing firm, GSCC would compare the trade assuming that the GSCC member providing the standing instruction is the contra-party submitting member for the trade. GSCC will designate separately all trades successfully compared that involve an executing firm.

To facilitate comparison of trades submitted against the affiliate [9] of the true executing firm, the proposal would allow GSCC to compare the trade as if it originally had been submitted against the true executing firm. GSCC would resolve the trade provided the submitting member and the affiliated firms have given GSCC a written authorization to make such a substitution.[10]

For example, assume that member *A* submits one side of a trade naming as the contra-party, *B*, (an affiliate of member *C*) and the trade does not compare as submitted. Assume further that the matching side is submitted by member *C*. GSCC will assume that member *A* intended to name member *C* as the contra-party, and GSCC will substitute *C* as the contra-party in the trade data submitted by *A*, and compare the trade as if member *A* had originally submitted against member *C*.

Non-member trades, like member trades, must be submitted by 10:00 p.m. in order to be included in GSCC regular nightly comparison cycle. GSCC will include the status of non-member trades in daily comparison reports provided to members.

To assist members in submitting accurate trade data to GSCC, GSCC would maintain a "translation table" containing GSCC members' internal identifiers for contra-participants and the corresponding GSCC member identifying numbers. Upon the request of a member, GSCC would translate the member's internal contra-participant identifier to a GSCC identifying number to assist members in identifying the contra-party to the trade.

If the submitting member has provided notice to GSCC that it wishes to guarantee the trades of the non-member, trades so submitted and guaranteed would be included in the calculation of the submitting member's clearing fund contribution and other money and securities obligations. The submitting member will be responsible for, among other things, the funds-only and securities settlement portions of its net settlement position attributable to the trades submitted on behalf of the non-member to the same extent as if the submitting member had executed the trade.[11] In addition, the assessment of the risk posed by the submitting member's trading activity would include trading activity with a non-member executing firm if that executing firm's trades are submitted to GSCC for comparison and netting. Finally, GSCC rules regarding the allocation of loss, the assessment of an additional clearing fund deposit, and placing members on surveillance status would include such trading activity. Of course, if a member chooses not to guarantee a trade submitted on behalf of an executing

[3] *See* n. 6, *infra*.

[4] Specifically, GSCC would require that notice of the member's intent to act on behalf of a non-member be given at least three days prior to the initial submission of trade data on behalf of the non-member.

[5] See discussion, *infra* concerning obligations of the submitting member with respect to the netting of non-member trades.

[6] With regard to this part of the proposal, GSCC has represented to the Division of Market Regulation staff that the proposal would not result in GSCC's direct interaction with non-members. Comparisons generated by GSCC would not address the nature of the relationship between an executing firm and the firm submitting trades on its behalf.

[7] On average 22,268 sides (a side is either the purchase or sell piece of a trade) are submitted daily to GSCC for comparison, of which 20,924 sides, with a dollar value of $153.31 billion, are successfully compared. GSCC's average daily comparison rate thus is about 94%. This average is based on data submitted through August, 1991.

[8] As discussed above, GSCC would require a comparison or netting member to provide a standing instruction that the member is to be deemed the submitting member on all trades involving a designated executing firm. If the member has not provided a standing instruction, GSCC will follow its usual reconciliation procedure advising the member that the trade was not successfully compared. GSCC will not undertake to determine the identity of the parties to the trade unless the member has provided a standing instruction.

[9] The term "affiliate" as used in this release and in GSCC's rules means "a person that directly, or indirectly through one or more intermediaries, controls or is controlled by, or is under common control with, the person specified". 17 CFR 230.405 (1985).

[10] Prior to making any such substitution, GSCC must have on record a standing instruction authorizing GSCC to resolve the trade internally.

[11] In this connection, GSCC will no longer require that trades submitted for comparison and netting be trades that are executed "between members". Accordingly, GSCC is revising its rules to reflect that trades may be netted and novated by GSCC as long as those trades are submitted by a GSCC netting member. GSCC Rules and Procedures, R. 1.

firm, the trade submitted on behalf of the executing firm would be eligible for GSCC's comparison system but would not be netted or novated by GSCC nor included in the calculation of the submitting member's clearing fund contribution and daily mark requirements.

II. Discussion

The Commission believes that GSCC's proposal will promote the prompt and accurate clearance and settlement of securities transactions consistent with section 17A(b)(3)(A) of the Act.[12] The proposal will enhance GSCC's ability to compare and net U.S. Government securities transactions. The Commission believes that GSCC"s proposal facilitates the purposes of the Act, and in particular, the safeguarding of securities and funds which are under GSCC's control, custody, or for which GSCC is responsible by requiring netting members who guarantee the trades of an executing firm to assume financial responsibility for the trading activity.

GSCC has included in the proposed rule change certain exceptions to the requirements for a matched trade that will allow a matched trade to occur when both sides of the trade do not agree as to the executing firm information. GSCC has structured the proposal in this manner to facilitate the successful comparison of trades while avoiding additional uncompared trades because not all GSCC members' internal systems are equipped to accommodate additional information fields.[13]

The Commission believes that GSCC's approach is a reasonable first step in the process of incorporating correspondent activity into a centralized comparison and netting system. Nevertheless, GSCC should encourage its members to be more accurate in the data they submit in order to reduce, and eventually eliminate, the need for GSCC to substitute or supplement data on behalf of members.

Currently, GSCC issues a monthly report to members listing, among other things, the member's compared and uncompared trades and the percentage of trades that entered the net. Under the proposal, the report would reflect the effect of non-member trading activity submitted by the member on the member's comparison rate. The Commission urges GSCC to supplement the currently reported information by tracking the identity of the submitting member and the executing firm and identifying by type of match each trade involving a non-member. This data would provide a basis for GSCC to test the accuracy of member input and to monitor for unusual trading pattern. The information GSCC gathers regarding the comparison activity of members on behalf of non-member firms will be provided to the Commission on a quarterly basis during the temporary approval period.[14]

III. Conclusion

For the reasons stated above, the Commission preliminarily finds that GSCC's proposal is consistent with section 17A of the Act.[15]

It is therefore ordered, pursuant to section 19(b)(2) of the Act,[16] that GSCC's proposed rule change (File No. SR–GSCC–91–03) be, and hereby is, approved on a temporary basis through December 31, 1992.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[17]

Jonathan G. Katz,

Secretary.

[FR Doc. 91–30452 Filed 12–19–91; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–30077; File No. SR–NASD–91–45]

Self-Regulatory Organizations; National Association of Securities Dealers, Inc.; Order Approving Proposed Rule Change Relating to Amendments to Schedule C to the NASD's By-Laws

December 13, 1991.

The National Association of Securities Dealers, Inc. ("NASD") submitted on August 23, 1991, [1] a proposed rule change pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act") [2] and Rule 19b–4 [3] thereunder to amend Schedule C to the NASD's By-Laws, which sets forth the application review process for new member applications ("the premembership interview process" or "PMI process"), to adopt deadlines for the consideration of applications for membership and to extend the effectiveness of membership restrictions to successors to the ownership or control of the applicant. The proposal amends section 1(a) to provide that the NASD can reject an application after sixty days where the applicant has failed to respond to a request from the NASD for information, or where the applicant has failed to amend a materially inadequate response pursuant to a request from the NASD.[4] In addition, the proposal amends section 1(b) to allow the NASD to reject an application if the applicant does not complete the review process within twelve months of the filing of the application.[5] The proposed rule change also amends section 1(e) to state that all restrictions placed on an applicant's business will remain in effect until modified pursuant to section 3 of part I, and will bind all successors to the applicant.[6] The NASD has requested that the rule go into effect on February 1, 1992, allowing time for the NASD to inform members of the rule's approval in a Notice to Members.

Notice of the filing and the terms of substance of the proposed rule change as modified by amendments 1, 2 and 3, was given by the issuance of a Commission release (Securities Exchange Act Release No. 29701, September 18, 1991) and by publication in the **Federal Register** (56 FR 48258, September 24, 1991).

The Commission received one comment letter on the proposed rule change raising three concerns.[7] First,

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[12] 15 U.S.C. 78q–1(b)(3)(A).

[13] All GSCC members, however, will have access through GSCC's daily comparison output report to executing firm information used by GSCC to compare trades, or trade data that was compared under any of the exceptions.

[14] Letter from Jeffrey Ingber, Associate General Counsel and Assistant Secretary, GSCC, to Sonia Burnett, Attorney, Division of Market Regulation, Commission (December 6, 1991).

[15] 15 U.S.C. 78q–1(b)(3)(A).

[16] 15 U.S.C. 78s(b)(2).

[17] 17 CFR 200.30–3(a)(12).

[1] The NASD filed five amendments to this proposed rule change, three were filed prior to noticing the proposal. The fourth amendment was filed in response to a comment letter and the fifth amendment was filed to indicate the date this rule will go into effect. These amendments are technical in nature and available for inspection and copying in the Public Reference room.

[2] 15 U.S.C. 78s(b)(1) (1988).

[3] 17 CFR 240.19b-4 (1991).

[4] If an application is materially inadequate the applicant will be notified in writing of the inadequacy and of the information which is required to remedy the inadequacy.

[5] The NASD indicated rejection will not occur if the delay in approval of the application is caused by the NASD.

[6] This amendment codifies the NASD's view that a restrictive agreement is binding on the member firm, not just the principals, and the changes in ownership or control of the member do not operate to remove or reduce the limitations in the restrictive agreement. This amendment emphasizes the NASD's requirement that restrictive agreements can be amended only after the approval of a written application submitted to the District in which the member has its principal place of business.

[7] See letter to Jonathan G. Katz, Secretary, SEC, from Jacqueline H. Hallihan, President, National Regulatory Services, Inc., dated October 6, 1991.

while the commentator concurs that there is a need to adopt deadlines for consideration of applications for membership, she indicated that 60 days may be insufficient to respond to a request for further information. The commentator suggested that 90 days or longer should be provided for some delays and that an applicant should be able to submit to the NASD District, in writing, a request for an extension for good cause to avoid having its application deemed "materially inadequate" under this rule change. Second, the commentator suggested the NASD District be obligated to schedule the PMI within a specific time frame after the receipt of all information, instead of within a "reasonable" time frame. Third, the commentator requested that pending applications, nearing the 12 month rejection deadline when this rule change goes into effect, be given an extension. The commentator also indicated support for the restrictions/successor provision of this proposal.

In response to the comment letter, the NASD filed Amendment No. 4, addressing the commentator's concerns. The NASD indicated that applicants will be given notice of the deadlines imposed by the proposed amendments and the consequences of the failure to meet the deadlines. Furthermore, the NASD indicated it does not intend to terminate pending applications where the applicant has responded to a request for information by stating that it is in the process of preparing a full response or has indicated it is taking steps to complete all examinations, agreements and other requirements necessary for NASD approval of the membership application. The NASD indicated it intends to terminate applications only if there is no response or if there is clear evidence of dilatory conduct on the part of the applicant.

In response to the commentator's request that the NASD be required to schedule a PMI within a specific time frame, the NASD indicated it does not believe that imposing a strict schedule for processing of applications is appropriate due to the changing regulatory and disciplinary demands on the volunteer committee members on which the NASD relies. The NASD agreed, in response to the commentator's concern regarding pending applications, not to terminate any application which is in process at the time this rule change becomes effective for 6 months following the effective date.[8]

The Commission believes that the NASD has responded adequately to the comment letter. The NASD expressly responded to each concern raised by the commentator and provided a reasonable explanation for the necessity of this rule change. The Commission believes this rule will streamline the application review process, while preserving the fundamental fairness of the PMI process.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to the NASD and, in particular, the requirements of section 15A and the rules and regulations thereunder. Specifically, the Commission believes that the proposed rule change is consistent with section 15A(g)(3)(A) of the Act, which allows the NASD to deny or condition membership in the NASD on the member's ability to demonstrate financial responsibility and operational capability pursuant to standards established by the NASD.

It is therefore ordered, pursuant to section 19(b)(2) of the Act, that the above-mentioned proposed rule change be, and hereby is, approved and will go into effect on February 1, 1992.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority, 17 CFR 200.30-3 (a)(12).

Jonathan G. Katz,

Secretary.

[FR Doc. 91-30453 Filed 12-19-91; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-30080; File No. SR-NASD-91-39]

Self-Regulatory Organizations; Proposed Rule Change by National Association of Securities Dealers, Inc. Relating To Release of Certain Information Regarding Disciplinary History of Members and Their Associated Persons Via Toll-Free Telephone Listing

December 13, 1991.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on August 12, 1991, the National Association of Securities Dealers, Inc. ("NASD" or "Association") filed with the Securities and Exchange Commission ("Commission" or "SEC") a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the NASD.[1] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change amends the Resolution of the Board of Governors concerning "Notice to Membership and Press of Suspensions, Expulsions, Revocations and Monetary Sanctions," ("Resolution") at article V, section 1 of the NASD Rules of Fair Practice, by adding language to the effect that the NASD may release certain information contained in the Central Registration Depository ("CRD") System about the employment and disciplinary history of its members and their associated persons in response to telephonic inquiries from the general public via a toll-free telephone listing. The information released may include past and present employment history with NASD members, final disciplinary actions taken by federal or state securities agencies or self-regulatory organizations that relate to securities or commodities transactions and criminal convictions reported on Form U-4 (the Uniform Application for Securities Industry Registration or transfer).

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the NASD included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The NASD has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The purpose of the amendment to the Resolution is to implement the

[8] The NASD indicated it does not intend to terminate applications simply because they have not been processed to completion within 12 months. As with requests for information, a complete failure to proceed with an application, or obvious dilatory conduct will be necessary before the NASD terminates an application.

[1] The NASD subsequently filed Amendment No. 1 and Amendment No. 2 on September 16, 1991 and December 6, 1991 respectively. The terms of substance of which amendments are contained herein.

provisions of new section 15A(i) of the Act which was enacted by Congress in October 1990. This amendment will permit the NASD to release certain information contained in the CRD System regarding the employment and disciplinary history of its members and their associated persons in response to telephonic inquiries from the general public via a toll-free telephone listing. The NASD will respond to such requests for this information in writing. The NASD will report final disciplinary actions taken by federal or state securities agencies or self-regulatory organizations which relate to securities or commodities transactions and criminal convictions reported on Form BD or Form U–4, and if requested past and present employment history with NASD members. Final disciplinary actions also include civil injunctive orders entered as a result of actions initiated by federal or state regulatory authorities. The NASD procedures will call for a copy of this information to be sent to the person requesting it. The NASD intends to name this program the 800 Number Service Plan (the "Plan"). The information disclosed as disciplinary history reflects the view of the NASD that disciplinary history means final action taken by regulatory authorities. The view is also consistent with the matters that are disclosed under the NASD's Public Disclosure Policy.

The NASD intends that the Plan will operate during normal weekday business hours which will be from approximately 9 a.m. to 5 p.m. Eastern Time. The NASD plans to install 15 to 20 phone lines to handle the incoming calls. If a call comes in after 5 p.m., the caller will hear a tape recording which describes the system's operating hours and offers the caller the option of leaving his name and address and the NASD will send him a request form which can be completed and returned to the NASD for processing. Calls received during operating hours will be sorted by whether the requestor is an individual investor or a commercial requestor. The commercial requestors will be charged a $30 fee for each request made. No fee will be imposed on requests by individual investors. Once the NASD operator has identified the associated person who is the subject of the request, the caller will be advised if this associated person has any disclosable disciplinary history. If there is no disclosable history, the caller will be so advised and will be given the option of receiving a written response from the NASD to that effect. If there is disclosable history, the caller will be so advised; however, the details of such history will not be provided over the phone. The caller will receive a written response which describes the particular events involved. The NASD will disclose the identity of the requestor to the associated person who is the subject of the request and his employer-member. The NASD does not disclose the identity of the requestor if there is no disclosable history for the associated person or if the information request only concerns the member itself. The NASD Board of Governors determined that it was appropriate under these circumstances to disclose the identity of the requestor so that the associated person could have the opportunity to explain or address the disciplinary actions or convictions which are disclosed.

The NASD already has in place a Public Disclosure Program. This program was filed for immediate effectiveness with the SEC in April 1988 (File No. SR–NASD–88–14). Notice of that filing was provided by issuance of a Commission release (Securities Exchange Act Release No. 25604, April 20, 1988) and by publication in the **Federal Register**, (53 FR 14878, April 26, 1988). Under this program the NASD, pursuant to written inquiries, discloses all final disciplinary actions taken by any regulatory authority and criminal convictions disclosed on Form U–4. The identity of the person making such an inquiry is disclosed to the employer member, if applicable.

The NASD believes the proposed rule change is consistent with section 15A(i) under the Act, as amended. In pertinent part, section 15A(i) mandates that a national securities association shall, (1) establish and maintain a toll-free telephone listing to receive inquiries regarding disciplinary actions involving its members and their associated persons, and (2) promptly respond to such inquiries in writing. The NASD believes the proposed amendment is consistent with this section and constitutes good faith compliance with the requirements of this section.

B. Self-Regulatory Organization's Statement on Burden on Competition

The NASD does not believe that the proposed rule change imposes any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

Comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

A. By order approve such proposed rule change, or

B. Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the filing. The Commission specifically requests comment on whether, as the instant rule change proposes, it is appropriate for the associated person who is the subject of the request and his employer-member to receive notice that an investor has made an inquiry, and further for the associated person and employer-member to be provided with the name, address and telephone number of the investor requesting the disciplinary history.

Additionally, the Commission notes that the NASD has proposed to disclose final disciplinary actions taken by federal or state securities agencies or self-regulatory organizations which relate to securities or commodities transactions and criminal convictions reported on Form BD or Form U–4. Final disciplinary actions reported will also include civil injunctive orders entered as a result of actions initiated by federal or state regulatory authorities. In addition to the information proposed for disclosure under the 800 number service, Form U–4 and BD also require that applicants report foreign court or SRO equivalent findings regarding civil litigation in connection with investment related activity, whether initiated by federal or state regulatory authorities or otherwise; and criminal convictions unrelated to securities or commodities. The Commission requests comments on whether the disciplinary information proposed for disclosure is sufficiently inclusive.

Further, the Commission requests that interested persons comment on whether or not the term "commercial requestor," as designated by the NASD for purposes of assessing fees for calls received on

the 800 number, need be defined in the proposed rule change.

Finally, the proposed hours of operation for the 800 number are 9 a.m. to 5 p.m. Eastern Time. The Commission requests comments as to whether or not these hours are appropriate or should be modified for West Coast users of the 800 number.

Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of the filing will also be available for inspection and copying at the principal office of the NASD. All submissions should refer to the file number in the caption above and should be submitted by January 10, 1992.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority, 17 CFR 200.30-3(a)(12).

Jonathan G. Katz,

Secretary.

[FR Doc. 91-30454 Filed 12-19-91; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 35-25430]

Filings Under the Public Utility Holding Company Act of 1935 ("Act")

December 13, 1991.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated thereunder. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed transaction(s) summarized below. The application(s) and and/or declaration(s) and any amendments thereto is/are available for public inspection through the Commission's Office of Public Reference.

Interested persons wishing to comment or request a hearing on the application(s) and/or declaration(s) should submit their views in writing by January 6, 1992 to the Secretary, Securities and Exchange Commission, Washington, DC 20549, and serve a copy on the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter. After said date, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

The Southern Company, et al. (70-7919)

The Southern Company ("Southern"), 64 Perimeter Center East, Atlanta, Georgia 30346, a registered holding company, and its wholly owned nonutility subsidiary, Southern Electric International, Inc. ("SEI"), 100 Ashford Center North, suite 400, Atlanta, Georgia 30338, have filed an application-declaration under section 6(a), 7, 9(a), 10, and 12(b) of the Act and rules 43 and 45 thereunder.

SEI proposes to issue and sell unsecured notes ("Notes") from time to time prior to March 31, 1992, in an aggregate principal amount not to exceed $20 million at any one time outstanding. It is proposed that the Notes may be issued and sold either to Southern or to a lender or lenders other than Southern. The Notes will have maturities of no later than December 31, 2000. It is anticipated that any Notes sold to a lender or lenders other than Southern may be guaranteed by Southern as to principal, premium, if any, and interest.

Notes sold to Southern will bear interest at a rate not to exceed the prime rate in effect on the date of issuance at a bank designated by Southern.

Notes sold to a lender or lenders other than Southern will bear interest at a rate not to exceed 2% over the prime rate at a bank designated by Southern. In connection with any sale to a lender or lenders other than Southern, a commitment fee may be paid not to exceed ½ of 1% of the principal amount of such Note.

It is further proposed that up to $20 million of the Notes issued to Southern may, at Southern's option, be converted to capital contributions to SEI through Southern's forgiveness of the debt represented thereby.

Proceeds from the issuance and sale of the Notes will be used by SEI to meet working capital requirements for SEI's consulting contracts related to its utility and technical services business consulting line, as defined, and certain administrative and general activities associated therewith. In addition, SEI requires working capital to pay SEI's associate companies for services they have provided through SEI to SEI's customers.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 91-30455 Filed 12-19-91; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Announcement of Receipt of Proposed Restriction on Operations of Stage 2 Aircraft at Minneapolis-St. Paul International Airport in Minneapolis, MN

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) has been notified by the Metropolitan Airports Commission (MAC) that it proposes to cap and then prohibit nighttime operations by Stage 2 aircraft weighing over 75,000 pounds at Minneapolis-St. Paul International Airport (MSP). The proposed restriction would cap and then eliminate operations by Stage 2 aircraft between 11 p.m. and 6 a.m. CST or CDT at MSP. MAC has provided notice of the proposed restriction and an opportunity to comment to the public pursuant to the Airport Noise and Capacity Act of 1990 and 14 CFR 161.203.

EFFECTIVE DATE: In its notice, published on December 9, 1991, in the Star Tribune in Minneapolis, Minnesota and Pioneer Press in St. Paul, Minnesota, the Metropolitan Airports Commission indicated that the initial phase of the ordinance restricting operations to their Stage 2 baseline would take effect not earlier than 180 days from the date of publication of MAC's Notice. This date is June 6, 1992. The second phase, a ban on nighttime Stage 2 operations, would take effect on or after that date, as determined by the Commission.

FOR FURTHER INFORMATION CONTACT: Ms. Jennifer Unruh, Committee Secretary at:

Metropolitan Airports Commission, General Offices, 6040 28th Avenue South, Minneapolis, Minnesota 55450, (612) 726-8100.

Copies of the complete text of the proposed restriction and the supporting analysis may be obtained by phoning or

writing MAC. These documents are also available for public inspection at MAC's General Offices. Comments to MAC on the proposed restriction should be received by January 23, 1992, 45 days after the MAC publication date.

Issued in Des Plaines, Illinois, December 13, 1991.

W. Robert Billingsley,

Manager, Airports Division, Great Lakes Region.

[FR Doc. 91-30432 Filed 12-19-91; 8:45 am]

BILLING CODE 4910-13-M

FEDERAL AVIATION ADMINISTRATION

Aviation Security Advisory Committee; Meetings

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of Aviation Security Advisory Subcommittee Meeting.

SUMMARY: Notice is hereby given of a meeting of the Security Operations Subcommittee of the Aviation Security Advisory Committee..

DATES: The meeting will be held January 7, 1992, from 9 a.m. to 4 p.m..

ADDRESSES: The meeting will be held in the MacCracken Room, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: The Office of the Assistant Administrator for Civil Aviation Security, ACS, 800 Independence Avenue, SW., Washington, DC 20591, telephone 202-267-9863.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. app. II), notice is hereby given of a meeting of the Security Operations Subcommittee of the Aviation Security Advisory Committee to be held January 7, 1992, in the MacCracken Room, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC..

The agenda for the meeting is a discussion on the carriage of weapons aboard aircraft. Attendance at the January 7, 1992 meeting is open to the public but limited to space available. Members of the public may address the committee only with the written permission of the chair, which should be arranged in advance. The chair may entertain public comment if, in its judgment, doing so will not disrupt the orderly progress of the meeting and will not be unfair to any other person. Members of the public are welcome to present written material to the committee at anytime.

Persons wishing to present statements or obtain information should contact the Office of the Assistant Administrator for Civil Aviation Security, 800 Independence Avenue, SW., Washington, DC 20591, telephone 202-267-9863.

Issued in Washington, DC on December 13, 1991.

O.K. Steele,

Assistant Administrator for Civil Aviation Security.

[FR Doc. 91-30433 Filed 12-19-91; 8:45 am]

BILLING CODE 4910-13-M

Federal Railroad Administration

Petition for a Waiver of Compliance

In accordance with 49 CFR 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received from South Branch Valley Railroad a request for waiver of complaince with a requirement of Federal power brake standards. The petition is described below, including the regulatory provisions involved, and the nature of the relief being requested.

South Branch Valley Railroad

(Waiver Petition Docket Number PB-91-5)

South Branch Valley Railroad (SBVR) seeks a permanent waiver of compliance with certain provisions of the Railroad Power Brakes and Drawbars Regulations (49 CFR part 232). SBVR is requesting that it be permitted to operate a non self-propelled crane without air brakes. The crane was build in 1952 with a straight air brake system only. There is no automatic air brake system on the crane but it does have a brake pipe extending from one end to the other. The carrier proposes to operate the crane in trains under the following conditions:

1. The crane would be operated with a locomotive at one end and an idler car with operating air brakes at the other end.
2. Maximum speed would be 10 mph.
3. The crane would not be interchanged to any other railroad.

The waiver would exclude the crane from the requirements of §§ 232.12 and 232.13 that each car have an operating air brake during the initial terminal road train air brake test and intermediate terminal train air brake test.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number PB-91-5) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, SW., Washington, DC 20590. Communications received before January 27, 1992, will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) in room 8201, Nassif Building, 400 Seventh Street, SW., Washington, DC 20590.

Issued in Washington, DC on December 12, 1991.

Grady C. Cothen, Jr.,

Associate Administrator for Safety.

[FR Doc. 91-30413 Filed 12-19-91; 8:45 am]

BILLING CODE 4910-06-M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

[Docket No. 91-1]

Exemptions Potentially Affected by Docket No. HM-181 on Performance Oriented Packaging Standards

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice to exemption holders.

SUMMARY: This notice advises DOT exemption holders to review their exemptions from specific requirements of the Hazardous Materials Regulations to determine whether their exemptions could be eliminated as a result of a final rule published in the **Federal Register** on December 21, 1990, and revisions thereto published as Part II elsewhere in this issue of the **Federal Register** entitled "Performance-Oriented Packaging Standards: Revisions and Responses to Petitions for Reconsideration."

FOR FURTHER INFORMATION CONTACT: J. Suzanne Hedgepeth, Office of Hazardous Materials Exemptions and Approvals, Research and Special Programs Administration, U.S. Department of Transportation, 400

Seventh Street, SW, Washington, DC 20590–0001, telephone (202) 366–4535 or Fax No. (202) 366–3753.

SUPPLEMENTARY INFORMATION: Numerous substantive amendments are contained in a final rule published under Docket HM–181 on December 21, 1990 (55 FR 52402) and revisions thereto published as part II elsewhere in this issue of the **Federal Register** entitled "Performance-Oriented Packaging Standards: Revisions and Responses to Petitions for Reconsideration." These changes include hazardous materials descriptions, classification criteria and new packaging requirements.

RSPA sent a notice to persons who hold exemptions, authorizing the use of non-bulk packagings, which are potentially affected by the performance-oriented packaging changes adopted under HM–181. RSPA anticipates the phase-out of exemption packagings no longer necessary due to performance-based standards of the final rule, and has advised exemption holders to reexamine the terms of their exemptions to determine whether they are still necessary. The notice follows:

Notice to Exemption Holders

Our records indicate that you are the holder of a DOT exemption potentially affected by a recent final rule.

On December 21, 1990, the Research and Special Programs Administration (RSPA) published a final rule in the **Federal Register** (55 FR 52402) under Docket HM–181 (herein referred to as "HM–181").

HM–181 makes significant changes to the Hazardous Materials Regulations (Title 49, Code of Federal Regulations, parts 170–180 or "HMR") with respect to hazardous materials descriptions, classification and packaging requirements.

Under HM–181, performance-oriented packaging standards based on United Nations (UN) standards will eventually replace non-bulk DOT packaging specifications. The final rule is effective October 1, 1991. Transitional provisions contained in this final rule generally permit the continued manufacture of non-bulk DOT specification packagings until October 1, 1994 and permit the continued use of these packagings until October 1, 1996. New packaging provisions for materials which are poisonous by inhalation are effective October 1, 1993.

The provisions of HM–181 eliminate the need for many current exemptions and will necessitate the modification of many others. Some exemption packagings partially or fully meet the newly-adopted UN performance standards. Manufacturing and marking them in accordance with HM–181 will eliminate the need for these exemptions. Other exemption packagings may not provide a level of safety equivalent to that provided under the provisions of HM–181 and, therefore, may not be eligible for continued use after HM–181 becomes effective. Other exemptions may require modification based on the new provisions.

We request that you carefully review both HM–181 and your exemption to determine if the exemption can be either terminated before its expiration date or not renewed upon expiration. Please notify RSPA's Office of Hazardous Materials Exemptions and Approvals (OHMEA) if the exemption can be terminated. In instances where you intend to apply for renewal, ensure that the application identifies any modifications necessitated by changes in HM–181 and adequately demonstrates that the modified exemption provides a level of safety equivalent to the new provisions [see 49 CFR 107.103(b)(9)].

OHMEA staff will be independently reviewing current exemptions and renewal applications and may, in some limited instances, notify exemption holders that an exemption will be considered for termination. The exemption holder will be given the opportunity to show cause why such action should not be taken. In general, exemptions would not be terminated prior to the effective dates contained in HM–181.

The changes embodied in HM–181 will appear in the 1991 edition of the HMR. Copies of Docket HM–181 may be purchased from the Government Printing Office.

Due to the diversity of the HM–181 amendments, other exemptions may also be affected. Therefore, all exemption holders are requested to reexamine the terms of their exemptions in view of the changes adopted under HM–181. Comments concerning an exemption should identify the exemption number and be submitted to RSPA's Office of Hazardous Materials Exemptions and Approvals.

Issued in Washington, DC on December 17, 1991.

Alan I. Roberts,

Associate Administrator for Hazardous Materials Safety.

[FR Doc. 91–30438 Filed 10–19–91; 8:45 am]

BILLING CODE 4910–60–M

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Agreement on Government Procurement, as Implemented by the Trade Agreements Act of 1979, as Amended; Notice of Value of Special Drawing Rights

AGENCY: Office of the United States Trade Representative.

ACTION: Under the authority delegated to the United States Trade Representative by sections 1–104 and 1–201 of Executive Order 12260, I hereby determine that effective on January 1, 1992, the dollar equivalent of 130,000 Special Drawing Right units as referred to in the Agreement on Government Procurement and section 1–104 of Executive Order 12260, and as most recently modified by USTR determination on January 1, 1990 (55 FR 185), is $176,000.00. The $172,000 amount announced effective January 1, 1990, remains in effect through December 31, 1991

This determination may be modified as appropriate.

FOR FURTHER INFORMATION CONTACT: Beverly Fuortes, Director for Government Procurement, Office of the United States Trade Representative (USTR), 600 17th Street, NW., Washington, DC 20506 (202) 395–3063.

Carla A. Hills,

United States Trade Representative.

[FR Doc. 91–30477 Filed 12–19–91; 8:45 am]

BILLING CODE 3190–01–M

DEPARTMENT OF VETERANS AFFAIRS

Information Collection Under OMB Review

AGENCY: Department of Veterans Affairs.

ACTION: Notice.

The Department of Veterans Affairs has submitted to OMB the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35). This document lists the following information: (1) The title of the information collection, and the Department form number(s), if applicable; (2) a description of the need and its use; (3) who will be required or asked to respond; (4) an estimate of the total annual reporting hours, and recordkeeping burden, if applicable; (5) the estimated average burden hours per respondent; (6) the frequency of

response; and (7) an estimated number of respondents.

ADDRESSES: Copies of the proposed information collection and supporting documents may be obtained from Janet G. Byers, Veterans Benefits Administration (20A5), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420 (202) 233–3021.

Comments and questions about the items on the list should be directed to VA's OMB Desk Officer, Joseph Lackey, NEOB, room 3002, Washington, DC 20503, (202) 395–7316. Do not send requests for benefits to this address.

DATES: Comments on the information collection should be directed to the OMB Desk Officer within 30 days of this notice.

Dated: December 16, 1991.

By direction of the Secretary.

Frank E. Lalley,

Associate Deputy, Assistant Secretary for Information, Resources Policies and Oversight.

Extension

1. Application for Exclusion of Children's Income, VA Form 21–0571.

2. The form is used to develop information needed to determine whether a child's income can be excluded from consideration in determining a parent's eligibility for nonservice-connected pension benefits.

3. Individuals or households.

4. 18,750 hours.

5. 45 minutes.

6. On occasion.

7. 25,000 respondents.

[FR Doc. 91–30422 Filed 12–19–91; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register
Vol. 56, No. 245
Friday, December 20, 1991

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

DEPARTMENT OF JUSTICE

UNITED STATES PAROLE COMMISSION

Public Announcement

Pursuant To The Government In the Sunshine Act

(Public Law 94–409) [5 U.S.C. Section 552b]

DATE AND TIME: Thursday, December 12, 1991, 3:00 p.m., Eastern Daylight Time.

PLACE: 5550 Friendship Boulevard, Chevy Chase, Maryland, 20815.

STATUS: Closed—Meeting.

MATTER CONSIDERED: Appeal to the Commission involving one case decided by the National Commissioners pursuant to a reference under 28 CFR Section 2.17. This case was originally heard by an examiner panel wherein inmates of Federal prisons have applied for parole or are contesting revocation of parole or mandatory release. This was an emergency meeting pursuant to a court order which required immediate consideration by the Commission.

AGENCY CONTACT: Jeffrey Kostbar, Case Analyst, National Appeals Board, United States Parole Commission, (301) 492–5958.

Dated: December 16, 1991.

Michael A. Stover,

General Counsel, U.S. Parole Commission.

[FR Doc. 91–30571 Filed 15–18–91; 3:52 pm]

BILLING CODE 4410–01–M

DEPARTMENT OF JUSTICE

UNITED STATES PAROLE COMMISSION

Record of Vote

(Public Law 94–409) (5 U.S.C. Sec. 552b)

I, Carol Pavilack Getty, Chairman of the United States Parole Commission, presided at a meeting of said Commission which started at three o'clock p.m. on Thursday, December 12, 1991 at the Commission's Central Office, 5550 Friendship Boulevard, Chevy Chase, Maryland 20815. The purpose of this meeting was an appeal to the Commission involving a case decided by the National Commissioners pursuant to a reference under 28 CFR Section 2.17. This is an emergency meeting pursuant to a court order which required immediate consideration by the Commission. In addition, four Commissioners were present constituting a quorum when a vote to close the meeting was submitted.

Upon motion duly made, seconded, and carried, the following Commissioners voted that Commission business required immediate consideration of the matters discussed and that the meeting be closed: Carol Pavilack Getty, Jasper Clay, Jr., Vincent Fechtel, Jr., and Victor M.F. Reyes.

IN WITNESS WHEREOF, I make this official record of the vote taken for immediate consideration of the matters discussed at the meeting and authorize this record to be made available to the public.

Dated: December 17, 1991.

Carol Pavilack Getty,

Chairman, U.S. Parole Commission.

[FR Doc. 91–30572 Filed 12–18–91; 3:52 pm]

BILLING CODE 4410–01–M

Corrections

Federal Register
Vol. 56, No. 245
Friday, December 20, 1991

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

7 CFR Part 271

[Amendment No. 335]

Food Stamp Program; Miscellaneous Provisions of the Mickey Leland Memorial Domestic Hunger Relief Act and Food Stamp Certification Policy

Correction

In rule document 91-29017 beginning on page 63592 in the issue of Wednesday, December 4, 1991, make the following correction:

§ 272.1 [Corrected]

On page 63596, in the second column, in § 272.1(g)(120)(ii), the sixth line should read, "§ § 273.2(c)(1), 273.2(i)(3)(i) and 273. 2(k)(1)(i)(D) do not".

BILLING CODE 1505-01-D

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

7 CFR Part 273

[Amendment No. 337]

Food Stamp Program; Categorical Eligibility and Application Provisions of the Mickey Leland Memorial Domestic Hunger Relief Act

Correction

In rule document 91-29014 beginning on page 63605 in the issue of Wednesday, December 4, 1991, make the following corrections:

§ 273.2 [Corrected]

1. On page 63612, in the second column, in § 273.2(j)(3)(i), after the first line, add "categorical eligibility (February 1, 1991) or local GA"

2. On page 63613, in the first column, in § 273.2(j)(4)(iii)(A), in the sixth line, "on" should read "in". In the next paragraph (B), in the eighth line, "determining" should read "determination".

BILLING CODE 1505-01-D

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 414

[FRL-3974-8]

Organic Chemicals, Plastics and Synthetic Fibers Category Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards

Correction

In proposed rule document 91-29177, beginning on page 63897, in the issue of Friday, December 6, 1991, make the following correction:

On page 63897, in the second column, under **DATES:**, in the second line, "1991" should read "1992".

BILLING CODE 1505-01-D

FEDERAL RESERVE SYSTEM

12 CFR Part 221

[Docket No. R-0730]

RIN 7100-AA9

Securities Credit Transactions; Regulations G and U; Transfers of Credit

Correction

In rule document 91-21587, beginning on page 46110, in the issue of Tuesday, September 10, 1991, make the following correction:

§ 221.3 [Corrected]

On page 46111, in the third column, in amendatory instruction 2., in the amendment to § 221.3, in the first line, "paragraphs (l)(1)(i)" should read "paragraphs (i)(1)(i)".

BILLING CODE 1505-01-D

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Housing-Federal Housing Commissioner

24 CFR Part 3500

[Docket No. R-91-1558; FR-2955-P-02]

RIN 2502-AF24

Real Estate Settlement Procedures Act; Regulation X; Section 10 Escrow Account Statements

Correction

In proposed rule document 91-29390, beginning on page 64446, in the issue of Monday, December 9, 1991, make the following correction:

On page 64446, in the third column, in the first full paragraph, in the last line, "1971)." should read "1974).".

BILLING CODE 1505-01-D

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM-030-4111-10; NMNM 35829]

Order Providing for Opening of Land, Otero County; NM

Correction

In notice document 91-25621, beginning on page 55134, in the issue of Thursday, October 24, 1991, make the following corrections:

1. On page 55134, in the second column, in the land description, under T. 19 S., R. 10 E., in the third line, "Sec. 8, SE¼SE¼;" should read "Sec. 8, SW¼SW¼;".

2. On the same page, in the same column, in T. 20 S., R. 11 E., in Sec. 3, in the last line, "NE¼SE¼," should read "NE¼SW¼,".

3. On the same page, in the 3rd column, under "T. 20 S., R. 12 E.,", in the 11th line, "Sec. 22, W½SE¼;" should read "Sec. 22, W½SW¼;".

BILLING CODE 1505-01-D

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 91-AGL-10]

Modification to Transition Area; Grayling Army Airfield, Grayling, MI

Correction

In rule document 91-28981, beginning on page 61366, in the issue of Tuesday, December 3, 1991, make the following correction:

§ 71.181 [Corrected]

On page 61367, in the second column, in § 71.181, in the fourth line, "440°" should read "44°".

BILLING CODE 1505-01-D

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 91-AGL-8]

Transition Area Alteration; Willmar, MN

Correction

In rule document 91-28917, beginning on page 61367, in the issue of Tuesday, December, 3, 1991, make the following correction:

On page 61368, in the first column, in the date line above the signature, "9" should read "19,".

BILLING CODE 1505-01-D

federal register

Friday
December 20, 1991

Part II

Department of Transportation

Research and Special Programs Administration

49 CFR Part 106, et al.

Performance-Oriented Packaging Standards; Revisions and Response to Petitions for Reconsideration; Final Rule

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Parts 106, 107, 171, 172, 173, 174, 175, 176, 177, 178, 179, and 180

[Docket Nos. HM-181, HM-181A, HM-181B, HM-181C, HM-181D, HM-142A, HM-189, and HM-204; Amdt Nos. 106-8, 107-23, 171-111, 172-123, 173-224, 174-68, 175-47, 176-30, 177-78, 178-97, 179-45, and 180-3]

RIN 2137-AA01, 2137-AB87, 2137-AB88, 2137-AA10, 2137-AB56, and 2137-AB90

Performance-Oriented Packaging Standards; Revisions and Response to Petitions for Reconsideration

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Final rule; revisions and response to petitions for reconsideration.

SUMMARY: This amendment makes revisions to a final rule published in the **Federal Register** under Dockets HM-181, HM-181A, HM-181B, HM-181C, HM-181D and HM-204 (55 FR 52402, December 21, 1990). That final rule comprehensively revised the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180) with respect to hazard communication, classification and packaging requirements. The changes were based on the United Nations Recommendations on the Transport of Dangerous Goods (UN Recommendations) and RSPA's own initiative. This amendment also addresses a petition for reconsideration to Docket HM-142A, which was incorporated into Docket HM-181 under a final rule issued September 18, 1991 (56 FR 47158).

The intended effect of the final rules published under Docket Nos. HM-181, HM-181A, HM-181B, HM-181C, HM-181D, HM-142A, and HM-204 is to: (1) Simplify and reduce the volume of the HMR; (2) enhance safety through better classification and packaging; (3) promote flexibility and technological innovation in packaging; (4) reduce the need for exemptions from the HMR; and (5) facilitate international commerce. The revisions contained in this document are primarily in response to petitions for reconsideration received to the final rule. This final rule also makes editorial and technical corrections to the December 21, 1990 final rule, to the January 3, 1991 final rule under HM-142A, and to the 1990 49 CFR parts 106-180.

DATES: *Effective:* October 1, 1991. Because the amendments adopted herein clarify and correct certain provisions of the final rule and impose no new regulatory burden on any person, notice and public procedure are unnecessary and these amendments may be made effective without the customary 30 day delay following publication.

Applicability: The incorporation by reference of certain publications listed in these amendments is approved by the Director of the **Federal Register** as of October 1, 1991. Because of the transition period provisions in 49 CFR 171.14, the provisions of § 172.101(l)(1)(ii), which allow up to one year after a change in the Hazardous Materials Table (HMT) to use up stocks of preprinted shipping papers and to ship packages that were marked prior to the change, do not apply to these amendments.

FOR FURTHER INFORMATION CONTACT: Delmer Billings, telephone (202) 366-4488, Office of Hazardous Materials Standards, or Charles Hochman, telephone (202) 366-4545, Office of Hazardous Materials Technology, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street SW., Washington, DC 20590-0001.

SUPPLEMENTARY INFORMATION:

Background

On December 21, 1990 (55 FR 52402), the Research and Special Programs Administration (RSPA) published a final rule under Docket HM-181 which comprehensively revised the HMR (49 CFR parts 171 to 180) with respect to hazard communication, classification, and packaging requirements based on the UN Recommendations. Because of the complexity of the final rule, RSPA extended to 90 days the period for receiving petitions for reconsideration to allow persons affected by the final rule sufficient time to submit petitions. Revised transition period requirements in § 171.14 were published in a separate rulemaking issued on September 18, 1991 (56 FR 47158) to give persons subject to the HMR more time to comply with the revised final rule.

This corrections document incorporates editorial and substantive revisions to the final rule based on careful review of over 250 petitions for reconsideration received by RSPA. It also includes a number of amendments that RSPA has determined are necessary to correct or clarify the final rule. Because the amendments adopted herein clarify and correct certain provisions of the final rule, relieve certain restrictions in those regulations, and impose no new regulatory burden on any person, notice and public procedure are unnecessary and these amendments may be made effective without the customary 30 day delay following publication.

Petitions Received

Numerous petitions recommended revisions to: (1) The transition period in § 171.14 for converting to the new system (these petitions were addressed in the September 18, 1991 revised final rule); (2) the package reuse provisions in § 173.28; (3) non-bulk packaging of liquids poisonous by inhalation in §§ 173.226 and 173.227; (4) generic non-bulk packaging in §§ 173.201-204 and §§ 173.211-213; (5) bulk generic packaging in §§ 173.240-245; (6) segregation of materials by highway carriers in § 177.848; (7) manufacturer package certification and notification requirements in § 178.2; (8) package certification marking requirements in § 178.503; (9) general testing requirements in § 178.601; and (10) alternatives to the leakproofness test in Appendix B to Part 178. The following are RSPA's decisions on those issues that were of most interest to petitioners. A thorough discussion of these issues and all other topics addressed by petitioners can be found in the section-by-section review of this preamble.

Petitions Granted

1. The leakproofness test before reuse required in § 173.28 is adjusted to allow lower test pressures for packagings containing Packing Group II and III materials. To facilitate compliance with this section, RSPA also is requiring new drums intended for reuse to bear permanent thickness marks expressed in millimeters. Requirements for permanent package certification markings appear in § 178.503.

2. Clearer definitions for gases and liquids poisonous by inhalation are added to §§ 171.8, 173.115 and 173.132, for regulatory consistency and to provide better criteria for identifying these materials which are subject to the more stringent hazard communications and packaging requirements in the final rule.

3. Bulk packaging authorizations for materials poisonous by inhalation are restructured for clarity and regulatory consistency.

4. Use of DOT 57 portable tanks is authorized for most Class 3 (flammable liquids) and Class 8 (corrosive) materials. However, prohibitions on the use of this packaging will remain in effect for materials poisonous by inhalation, certain multiple hazard materials and Packing Group I materials.

5. The 25 gram limitation on Division 1.4 materials is eliminated in § 173.50.

6. Selective package testing variations in § 178.601 are broadened to permit, without further design qualification testing, design changes to the exterior dimensions and closure devices of single and composite packagings. Changes are also permitted in the dimensions of outer packagings of combination packagings.

7. Drum leakproofness qualification and production test procedures are expanded to include the alternatives listed in Appendix B to Part 178. The so-called "T-zone" test (solution over part of the seams) is permitted as a production test.

8. Requirements pertaining to infectious substances are revised to specify more appropriate requirements for medical wastes.

Petitions Denied

1. RSPA is denying petitions to change defining criteria for Class 3 liquids and to remove the combustible class definition in § 173.120 and the combustible liquid reclassification option in §§ 173.120 and 173.150.

2. Petitions to relax hazard communications and packaging requirements for materials poisonous by inhalation are denied.

3. Petitions asking RSPA to allow certain materials now assigned packagings required to meet Packing Group III performance level tests, to continue being shipped in non-specification packagings, are denied.

4. RSPA is retaining the basic shipper requirements for assuring package integrity prior to being offered for transportation, including the vibration test standard as a capability specified for all packagings in § 173.24a(a)(5) and the "no identifiable release (without the use of instruments)" criterion in § 173.24(b)(1).

5. The "EX" marking requirements in § 172.320 for Class 1 materials are retained, but additional alternatives are provided.

Several petitioners addressed issues raised in the preamble to Docket HM-181 that are not a part of this rulemaking. The Hazardous Materials Advisory Council (HMAC) suggested improvements pertaining to public input into international regulatory procedures such as more extensive outreach through RSPA's Hazardous Materials Information Exchange (HMIX) service to persons having access to personal computers with modems. This effort is already underway. RSPA's computer bulletin board already contains substantial information about planned meetings on international issues, digests of all UN papers, corrections to the final rule, and other information. HMIX can be accessed by calling 1-800-PLANFOR (in Illinois, call 1-800-367-9592).

One petitioner asked RSPA to clarify when a Competent Authority Approval Certificate is necessary. The petitioner asked if a certificate is required when the HMR already authorizes something for which an international regulation requires Competent Authority approval. For example, under the International Maritime Organization (IMO) International Maritime Dangerous Goods (IMDG) Code, the use of open head drums for Packing Group II and III flammable liquids is only allowed when authorized by the Competent Authority. In these situations, the provisions in the HMR constitute the authorization of the Competent Authority and no further documentation is required.

Except as adopted herein, all petitions for reconsideration received by RSPA regarding issues addressed by the final rule published on December 21, 1990, or the final rule published on January 3, 1991 (Docket HM-142A) are hereby denied. Any subsequent submission regarding issues relating to this rulemaking must be filed as petitions for rulemaking in conformance with 49 CFR 106.31. RSPA anticipates one or more additional notices to address deficiencies in the new requirements, as they are identified. Rulemaking action is also forthcoming concerning intermediate bulk containers (IBCs).

Docket HM-189

This amendment also makes revisions to the 1990 49 CFR parts 107-179. In the past, these amendments have been published in an annual final rule under Docket HM-189 to correct editorial errors and make minor regulatory changes to the HMR. However, because of major revisions to the HMR which occurred in the December 21, 1990 final rule under Docket HM-181, RSPA has decided to incorporate the HM-189 revisions into this final rule.

Section-by-Section Review

This section-by-section review addresses only significant changes. Examples of non-significant changes which are not specifically discussed in the review include: grammatical and typographical errors; changes in reference citations; paragraph redesignations; and minor revisions to enhance clarity and consistency.

Part 107: Hazardous Materials Program Procedures

Section 107.215. This section outlines procedures for filing an application for a waiver of preemption, and paragraphs (b)(6) through (b)(8) are revised to include "Indian tribe" as well as State and political subdivisions for consistency with the final rule published February 28, 1991 under Docket HM-207.

Subpart G, OMB Control Numbers Under the Paperwork Reduction Act, is removed. The provisions of §§ 107.601 and 107.603 are consolidated and now appear as § 171.6. Section 171.6, which sets forth units of measure, is moved to § 171.10. The provisions in § 171.10, which addressed hazardous materials in bulk on board vessels or barges, are removed as they are duplicated in Part 176.

Part 171: General Information, Regulations and Definitions

Section 171.4. This section is removed and reserved.

Section 171.5. This section is removed and reserved.

Section 171.6. This section, which addressed units of measure, is moved to § 171.10. Former subpart G of part 107, which sets forth OMB control numbers, is added in its place.

Section 171.7. Editorial corrections.

Section 171.8. RSPA is adding new definitions for "Hazard zone," "Material poisonous by inhalation," and "State."

The following definitions are revised: "Bulk packaging," "Cryogenic liquid," "Infectious substance (etiologic agent)," "Inner receptacle," "Irritating material," "Maximum net mass,", "Non-bulk packaging," "Packaging,", "Person,", "Technical name," and "United States."

RSPA is removing the following definitions: "Etiologic or infectious substances," "IM Tank Table," "Magnetic materials," "Manufacturer," "Net weight, net mass or net quantity," and "Oxidizer or oxidizing material."

RSPA is adding the definitions for "Hazard zone" and "Material poisonous by inhalation" in the appropriate sequence in § 171.8. Hazard zones determine how materials posing an inhalation-hazard in transportation are described, marked on packages, labeled, placarded and packaged. Materials poisonous by inhalation are defined as a gas meeting the defining criteria in § 173.115(c) and assigned Hazard Zones A, B, C or D in accordance with § 173.116(a), and a liquid meeting the defining criteria in § 173.132(a)(1)(iii) and assigned to Hazard Zone A or B in accordance with § 173.133(a); or any material identified as an inhalation hazard by a special provision in Column 7 of the § 172.101 Table.

Two petitioners recommended that RSPA define "capacity" or "rated capacity" and "total capacity" in § 171.8. For consistency with the UN

Recommendations and throughout Docket HM–181, RSPA is using the terms "maximum net mass" and "maximum capacity." Therefore, the recommended definitions are not needed. The definition for "maximum net mass" in § 171.8 is revised. "Maximum capacity" is sufficiently descriptive to not warrant a definition.

Another petitioner suggested that the definition for "maximum net mass" and the definition for "net weight, net mass or net quantity" are duplicative, indicating that "net mass" and "maximum net mass" are the same. RSPA agrees. Therefore, for clarification, the definition "Net weight, Net mass, or Net quantity" is removed.

Several petitioners recommended that the definition of "packaging" be revised. One petitioner stated that the first sentence should read: "Packaging means a receptacle which may require an outer packaging * * *" The petitioner stated that the "definition as written does not account for the fact that large articles without their means of initiation, or with their means of initiation containing at least two effective protective features may be carried unpackaged as authorized by item number 49 in the UN Table of Particular Packaging Requirements or Exceptions. Another petitioner stated that "packaging" as defined in § 171.8 is limited to composite or combination packagings and should be revised to refer to all types of packagings, such as cargo tanks and portable tanks. RSPA disagrees, believing there is no need to expand the generic definition of "packaging" to account for the specific functions of "outer packaging." However, consistent with UN Recommendations, RSPA is revising the term "packaging" to mean any components or materials necessary for a "receptacle" to perform its containment function and thus is removing the phrase "which require an outer packaging." The definition as revised is equally applicable to bulk and non-bulk packagings.

The definition of "technical name" is revised to include (under certain conditions) authorized generic microbiological descriptions for use as technical names for "infectious substances" (etiologic agents) shipped to laboratories for testing and analyses, provided they readily identify the general microbiological group.

A definition of "State" is added and the definitions of "person" and "United States" are revised for consistency with § 107.3, as revised in a final rule published under Docket HM–207 on February 28, 1991 (56 FR 6616).

Responsibility associated with the functions of certifying that a packaging complies with subparts L and M of part 178 has been restated and more fully established in § 178.2. In that section, "the person" is the legal entity recognized as responsible for package certification, and the reference to "manufacturer" has been removed. Therefore, RSPA is removing the definition of "manufacturer" in § 171.8. Petitions requesting a new definition of "manufacturer" are discussed in the § 178.2 section review.

Section 171.10. The provisions addressing hazardous materials in bulk on board vessels or barges are removed, as these requirements are contained in § 176.5(d). The requirements addressing units of measure, formerly found in § 171.6, are moved to this section. Numerous petitioners were concerned that RSPA was requiring use of metric units of measurements to indicate total quantities on shipping papers. RSPA adopted metric (or SI units) as the regulatory standard to harmonize with international requirements and in conjunction with DOT's policy to implement the metric system. In the final rule, metric units are indicated for such standards as required construction material thicknesses, size of package markings, label and placard specifications, and package capacities. There is no requirement in § 172.202 that the total quantity of a material be indicated in metric units on shipping papers.

RSPA agrees with recommendations from several petitioners to revise paragraph (c)(2) by adding the following conversion factors for pressure in the Table of Conversion Factors For SI Units: "1 Bar=100 kPa=14.5 psi" and "1 kPa=7.5 mm HG." RSPA is further revising the table by removing references to exponential values indicated by the letter "E" in columns two and three. Suggestions from two petitioners to add a measurement equivalence table identical to that in the International Civil Aviation Organization (ICAO) Technical Instructions because "there are circumstances where an 'exact' conversion of SI units is needed" are not accepted, in the interest of timeliness. Adjustments to the Table of Conversion Factors may be addressed in future rulemaking actions.

Section 171.11. RSPA is revising this section to clarify requirements pertaining to import/export air shipments of materials poisonous by inhalation. References to Division 2.3 and Division 6.1, Packing Group I, materials in paragraph (c) are removed. Paragraph (d)(9) is revised to remove the reference to § 173.3a and require all materials poisonous by inhalation, as defined in § 171.8, to be described, marked and packaged in accordance with the provisions of the final rule. The effect of these changes is to permit materials poisonous by inhalation to be transported under provisions of the ICAO Technical Instructions, subject to certain restrictions. Paragraph (d)(12) is added to clarify that ammonium nitrate fertilizer and ammonium nitrate mixed fertilizer may be transported only if they do not meet the definition for Class 1 (explosive) material.

Section 171.12. Paragraph (b) is reorganized for ease of reference and clarity. One petitioner objected to the changes to this section stating that import shipments stored temporarily in warehouses and then shipped to a final U.S. destination are not addressed by the final rule and that in failing to address incidental storage, shipments which are incidentally stored would have to be brought into full compliance with all of the relevant requirements in the HMR. The petitioner noted that this may present a conflict with the Trade Agreements Act of 1979. RSPA disagrees. The revised provisions of § 171.12(b) still permit shipments from warehouses in the U.S. to the end user in the U.S., under IMDG Code provisions, as long as the initial leg of the shipment, such as from a foreign port to the U.S. warehouse, conformed to IMDG Code provisions.

HMAC recommended that § 171.12(b) specify that shipments made in accordance with the IMDG Code be "certified" in accordance with the Code. This would be consistent with the similar requirement authorizing shipment in accordance with the ICAO Technical Instructions (see § 171.11(a)). RSPA agrees and has revised § 171.12(b) to indicate that a shipment must also be certified in accordance with the IMDG Code.

RSPA is granting HMAC's petition to clarify that IMDG Code descriptions and markings are permitted for materials subject to the IMDG Code, but not subject to DOT requirements, by adding the following sentence to paragraph (b)(3) (herein redesignated as (b)(2)): "However, these materials may be transported in the United States described, marked and labelled in accordance with the IMDG Code."

A petition recommending a revision to paragraph (b)(2), (redesignated as (b)(5)), excepting intermediate bulk containers (IBCs) authorized by the UN from bulk packaging requirements in Docket HM–181, is denied. Until RSPA acts to include IBCs in the HMR, these packagings will continue to be required to conform to existing regulatory

provisions in the HMR. It was pointed out that the text in § 171.12(b)(2) could mistakenly be taken to mean that shippers were being excluded from compliance with all requirements of the IMDG Code applying to bulk shipments. RSPA disagrees. Only the packaging requirements of the HMR are applicable. Hazard communication, stowage, and other requirements may conform to IMDG Code provisions, subject to other § 171.12 restrictions.

A new paragraph (b)(6) is added clarifying that export shipments must conform to the general packaging requirements in §§ 173.24, 173.24a, and 173.28, in addition to any applicable specification requirements, for U.S.-manufactured packagings. Unless packages are emptied and refilled for export, imported foreign-manufactured packagings are not subject to these requirements.

Paragraph (b)(4)(iii) (redesignated as (b)(8)) is revised to permit materials poisonous by inhalation to be transported under IMDG Code provisions, subject to restrictions on packaging and hazard communication.

One petitioner noted that paragraph (b)(4)(iv) (redesignated as (b)(9)), prohibiting Class 7 materials from being shipped under the IMDG Code, is inconsistent with paragraph (d) authorizing use of International Atomic Energy Agency (IAEA) requirements. RSPA is revising paragraph (b)(9) to clarify that Class 7 materials may be shipped under the IAEA provisions of paragraph (d).

In response to a HMAC petition, RSPA is adding a requirement in new paragraph (b)(13), consistent with requirements in § 172.203(j), that the words "Dangerous When Wet" appear on shipping papers for Division 4.3 materials. RSPA is adding a new paragraph (b)(15) to clarify that cylinders not manufactured to DOT specifications must conform to the requirements of §§ 173.301(i) and 173.301(j).

Two petitioners pointed out that paragraph (b) does not include emergency response information requirements in Subpart C of Part 172 but that paragraph (c) does. This oversight is corrected in new paragraph (b)(16). In addition, RSPA is revising paragraph (c) to clarify that the emergency telephone number requirement in § 172.201(d) does not apply to shipments made under the IMDG Code if hazardous materials are not offloaded from a vessel or are offloaded between vessels at a port facility without being transported over a public highway. Several petitioners noted regulatory inconsistencies involving permitted "port area" transport of bulk shipments only under the IMDG Code in § 171.12(b) and (c) and exceptions to vessel requirements in § 176.11. They said § 171.12(c) "seems to allow" transportation of both bulk and non-bulk packagings in compliance with the IMDG Code "in port areas." However, the petitioners added, § 171.12(c) also references part 176 which in § 176.11 allows shipments in compliance with the IMDG Code subject to the limits in § 171.12(b). The petitioners stated that "This effectively prohibits the shipment or receipt, or movement, through a port area of any bulk container which complies only with IMDG." RSPA agrees and is modifying the reference to part 176 in § 171.12(c) so that only "the applicable operational requirements in part 176 that are not addressed in the IMDG Code" apply. The exception indicating when compliance with § 172.201(c) is not required is included in § 171.12(c) and is deleted from § 176.11(a). The reference to § 176.11 is deleted.

Section 171.12a. Several petitioners viewed the provisions in this section as a significant reduction in the acceptance of hazardous materials shipped in accordance with Canadian regulations. One petitioner remarked that, "unlike the current wording of paragraph (d), the final rule does not permit the use of Canadian packagings for the shipment or reshipment of hazardous materials within the US." For example, paragraph (a) as revised in the final rule would prohibit the reshipment of monoethanolamine in a Canadian Transport Commission (CTC)–17E drum from a U.S. warehouse to a U.S. customer because the CTC specifications are not contained in the Canadian Transport of Dangerous Goods (TDG) Regulations. It was also pointed out that standards for portable tanks and tank cars are also presently not contained in the TDG Regulations. The petitioner also asserted that paragraph (b)(13), authorizing only UN certified packagings when required, further restricts use of Canadian packaging.

It should be noted that provisions in § 171.12a are also subject to the transition period requirements in § 171.14. Therefore, Canadian non-bulk packagings which were authorized for use in the United States under § 171.12a as effective prior to October 1, 1991, would still be authorized until October 1, 1996. It is anticipated that, prior to the effective dates of the various provisions for packagings, Canada will have incorporated CTC packaging, portable tank and tank car specifications into the TDG Regulations. RSPA specifically drafted § 171.12a(b)(13) in the manner it appears in the final rule because it appears that Canada may authorize certain non-bulk specification packagings indefinitely, even though those packagings have been replaced with UN performance standards in the U.S. Accepting these packagings indefinitely would be contrary to RSPA's efforts to convert to performance-based requirements for non-bulk packagings. Accordingly, paragraph (b)(13) is revised to clarify that when specification packaging is required by the HMR, TDG-authorized packagings can be used in the U.S. only if they correspond to DOT specifications or UN standards. In addition, paragraph (b)(13) is revised to clarify that cylinders not manufactured to DOT specifications must conform to the requirements of § 173.301(i) and (j).

The Association of American Railroads (AAR) objected to paragraph (b)(4) addressing U.S. requirements for Class 1 explosives. Prior to Docket HM–181, AAR said, "markings of packages containing Class 1 materials in accordance with TDG regulations were acceptable in the U.S. There is no reason to depart from this practice, in effect, requiring Canadian shippers and carriers to incur the cost of placing EX numbers on packages containing new explosives at the U.S./Canadian border." AAR also contended that Subpart C only required approval of "new" explosives and therefore only new Canadian explosives being imported into the United States required approval. RSPA has substantially revised § 172.320 (marking requirements for explosive materials) in response to this and other comments. The complete discussion of these comments is made in association with § 172.320. These changes significantly reduce the impact of § 171.12a(b)(4). RSPA does not agree with AAR contention that approval of only "new" Canadian explosives imported into the United States are subject to the approval process in Subpart C. All Canadian explosives imported into the United States have been, and continue to be, subject to these requirements.

AAR also opposed requirements in paragraph (b)(5) that shipments from Canada of Division 2.3, 2.4 and 6.1 PG I materials must be described and packaged in accordance with Docket HM–181 requirements. RSPA is revising paragraph (b)(5) to permit materials poisonous by inhalation, as defined in § 171.8, to be transported under provisions of the TDG Regulations, subject to HMR packaging requirements and certain hazard communication

requirements. In some instances, dual marking, labeling and placarding may be necessary to satisfy both sets of regulations. This will facilitate the transborder shipments, while ensuring an acceptable level of safety in transporting these extremely hazardous materials.

Section 171.14. This section was revised in a September 18, 1991 final rule, and further amended in an October 1, 1991 final rule. The section is republished in this amendment for readers' convenience.

Part 172: Hazardous Materials Table, Special Provisions, Hazardous Materials Communications Requirements and Emergency Response Information Requirements

1. Hazardous Materials Table and Special Provisions

Section 172.101: The Hazardous Materials Table (The Table). Numerous petitioners suggested changes to the Table, both substantive and editorial. Those petitions of substantive concern are discussed below. Those petitions that correctly pointed out editorial errors and errors of omission are not discussed below but the regulatory text has been corrected as requested.

Several petitioners requested that "Lead sulfide" be deleted from the Table. The petitioners pointed out that lead sulfide is only regulated as a hazardous substance and should be shipped under the shipping name "Environmentally hazardous substance" or "other regulated material." RSPA concurs with these petitioners and has revised the Table accordingly.

A petitioner requested that a special provision similar to Special Provision A2 in ICAO, be added to the HMR and be placed in the entry for UN0059. Special Provision A2 in ICAO is a method by which products that are otherwise forbidden for transportation by aircraft may be transported by aircraft when approved by the competent authority of the country of origin. RSPA is denying this petition as outside the scope of this rulemaking. An approval provision, as envisioned by the petitioner, to replace existing provisions for applying for exemptions was not proposed nor adopted in the final rule.

One petitioner requested that "propellent, explosive solid, NA024" be allowed to be transported via air freight. RSPA agrees that this material is suitable for transport aboard cargo only aircraft and is revising Column 9B of the Table entry for NA0274 to read "5 kg".

Several petitioners requested that materials listed as a specific proper shipping name in the Table under Class 3, be allowed to be continued to be transported under that specific name when the flash point of the material is in the combustible liquid range. Petitioners pointed out that RSPA allows this for products that are reclassified as a combustible liquid in accordance with § 173.50(f). RSPA concurs with these petitioners and has amended § 172.101(d)(4) to allow materials that meet the definition of combustible liquid to be shipped under the specific proper shipping name that is specified for the Class 3 material.

Several petitioners requested that the entry "Ammonium nitrate, Division 1.1D, UN0222," be removed from the Table. Petitioners stated that this entry could lead to confusion in their industry. RSPA disagrees and denies these petitions. This entry has appeared in the § 172.102 Table for numerous years without causing any confusion. In the final rule, based on comments to the NPRM under docket HM–181, UN0233 was removed from the Table because it was RSPA's opinion that no fertilizer should meet the definition of Class 1. The entry under UN0222 does not include fertilizers and, therefore, should be listed in the Table.

Several petitioners requested that the classification of a particular product be revised, that an additional packing group be added, or that a subsidiary label be added or deleted. Except for materials poisonous by inhalation, the classification of products under Docket HM–181 is in accordance with Revision 6 of the UN Recommendations. Persons taking issue with any of these classifications may petition RSPA to revise the UN classification. This petition should include a UN data sheet as shown in Chapter 1, figure 1.1 of the UN Recommendations and any other information which would justify a change in classification.

Several petitioners requested that Special Provision B1 be added to all Class 3, Packing Group III materials. B1 reads, "[i]f the material has a flash point at or above 38 °C (100 °F) and below 93 °C (200 °F), then the bulk packaging requirements of § 173.241 of this subchapter are applicable. If the material has a flash point of less than 38 °C (100 °F), then the bulk packaging requirements of § 173.242 of this subchapter are applicable." RSPA agrees that this special provision should be applied to every Class 3, Packing Group III material, and has revised the Table accordingly.

A petitioner requested that Special Provision B32 be applied to "Hydrocyanic acid, aqueous solutions not more than 20% hydrocyanic acid, UN1613". The petitioner pointed out that this material is a Hazard Zone B poisonous by inhalation hazard material and that all Hazard Zone B materials had B32. Special Provision B32 has not been applied to this entry because RSPA did not want to authorize this material in cargo tanks or portable tanks. However, the final rule authorized any packaging specified in § 173.244, which includes cargo tanks and portable tanks. Therefore, RSPA is denying the petitioner's request to add Special Provision B32 to UN1613 and is instead adding a new Special Provision B82 which states that cargo tanks and portable tanks are not authorized for the material.

Several petitioners requested that the bulk packaging sections for "Corrosive liquid, n.o.s.—Packing Groups I and III—be revised to read §§ 173.243 and 173.241, respectively, instead of §§ 173.242 and 173.240. RSPA agrees and these entries are revised in the Table accordingly.

Under the final rule, RSPA published seven entries for ammonium nitrate fertilizer (ANF). One of these entries, NA1942, stated that the material must meet the definition in The Fertilizer Institute (TFI) "Definition and Test Procedures for Ammonium Nitrate Fertilizer." The TFI publication was a method to assure that no ANF that meets the definition of a Class 1 material is shipped under one of the ANF shipping descriptions. It was RSPA's intention that an ANF that meets the definition of a Class 1 material should not be shipped under one of the ANF shipping descriptions. However, persons offering an ANF for transportation would be able to bypass this requirement by offering the materials under one of the other ANF shipping descriptions. In addition, RSPA believes that five of the ANF shipping descriptions in the UN Recommendations are confusing and very difficult to use. Therefore, RSPA is removing six of these entries—the Class 9 entry is being retained—and is adding two generic ANF entries. In addition, both of these entries will have a special provision that states that the material must not meet the definition of a Class 1 material. Also, RSPA is revising §§ 171.11, 171.12, and 171.12a to state that an ANF must not meet the definition of a Class 1 material.

Several petitions were received related to the authorizations of IM portable tanks. Petitions were received that requested different IM tanks or the inclusion of an IM Tank as an authorized packaging. The IM tank authorizations in the final rule were based on the UN Recommendations. The IM tank authorizations of the IMDG

Code were not considered in the final rule. Therefore, if the UN Recommendations specified a different tank than the IMDG Code, the tank authorized was based on the UN Recommendations, not the IMDG Code.

In addition, for materials poisonous by inhalation, RSPA specified higher integrity tanks than authorized by the UN Recommendations or the IMDG Code. In general, the IM tank authorized for a material poisonous by inhalation is an insulated IM 101 tank with no bottom outlets, a test pressure of 9 bars and with a minimum thickness of either 6.35 mm or 7.62 mm. Considering the hazards posed by materials poisonous by inhalation in transportation, RSPA believes that these are the minimal standards that should be applied to IM portable tanks that transport them.

Based on extensive petitions, RSPA is making numerous changes to the IM tanks that are authorized for hazardous materials that are not poisonous by inhalation. In addition, RSPA is modifying §§ 173.240 and 173.241 to clarify that the IM tanks that are authorized in those sections may be limited by the special provision column of the Table.

RSPA is clarifying that materials that are transported in IM portable tanks in a molten state, must be transported in insulated tanks. This is done by removing the requirement from specific entries in the Table (e.g., T38) and moving the requirement to § 173.32c. Therefore, the requirement applies to all materials transported in IM portable tanks in a molten state.

IM Tank Interim Approvals: Through this **Federal Register** publication, RSPA is revoking the IM portable tank authorizations of the IM tank table and the interim approvals that were issued by RSPA for IM portable tank authorizations. This revocation is effective October 1, 1993, for materials poisonous by inhalation and October 1, 1996, for all other hazardous materials. This revocation of the IM tank authorizations is being done because IM portable tanks are now authorized through the Table and certain specific bulk packaging sections.

One petitioner requested that the alternative proper shipping name "Toluenediamine" be added as an alternative to the proper shipping name "2,4-Toluylenediamine." The petitioner pointed out that this is how the shipping name previously appeared in the Table and that it appears in the List of Hazardous Substances in the appendix to § 172.101. RSPA believes that the alternative spelling of the name "toluenediamine" should be allowed and has revised the table to allow this alternative spelling. RSPA further believes that, when appropriate, use of either the proper shipping name "2,4-toluenediamine" or "2,4-toluylenediamine" would identify the name of the hazardous substance "toluenediamine" and such a proper shipping name would not be subject to the requirements of § 172.203(c)(1).

RSPA received numerous petitions for reconsideration regarding intermediate bulk containers (IBCs), specifically DOT Specification 57 portable tanks. Under Docket HM–181, RSPA did not implement provisions for the IBCs discussed in the UN Recommendations (chapter 16) and the 25th Amendment of the IMDG Code (chapter 26). RSPA will address design requirements, including testing and commodity authorizations, for all types of IBCs currently addressed by the UN and the IMO in a future rulemaking action. However, due to an oversight by RSPA, the commodity authorizations in Docket HM–181 for DOT Specification 57 portable tanks were more restrictive than intended, and this error is corrected.

Under Docket HM–181, it was RSPA's intention to generally allow the use of DOT Specification 57 portable tanks for those Class 3 (flammable liquids) and Class 8 (corrosive materials) commodities that are currently authorized in the HMR and that are (1) not in Packing Group I; (2) not poisonous by inhalation; and (3) do not meet another hazard class except Class 9, combustible liquid or Class 3—Packing Group III. However, a number of commodities meeting these conditions were assigned Special Provision B2 or B4 which forbids the use of DOT Specification 57 portable tanks. In this correction document, RSPA is amending B2 and B4 to remove the prohibition from using DOT Specification 57 portable tanks. For Packing Group I or dual hazard materials, RSPA has added Special Provision B3 or B10, which continue the prohibition of using certain cargo tanks, tank cars and DOT Specification 57 portable tanks.

Several petitioners requested that the numerical designations of commonly used refrigerants be allowed as part of the proper shipping name, as currently allowed under the HMR. The petitioners pointed out that RSPA recognized the acceptability of these codes under Docket HM–166H when it adopted the numerical designations. RSPA agrees and the numerical designations are added in italics to the appropriate entries in the Table, which means that they are allowed but not required to be part of the proper shipping name.

Several petitions were received regarding the classification of certain materials poisonous by inhalation. A few of these petitions did not provide any data. In the absence of new data, RSPA continues to rely on the data it has which shows these materials to be poisonous by inhalation. Other petitioners provided sufficient data to show that "Dimethyl thiophosphoryl chloride," "Nitrogen trifluoride," "Isophorone diisocyanate," "Dichlorodifluoromethane and ethylene oxide mixtures with not more than 12% ethylene oxide," and "Sulfuric acid, containing less than 30% free sulfuric acid" are not materials poisonous by inhalation and RSPA is amending the Table accordingly.

One petitioner provided data that showed that "sulfuryl chloride" is a material poisonous by inhalation and RSPA is amending the Table accordingly. Several petitioners provided data that showed that some materials are not poisonous by inhalation at certain percentages. For those materials, RSPA is revising certain entries in the Table to indicate that if these materials are poisonous by inhalation then they shall be shipped under a generic poisonous by inhalation shipping description; otherwise, these materials are not required to be shipped as poisonous by inhalation. These materials include "Chloroformates n.o.s.," "Carbon dioxide and ethylene mixtures with greater than 6% ethylene oxide," "Diborane mixtures," and "Carbon monoxide and hydrogen mixtures." Although RSPA has changed these entries in the Table, any material which has a special provision in the Table indicating the material to be poisonous by inhalation, which is transported at a percentage where the material no longer meets the definition of poisonous by inhalation, is not subject to the communication requirements of the HMR applicable to poisonous by inhalation hazard materials.

Several petitioners requested that ethylene oxide be reclassified as a flammable gas in lieu of its poison gas classification promulgated under the final rule. Petitioners did not contest that the material is poisonous by inhalation, but rather argued that the classification of ethylene oxide as a poisonous gas would increase their costs exorbitantly. The petitioners argued that the cost of classifying the material as a poisonous gas would increase their costs two to three times because of the insurance, routing and separation requirements for poison gases. In addition, the petitioners were concerned with the public perception ot materials labeled with POISON GAS

labels being shipped into food processing plants or hospitals. Petitioners requested this reclassification for ethylene oxide which is shipped in non-bulk packagings that bear an EPA-approved pesticide label.

RSPA believes that the hazards posed by ethylene oxide are too extreme to allow this product to be classified as a flammable gas instead of a poisonous gas. The fact that other agencies, (i.e., the Environmental Protection Agency, Food and Drug Administration and Occupational Health and Safety Administration) regulate this product because of its hazards to the public supports retention of the poisonous gas classification for this material. Although it is possible that the costs for shipping ethylene oxide will increase, RSPA does not believe that the increase will be nearly as severe as argued by the petitioners. The requirements discussed by petitioners are based on the old poison gas classification of POISON A, not the Docket HM–181 classification of 2.3—which includes a much larger group of materials.

The petitioners also argued that the requirement to separate ethylene oxide by four feet from other flammable liquids and gases will increase the cost to ship the material because the vehicle will have to be moved partially empty. Although ethylene oxide must be separated by four feet from flammable liquids and gases, the intervening space may contain non-hazardous materials or other compatible hazardous materials. RSPA believes that the inhalation hazard posed by ethylene oxide is more severe than its flammability hazard, even in non-bulk or combination packagings. Therefore, RSPA is denying these petitions and is retaining the poisonous gas classification for ethylene oxide.

Several petitioners requested that RSPA reconsider the bulk packaging requirements for bromine. While the petitioners acknowledge that bromine meets the criteria for a material that is poisonous by inhalation, they pointed out that bromine is a unique material that requires special handling. The petitioners also stated that the packagings adopted by RSPA for materials poisonous by inhalation are not appropriate for bromine. Additionally, the petitioners stated that certain requirements, such as outage limits, would conflict with international limits imposed by the International Maritime Organization, Dangerous Goods by Road (ADR), and Carriage of Dangerous Goods by Rail (RID). RSPA agrees with petitioners and is making several changes to the bulk packaging requirements for bromine. The following changes are made:

a. The bulk packaging reference in Column 8C of the § 172.101 Table is changed to § 173.249 from § 173.244.

b. The quantity of bromine that may be loaded into a cargo tank motor vehicle or intermodal portable tank is revised to be consistent with the current HMR, and with international regulations.

c. The special provisions in Column 7 of the § 172.101 Table are revised to remove the insulation requirements for cargo tank motor vehicles and portable tanks and authorize the continued use of packagings which have been used safely for many years. The petitioners pointed out that an insulation jacket on a bromine tank could easily obscure a minor leak and permit tank corrosion to progress undetected until an uncontrollable spill results. In bromine service, an insulation jacket would prohibit routine, continual visual examination of the exterior of a tank. RSPA believes that currently-used bulk packagings will provide the level of packaging integrity sought for PIH materials, without placing an unnecessary burden on the industry.

As requested by a petitioner, the term "n.o.s." is removed from the four aerosol proper shipping names. In addition, the packaging sections for these Table entries are amended to reference § 173.306, in order to allow aerosol containers.

RSPA is making substantial changes to the bulk packaging references in the Table for gases poisonous by inhalation. Many petitioners were confused over which section and/or special provision they were to use. Much of this confusion arose over Special Provision B13 which stated that additional provisions appeared in § 173.314 or § 173.315, in addition to the requirements in § 173.244 or § 173.245. These requirements were in addition to the requirements imposed under an appropriate "B30" and "B70" special provision for cargo tanks and tank cars, respectively. In order to clarify these requirements RSPA is changing the packaging section for these materials (except for former Poison A materials and materials not previously authorized in bulk packagings) to §§ 173.314 and 173.315, and is amending the packagings tables in these sections by adding generic entries for Division 2.3 (Hazard Zones A, B, C and D) materials. The requirements previously found in the appropriate B30 or B70 note are moved to notes in the tables in §§ 173.314 and 173.315. For those former Poison A materials and those materials not previously authorized in bulk, RSPA is referencing § 173.245 as the bulk packaging section and removing all "B notes". Therefore, bulk packagings are only authorized for these commodities under approval by the Associate Administrator for Hazardous Materials Safety.

Several petitioners requested that, for those materials that are required to have their proper shipping name marked on bulk packagings, that only the key words be required to be marked. Examples of the words that the petitioners requested be left out are "aqueous solutions" in the proper shipping name "Hydrogen peroxide, aqueous solutions" and "stabilized" in the proper shipping name "Acetone cyanohydrin, stabilized." RSPA agrees with these petitioners. RSPA is adding paragraph (f) to § 172.302, which does away with the need to remark bulk packagings, if the key words specified in the § 172.101 Table are identical to those marked on the bulk packaging.

RSPA received several petitions regarding the issue of half versus full headshields on tank car tanks. Under Docket HM–175A, RSPA and the Federal Railroad Administration are considering developing regulations to improve the transportation of hazardous materials in tank car tanks. One of the issues being considered is the feasibility of requiring full headshields on tank car tanks. Therefore, RSPA considers those petitions received to Docket HM–181 that requested that certain tanks cars be required to be fitted with full headshields to be outside the scope of this rulemaking. However, there is no prohibition in the HMR on using tank car tanks with full headshields, and it is encouraged.

RSPA received several petitions regarding the packaging requirements for alcoholic beverages. Petitioners pointed out that under the previous requirements, alcoholic beverages which were 140 proof or lower were not subject to the specification packaging requirements of the HMR, but that under Docket HM–181 these materials would be subject to the packaging requirements. The petitioners requested that this packaging exception be retained under this rulemaking. RSPA agrees and is retaining the packaging exception provided for alcoholic beverages.

Many petitioners objected to the insulation requirement for bulk packagings of corrosive materials that are poisonous by inhalation. The petitioners contended that uninsulated tanks with a corrosion allowance provide better or equivalent thermal protection than ¼ inch or ½ inch thick

insulated tanks. RSPA is denying these petitions because: (1) they were unsubstantiated by data; and (2) insulation of bulk packagings provides crush ("accident damage protection") as well as thermal protection. However, RSPA is revising special provisions B14 and T38—which require insulation of bulk packagings—in response to a petitioner who requested that: (1) the phrase "completely insulated" be clarified; and (2) the thermal conductance be lowered to 0.075 Btu per hour per square foot per degree fahrenheit differential so that the special provisions are consistent with the requirements for other bulk packagings.

Several petitioners also objected to the requirement for the insulation of bulk packagings for materials poisonous by inhalation that fall within Hazard Zone C. The petitioners argued that this requirement is not consistent with the UN Recommendations or the IMDG Code and is also inconsistent in that it is not required for liquids. The petitioners also argued that there was not sufficient justification of the costs and benefits associated with this requirement.

In Docket HM–181, RSPA determined that the group of materials that were to be considered to be poisonous by inhalation would be larger for gases than for liquids. Under the final rule, only those liquids that fall within Hazard Zones A and B are considered to be poisonous by inhalation while for gases this requirement includes Hazard Zones C and D. RSPA made this decision because of the volatility associated with gases in relation to liquids. Although the packaging requirements for materials poisonous by inhalation are inconsistent with those of the international community, RSPA believes that the hazards associated with these materials in transportation are not adequately addressed by the international regulations and, therefore, RSPA is imposing more stringent packaging requirements.

The petitioners also stated that there was no clear safety reason to require insulation of cargo tanks and portable tanks for materials poisonous by inhalation assigned Hazard Zone C and, in fact, insulation would make routine inspections more difficult and less likely to reveal potential difficulties (i.e., corrosion) that, if left undetected, could lead to transportation incidents. As stated before, the insulation requirement in question provides crush as well as thermal protection of these packagings. In cargo tanks and portable tanks the primary function of the insulation is to serve as a crush protector. Though the insulation could cover up external corrosion, the petitioners did not address the accident resistant characteristics of the insulation, nor did they provide a suitable alternative. Therefore, RSPA is denying those petitions to eliminate the insulation requirements for bulk packagings of Hazard Zone C materials poisonous by inhalation.

In response to petitions for reconsideration made to Docket HM–142A, which has been incorporated into Docket HM–181, RSPA is adding a new entry "Regulated medical waste, 6.2, NA 9275, II" to provide less rigorous requirements for infectious substances which are "regulated medical wastes" as defined in appendix G of part 173. See further discussion of this issue under § 173.134.

2. Subpart C; Shipping Papers

Section 172.202. RSPA agrees with petitions to remove the option in paragraph (a)(2) allowing IMO class and division numbers in parentheses following the numerical hazard class, because § 171.12(b) already allows IMDG descriptions for vessel shipments. Accordingly, the phrases "IMO class and divisions numbers" and "in parentheses" are removed from paragraph (a)(2). For display of the subsidiary hazard class, if any, the phrase "or following the basic description" is added.

One petitioner recommended that paragraph (a)(2) be amended to except materials described as "Combustible liquid, n.o.s." from the requirement to include the hazard class on shipping papers since the hazard class name is included in the proper shipping name. The petitioner stated that this is consistent with the current HMR and would present no safety or enforcement problems. RSPA agrees and is revising paragraph (a)(2) accordingly.

Several petitioners recommended amending the provisions in paragraphs (a)(3) and (a)(4), which require that the "UN or NA" identification number be entered before the packing group. The petitioners stated that the "Packing Group" is an important part of the basic description and, therefore, should follow the hazard class entry as prescribed under the IMDG Code. They stated that, if not amended, two separate entries will be required in their computer data bases, increasing the chance for error. In addition, the petitioners recommended that the letters "PG" for Packing Group be removed because they are not recognized by the ICAO or IMO regulations.

RSPA disagrees, in part, with the petitioners. They are mistaken in their belief that the IMDG Code or ICAO (see 4.1.2 of the ICAO Technical Instructions) requires entry of the "Packing Group" before the identification number. The IMDG Code states in paragraph 9.3.11 that, except for the correct technical name (proper shipping name), hazard class and UN number, which shall appear in that sequence, the location and order in which other elements of information appear on the shipping document are optional. The IMDG Code gives an example of the sequence of the basic elements of a description on shipping documentation as follows: "Formic acid, Class 8, UN1779." The sequence of elements on shipping documentation in § 172.202(a)(3) is consistent with this and remains unchanged. However, the requirement in § 172.202(a)(4) to include the letters "PG" preceding the packing group (e.g., PG I), is being made optional in response to petitions.

Several petitioners asked RSPA to retain current language in § 172.202(a)(4) requiring that, except for empty packagings and compressed gas cylinders, "the total quantity by weight (net or gross as appropriate)" be displayed on the shipping paper. They pointed out that this language may have been inadvertently omitted in Docket HM–181. The petitioners also recommended reinstatement of the examples that are presently shown in the current § 172.202(a)(4) for the total quantity. RSPA agrees that language in the current § 172.202(a)(4) was inadvertently omitted, and accordingly, paragraph (a)(5) is revised to include it. For consistency, the terms "mass" and "capacity" are substituted for "weight" and "volume", respectively. RSPA also is including examples of total quantity in both U.S. standard or customary units and the International System of Units (SI) to indicate that either usage is permitted. For bulk packagings and cylinders, RSPA is requiring some indication of total quantity; for example "10 cylinders" or "1 tank truck."

A petitioner stated that the example of the basic description for a hazardous material on a shipping paper, in § 172.202(b), shows commas between the required elements. However, the petitioner would prefer using a slash(s) "(e.g., //)" between elements of the description, and asked whether this is acceptable. The HMR do not stipulate what methods may be used to separate the elements of a basic description on a shipping paper. RSPA believes that any means of separating the elements of a shipping description is acceptable, such as by spaces, commas, slashes, asterisks, etc., as long as the elements are readily identified.

AAR recommended eliminating the option in paragraph (d) to permit entry of the technical name between the "proper shipping name and hazard class" or "after the basic description" on a shipping paper. The petitioner stated that the option to enter the technical name between the proper shipping name and hazard class would complicate efforts to improve hazardous materials descriptions. RSPA disagrees. In the current 49 CFR, RSPA permits an option for displaying the technical name of a hazardous material, as specified in §§ 172.202(d) and 172.203(k). In this final rule, RSPA maintains the option to display entry of the technical name either after the proper shipping name or following the basic description (revised § 172.202(d)).

RSPA is revising paragraph (d) to include the following additional description for Class 7 radioactive materials, " 'RADIOACTIVE MATERIAL' unless these words are contained in the proper shipping name."

HMAC recommended adding a new paragraph (f) to allow on shipping papers, abbreviations which appear as authorized descriptions in Column 2 of the § 172.101 table, or in the appendix to the table. Currently, in § 172.201(a)(3), which was unchanged in Docket HM–181, shipping descriptions may contain abbreviations that are specifically authorized or required in the Hazardous Materials Table in § 172.101 or subpart C of part 172. Therefore, RSPA believes adding a new paragraph (f) in § 172.202 to address the use of authorized abbreviations is unnecessary and the petition is denied.

Section 172.203. A petitioner recommended that the requirement in current § 172.203(e) regarding additional shipping paper information be amended to "require" that shipping papers for all empty packagings, not just empty tank cars containing a residue of a hazardous material, contain the words, "Residue: Last Contained * * *" in association with the basic description. The petitioner believes that the permissive wording in § 172.203(e) may lead to confusion, particularly when transporting hazardous materials by water. RSPA disagrees and denies this petition.

HMAC stated that, in § 172.203(i)(2), the entry "skin corrosive only" is no longer required for under deck stowage on cargo ships, and recommended that this paragraph be corrected to reflect this. RSPA agrees and § 172.203(i) is revised accordingly.

The Conference on the Safe Transportation of Hazardous Articles (COSTHA) recommended removal of the "Aerosol" entries from the list of shipping names in paragraph (k)(3), which requires inclusion of the technical name on shipping papers. The petitioner stated that "Aerosols" in the UN, IMO, RID and ADR do not include the "n.o.s." qualifier, and the technical name is also not required on shipping documentation for "Aerosols" under the UN, IMO or ICAO. RSPA agrees and accordingly, is removing the four aerosol n.o.s. proper shipping names from the list in paragraph (k)(3).

Paragraphs (m)(1) and (m)(2) are revised to ensure that materials or mixtures meeting the definition of Division 6.1, Packing Group I or II, are properly described on shipping papers. Paragraph (m)(1) requires the word "poison" to be entered in association with the basic description if the proper shipping name of a Division 6.1 material does not indicate that it is a poison. Similarly, paragraph (m)(2) requires the technical name of a compound or principal constituent of a mixture that causes it to be classified as a poison to be entered on the shipping paper if that technical name is not included in the proper shipping name of the material in the § 172.101 Table.

Paragraph (m)(3) is revised to clarify the distinction between gases and liquids which are poisonous by inhalation that require additional shipping paper entries. It specifies that for materials poisonous by inhalation as defined in § 171.8, the words "Poison-Inhalation Hazard" and the words "Zone A," "Zone B," "Zone C," or "Zone D," for gases, or "Zone A," or "Zone B" for liquids, as appropriate, shall be entered on the shipping paper immediately following the shipping description.

Several petitioners recommended that paragraph (m)(3) be amended to indicate that "hazard zones" do not apply to liquids in Division 6.1, Packing Group II and III materials, and to clarify application of the additional description requirement, "Poison-Inhalation Hazard", on shipping papers for other classes of materials, such as corrosives and flammables, that are inhalation hazards. RSPA agrees and paragraph (m)(3) is revised accordingly. A petitioner suggested that the 1-liter capacity or less shipping paper exception for entering the words "Poison-Inhalation Hazard" for materials poisonous by inhalation be reinstated. The petitioner suggested that less restrictive alternatives may be more appropriate (e.g., apply 1-liter capacity exception to liquids only, not gases; maximum size limitation would be 500 ml; and for combination packaging, require special packaging, such as hermetically sealed outer metal can to contain primary container; and require marking and labeling, but no placarding). RSPA disagrees that the 1-liter shipping paper exception for materials poisonous by inhalation should be reinstated. As discussed in the preamble of the final rule [55 FR 52417], RSPA believes any quantity of a material having an inhalation hazard that is spilled or leaking from a damaged package poses health risks to emergency response personnel. By showing "inhalation hazard" on the shipping paper, as well as packagings, this fact is immediately communicated to emergency responders. For the reasons mentioned above, the 1-liter exception will not be reinstated. Therefore, the additional entry on shipping papers as prescribed in § 172.203(m)(3) is applicable to any quantity of materials poisonous by inhalation.

3. Subpart D; Marking

Section 172.301. Several petitioners recommended adding a new paragraph (a)(3) to permit packages to be marked with required international markings, such as "1.4S", when no label is required for small arms shipped domestically.

Under the HMR, hazardous materials may be transported in the U.S. when shipped in accordance with the regulations under ICAO and IMO (§§ 171.11 and 171.12, respectively). Consequently, the use of labeling and marking under international regulations is not prohibited and is not a violation of the HMR. The following are examples of shipping names not requiring hazard warning labels, as specified in Column 6 in the § 172.101 Table (Docket HM–181), which may be shipped in the U.S. in accordance with international marking and labeling requirements under ICAO or IMO: 1) Cartridges for weapons, blank; (Cartridges, small arms, blank), 1.4S, UN 0014, II; and 2) Cartridges for weapons; inert projectile (Cartridges, small arms), other than blank, 1.4S, UN 0012, II. Therefore, adding a new paragraph (a)(3) in § 172.301 is not necessary.

Section 172.302. One petitioner asked RSPA to amend paragraph (b) to allow marking of proper shipping names on smaller portable tanks in letters "not less than one inch high." The petitioner stated that the two-inch letters specified in § 172.302(b)(3) would be "difficult to fit" on his fleet of tanks with a rated capacity of 660 gallons or less or with a maximum rated gross weight of less than 7,700 pounds. RSPA agrees in principle with this petition and is extending relief, consistent with the placarding exception for "small"

portable tanks in § 172.514, to portable tanks having a capacity of less than 3,785 L (1,000 gallons). RSPA also is accepting petitions recommending revision of the cargo tank marking size to require a 50 mm (2 inch) marking. Accordingly, consistent with the 50 mm marking required for cargo tanks in § 172.328(b), paragraph (b)(3) is revised to specify a 50 mm (2 inch) mark for cargo tanks and other bulk packages.

In order to relieve some of the burden associated with remarking bulk packages due to minor changes in shipping names, RSPA is adding a new paragraph (f) stating that a bulk packaging marked with a proper shipping name prior to October 1, 1991, does not have to be remarked if the key words of the old mark are identical to those currently specified in the § 172.101 Table. For example, a tank car marked "ANHYDROUS AMMONIA" need not be remarked "ANHYDROUS AMMONIA, LIQUEFIED."

Section 172.303. Several petitioners stated that the requirements for prohibited marking in paragraph (a), as written, would prohibit the use of terms used generically, such as paint, ink or cotton, from being used in connection with a non-hazardous product, when the name is the same as the hazardous product. They suggested that the matter can easily be solved if "or" is replaced with "and" between the words "shipping name" and "identification number." The effect would be that a package containing a non-hazardous product, whose name is the same as a hazardous product, when not marked with a UN or NA identification number, would not be in violation of the prohibited marking provision. RSPA agrees in principle with petitioners. However, changing the conjunction to "and" would permit either the shipping name or the identification number, but not both to appear on a package. This could lead to confusion. Instead, RSPA is providing an additional exception in paragraph (b) for those shipping names which describe non-regulated materials.

Several petitioners objected, for different reasons, to the exceptions provided in paragraphs (b)(1) and (b)(2). One petitioner objected to allowing non-bulk packages, under certain conditions, to remain marked. The petitioner believes that the exceptions may lead to confusion on the part of carriers, inspectors, enforcement officers, and emergency responders, and stated that requiring removal of marking, or covering the marking would present no burden to industry. RSPA is not aware of problems caused by this exception, which has been in the regulations, at § 173.29(d), for some time.

Another petitioner objected to the requirement to cover or obliterate the marking (§ 172.303(b)(2)) when moving an empty tank car from manufacturing facilities, or to or from cleaning or repair facilities. The petitioner said that, although the concept *not* to have the shipping name shown on a clean empty tank car is noteworthy, strict adherence on a tank car is a problem, recommending that RSPA permit empty, clean tank cars, moving from tank car manufacturing facilities, or to or from tank car cleaning or repair facilities, to remain marked with the hazardous material shipping name and identification number without securely covering or obliterating the marking. RSPA is denying this petition. As with the provision addressed in the previous paragraph, this is a long-standing provision previously found in § 173.29(d). RSPA believes covering of markings on empty bulk packagings is necessary to preclude confusion or unnecessary response on the part of emergency responders.

Section 172.312. Several petitioners recommended revision of requirements in paragraph (a)(2) for display of orientation markings on liquid hazardous materials in non-bulk packagings. They suggested that RSPA specify that the marking only "pictorially" conform to the ISO 780–1985 standard, to allow for commonly used methods of orientation markings on packages containing hazardous materials. They stated, for example, that the orientation marking shown in the ICAO Technical Instructions is widely used and readily recognized and understood. One petitioner recommended that two additional exceptions to the orientation marking requirements in paragraph (a) be included in paragraph (c) for manufactured articles and when the top closure is similar to the bottom closure or seal (e.g., a dry cell battery). The petitioner stated that in such cases the orientation of the inner package is either irrelevant or not applicable with respect to the closures of the inner packagings.

RSPA agrees. Therefore, in § 172.312, paragraph (a) is revised to require that the orientation marking only "pictorially" conform to the ISO 780–1985 standard, and exceptions are added in paragraph (c) for orientation markings for liquids in hermetically-sealed inner packagings and manufactured articles.

Section 172.313. RSPA is revising paragraph (a) to clarify package marking requirements for gases and liquids that are materials poisonous by inhalation as defined in § 171.8. This revision addresses HMAC's request to eliminate the need in paragraph (a) for marking "Inhalation Hazard" on packages containing lesser hazard Division 6.1 liquids.

One petitioner stated that the location for marking the phrase "Inhalation Hazard" on tank cars, as specified in paragraph (a), for a Division 2.3 material or a poisonous liquid, is not appropriate. The petitioner recommended that instead of locating the marking in association with the labels or placards, the marking would better communicate the "inhalation hazard" to emergency response personnel if it were located "in association with the required shipping name." The petitioner stated that because the placard displays the pictorial representation of poison (i.e., symbol of the skull and crossbones), the placement of the required marking is redundant. RSPA believes that locating this warning in association with a proper shipping name, when one is required, is equally as visible as when located near labels or placards. Therefore, RSPA is revising paragraph (a) to permit either location. A petitioner questioned the need to permanently mark the word "POISON" on non-bulk plastic outer packagings, as specified in § 172.313(b), used as single or composite packaging for materials in Division 6.1. The petitioner stated that RSPA had no basis for extending this provision to materials with a relatively low degree of toxicity, and that the provision should be limited to materials in Division 6.1, Packing Groups I and II. RSPA disagrees. Currently, the HMR requires that each polyethylene packaging used as an outside packaging for materials meeting the definition of a poison be permanently marked with the word "POISON" (§ 173.24(d)(4)). RSPA believes that extension of the requirements to permanently mark the word "POISON" on non-bulk plastic outer packagings used as a single or composite packaging for materials in Division 6.1 is necessary. This requirement will help ensure that foodstuffs are not packed in the same drum or package with the poison material. Therefore, the requirements in § 172.313 will remain unchanged in the final rule.

Section 172.320. Several petitions were received regarding the requirement in § 172.320 to mark packages with the approval number (i.e., EX-number) of the explosive contained therein. Products that are not given EX-numbers and for those packages that are marked with national stock numbers or product codes

that are traceable to the EX-number were excepted from this requirement. Petitioners claimed that this requirement will not enhance safety but will lead to confusion and unnecessary costs and that § 172.320 should be removed from the HMR. In addition, one petitioner stated that they were not aware of "national stock numbers" or "product codes". One petitioner requested that "Jet perforating guns, charged, NA0124 and UN0124" be excepted from this requirement because jet perforating guns are not approved by RSPA, only the charges in the perforating gun are approved. Another petitioner requested that shipments from Canada be excepted from this requirement.

RSPA believes that the requirement to place EX-numbers on packages of Class 1 materials will increase the level of safety associated with transporting Class 1 materials. This marking requirement will facilitate the enforcement of the HMR which will in turn lead to an increase in conformity with these requirements. RSPA recognized that other methods could be used to identify the approval number of a Class 1 material. One of these methods is national stock numbers. National stock numbers are recognized numbers assigned by the Department of Defense to identify commercial products. Another method is the use of a product code. This idea was presented by a petitioner to Docket HM–181A, Notice No. 90–5 who stated that "[t]he name of the manufacturer and the product trade name offer ready identification without reference to the "EX" number. Verification of product approval can be made through referencing of these markings." The markings referred to by this petitioner were those required for commercial explosives in 27 CFR part 55. It is RSPA intention to allow such marking in lieu of the EX-number as long as they are traceable to the EX-number. Therefore, the petitions that requested that § 172.320 be removed are denied.

RSPA is amending § 172.320, for clarity and to allow EX-numbers to be placed on shipping papers in lieu of being marked on packages. This should allow the shipper sufficient flexibility in complying with the requirement to identify that the explosive items being transported have been approved by the Associate Administrator for Hazardous Materials Safety. RSPA is also amending § 172.320 to delete reference to exemption DOT E–9246 because RSPA believes that exception from the EX-number marking requirement should be a part of the exemption rather than an exception built into the regulations.

In addition, RSPA believes that the EX-number requirement should apply to all shipments of Class 1 materials transiting the U.S. Therefore, a petition to except shipments from Canada from these requirements is denied. RSPA is also denying the request that UN0124 and NA0124 be excepted from the EX-number marking requirement. If no EX-number has been given to the article, the number assigned to the charge should be used.

Section 172.326. Several petitioners recommended removal of paragraph (a) requiring portable tanks to be marked on both sides with the proper shipping name of the material being transported. They contended that since portable tanks must also be marked with the ID number of the material together with vehicle placards that "the extraordinary requirement of stencilling the name of each commodity is unnecessary and burdensome in view of the cost involved." Four petitioners cited cost estimates of up to $300 in materials and time to re-apply product markings each time different materials are transported. One petitioner said that uses of most portable tanks "change from product to product." Stencilling the product name may have been appropriate for containers in dedicated service for one or two products, a petitioner pointed out, but this practice is conducted less frequently now. Another petitioner contended that eliminating the product marking requirements in paragraph (a) would create greater efficiencies in the use of these tanks.

One rail carrier urged RSPA to except IM-specification tanks from the marking requirement because IM tanks "are in most respects, similar to other liquid bulk transportation packaging. They differ from cargo tanks only in that they are not rigidly and permanently attached to the vehicle chassis." Other petitioners agreed that marking and placarding of portable tanks "should be the same as cargo tanks."

These petitions are not accepted because RSPA believes that proper shipping name information must be maintained on all portable tanks. Contrary to the contentions of petitioners, this is not a new requirement. For years, the HMR have required all portable tanks to be marked with the proper shipping names of materials contained; and nothing in the existing § 172.326 or in revisions to this section in the final rule requires that the product mark be "stencilled" on the tank. The regulations only require that the proper shipping name be "legibly marked on both sides" in two-inch letters.

IM specification and other portable tanks are treated differently from cargo tanks or rail tank cars with respect to product marking because they often are exposed to significantly different transportation situations involving a greater number of personnel who need the additional information. Unlike other bulk equipment, portable tanks are loaded, transferred between modes, unloaded and frequently maintained in temporary storage awaiting transportation while between modes (i.e., at a pier or railroad ramp). RSPA believes that the proper shipping name applied to both sides of all portable tanks, in addition to required marking of identification numbers, makes product identification more accessible to enforcement and emergency response personnel who may first encounter incidents involving portable tanks.

Paragraph (c) is revised to include the words "containing a hazardous material" following the words "portable tank".

Section 172.330. In response to a petitioner who pointed out that existing requirements in § 172.330(a)(2) to mark tank cars and multi-unit tank car tanks with the identification number specified in the § 172.101 Table, RSPA is adding paragraphs (a)(1)(ii) and (a)(2)(ii) accordingly to require the application of that mark.

Section 172.332. One petitioner recommended that RSPA align the size of the orange panel, which is used to display the identification number marking, with the IMDG Code (i.e., 120 mm X 300 mm) for uniformity. RSPA is concerned that the reduced size of IMDG Code identification markings may make them more difficult to see in emergency response situations. For this reason, the petition is denied.

3. Subpart E: Labeling

Section 172.400a. Several petitioners recommended removing paragraph (a)(1)(i) which provides exceptions for labeling cylinders containing a Division 2.1 or Division 2.2 gas that is not poisonous. One petitioner recommended revising paragraph (1) to except a Division 2.3 (poisonous gas) material from the labeling exceptions. These petitions are denied. The HMR now requires labeling, as specified in § 172.400, for a poisonous gas and, in the final rule under Docket HM–181, extends this requirement to Division 2.3 gases under the UN classification system. Therefore, the exceptions for labeling permitted under paragraph (a) do not apply to a Division 2.3 gases.

COSTHA recommended adding a new paragraph (8) to except from labeling, a

material which meets the definition of Division 6.1 (poisonous) material and which conforms to the limited quantity provisions of § 173.153(b). COSTHA believes shippers should not be required to apply POISON or KEEP AWAY FROM FOOD labels for Division 6.1 poisons when packaged in UN combination packagings meeting § 178.601(g)(2).

RSPA disagrees. Limited quantity shipments of poisonous materials are required to be labeled under the HMR. This provision is also extended to limited quantity shipments of Division 6.1 (poisonous) materials under the UN classification system. Exceptions are permitted only under the provisions of exemptions from the regulations. Currently, there are long-standing exemptions authorizing the transportation of limited quantities of poisonous liquids and solids in packagings which are excepted from bearing the POISON label (e.g., DOT–E–7909). RSPA notes that provision is made in § 177.841 for transporting packages bearing POISON or KEEP AWAY FROM FOOD labels with foodstuffs, subject to certain conditions.

Section 172.402. For regulatory clarity, RSPA is reorganizing paragraph (a). In response to a petition, RSPA is relocating § 172.405(b) to § 172.402(b). Existing paragraphs (b) and (c) are redesignated as paragraphs (c) and (d).

Paragraph (d) is revised to require each packaging containing a radioactive material that also meets the definition of one or more additional hazards, except Class 9, to be labeled as a radioactive material as required by § 172.403, and labeled for each additional hazard.

Section 172.405. One petitioner objected to the provision in paragraph (a) to permit, as an option, inclusion of text indicating a hazard on a label, as provided in paragraph (a) for classes 1, 2, 3, 4, 5, 6, and 8. The petitioner stated that there is no safety benefit to eliminating this descriptive language and that the written description is helpful, particularly to casual or temporary dock employees who may not be familiar with the significance of hazard class numbers or pictorial symbols. RSPA disagrees. Section 172.401(c), which is not changed by this final rule, allows packages of hazardous materials bearing labels which are in conformance with the UN Recommendations, ICAO Technical Instructions, IMDG Code, and Canadian TDG Regulations, to be shipped in the U.S. These labels do not have text indicating the hazard, but display pictorial hazard warning symbols, which are internationally recognized. Paragraph (a) provides shippers with the option to use "text," such as used under the HMR, or "symbols," such as used on international labels, to indicate the hazard. Therefore, the provisions in paragraph (a), providing the option to use text or only symbols on labels to indicate the hazard, will remain unchanged in this final rule.

Paragraph (b) is revised to clarify that if an OXIDIZER label is modified to an OXYGEN label, the word "OXYGEN" must appear on the label.

Section 172.406. RSPA is revising paragraph (a)(1)(ii) to require labels to be placed near the proper shipping name, as previously required under § 172.406(a). Several petitioners recommended adding a new paragraph (a)(1)(iii) to clarify that the orientation of labels on a package may be shown either square-on-point or in other orientations dictated by package size. RSPA disagrees. Although it is intended that labels be shown square-on-point, it is often impractical or inadvisable to do so. Other orientations are often necessary, not just because of package size limitations, but also because of package shape. For example, placement of a label on the top head of a drum does not conform to a square-on-point orientation, but is acceptable. Therefore, RSPA denies these petitions. The introductory text of paragraph (e) is revised for clarity.

Section 172.407. Paragraph (d)(4) is revised to delete references to Office of Hazardous Materials Color Charts which are no longer available for public sale. RSPA is reviewing alternative color standards and future rulemaking activity is anticipated.

Section 172.411. A petitioner stated that there was no mention of the use of the EXPLOSIVE subsidiary label, as prescribed in § 172.411. The petitioner suggests that some mention of the EXPLOSIVE subsidiary label be included in § 172.402.

RSPA believes there is no need to include an explanation of the use of the EXPLOSIVE subsidiary label because a material which may have a subsidiary explosive hazard, but is not classed as such, is identified in the § 172.101 Table. Therefore, no further explanation is necessary.

Sections 172.411 through 172.448. Because some of the labels shown in the Docket HM–181 final rule were not correctly displayed, all labels are republished for clarity.

5. Subpart F; Placarding

Section 172.502. In § 172.502, paragraph (b) is reorganized and the exception in paragraph (c) allowing the display of an identification number on a white square-on-point configuration is added as a new paragraph (b)(2).

Section 172.504. Paragraph (c) is revised to exclude all bulk packagings from the "1000 pound exception." This is consistent with requirements in § 172.514(b) that bulk packagings containing residues remain placarded.

Paragraph (f)(4) is revised to include "EXPLOSIVES 1.3" materials. Paragraph (f)(9) is added requiring vehicles transporting combustible liquids in non-bulk packagings that also meet the definition of a Class 9 material to display either the COMBUSTIBLE or Class 9 placard. The COMBUSTIBLE placard need not be applied to vehicles transporting combustible liquids in non-bulk packagings. A new paragraph (g) is added requiring the applicable compatibility group letter to be displayed on placards for shipments of Class 1 explosives by aircraft or vessel.

Several petitioners expressed their concerns regarding placarding for Class 9 materials. They stated that the Class 9 placard should not be required for use in this country due to the fact that the vast majority of these commodities are presently shipped domestically as either ORMs or Consumer commodities, which are excepted from placarding.

The petitioners stated that intrastate motor carriers of materials in the ORM class, other than hazardous wastes, have not been subject to 49 CFR parts 390–397, the Federal Motor Carrier Safety Regulations (FMCSR), because these materials were not subject to placarding. They are concerned with the impact the "Class 9" reclassification and placarding requirements may have on intrastate motor carriers because they may now be subject to the FMCSR. RSPA believes it is necessary to require placards for Class 9 materials both to communicate appropriate information to emergency response personnel, and for uniformity with the international regulations. RSPA notes that intrastate motor carriers transporting hazardous substances in bulk are currently subject to the FMCSR; for example, financial responsibility and commercial driver's license requirements. Since many states have adopted the FMCSR and apply those requirements to intrastate motor carriers, the display of the Class 9 placard will have minimal impact.

One petitioner recommended providing an exception from the placarding requirements, identical to the exception in § 172.504(f)(3), *not* to require display of a NON-FLAMMABLE GAS placard on a motor vehicle if the vehicle is also required to display a POISON GAS placard. RSPA disagrees, and notes that the petitioner provided

no justification for the requested exception.

Several petitioners recommended excepting "Molten sulfur" from placarding, as required by § 172.504(a). RSPA disagrees with petitioners that use of a Class 9 placard for miscellaneous hazardous materials, which was adopted for uniformity and consistency with the international regulations, will lead to confusion and indecision by emergency response personnel. Currently, the identification number marking "2448" for molten sulfur may be placed on a white square-on-point configuration or orange panel. Under Docket HM–181, the identification number marking may be placed on the Class 9 placard as well. Emergency response personnel are familiar with the placarding system and the use of identification numbers to locate information to assist them in mitigating hazardous materials incidents. RSPA notes that a three-year transition period has been provided to minimize the impacts of placarding changes. Therefore, RSPA sees no justification for excepting "Molten sulfur" from placarding requirements, and these petitions are denied.

Section 172.505. This section is revised for clarity.

Section 172.510. Paragraphs (a)(2) and (a)(3) are revised to remove the words "Packing Group I" for Division 2.3, Hazard Zone A materials. One petitioner recommended that paragraph (d), which was not changed under Docket HM–181, be revised to extend the FUMIGATION placarding requirements to all modes of transportation. RSPA believes the fumigation issue is beyond the scope of this rulemaking. Therefore, no change is made at this time.

Section 172.519. Paragraph (a) is revised to clarify that the Mullen Test, noted in paragraph (a)(2), is intended to be used for placards made of tagboard.

HMAC recommended that the size requirements for placards in paragraph (c) be changed from "at least 273 mm (10.8 inches)" to "a minimum size of 250 mm (9.9 inches)," for consistency with the IMDG Code requirements. RSPA disagrees and is denying this petition. The 273 mm (10.8 inches) size of placards is currently used in the U.S. RSPA is concerned that a reduction in size for placards and, effectively, in the size of identification numbers on placards, may be detrimental to recognition of these important hazard communication elements. The larger placards enable emergency response personnel to identify the hazardous materials from further distances (e.g., poison) when mitigating an incident involving hazardous materials. Another petitioner recommended that § 172.519(f) be limited to shipments made under §§ 171.11, 171.12 and 171.12a. Because of aforementioned concerns, RSPA grants this petition. RSPA notes, however, that it is initiating a rulemaking to address the effectiveness of placarding, as mandated by section 25 of the Hazardous Materials Transportation Uniform Safety Act (HMTUSA). This issue will be raised as part of that rulemaking.

AAR and other petitioners recommended amending the HMR to add a new red over white placard for all flammable liquids with flash points between 23°C and 60°C; that is, a unique placard for all Class 3 Packing Group III materials. They stated that including this requirement in the HMR would have several beneficial effects (i.e., simplify emergency response training and the elimination of train placement requirements for flammable liquids with flash points between 23°C and 38°C). RSPA believes this issue is beyond the scope of this rulemaking.

Sections 172.522 through 172.525. In each section, paragraph (b) is revised to include the compatibility group letter.

Section 172.524. In § 172.524, in paragraph (a), the "1.5 BLASTING AGENTS" placard is revised to show an "*" above the class number for the compatibility group letter, which was inadvertently omitted from the placard display.

Sections 172.522 through 172.560. Because some of the placards shown in the Docket HM–181 final rule were not correctly displayed, all placards are republished for clarity.

Part 173: Shippers, General Requirements for Shipments and Packagings

1. Subpart A; General

Section 173.2a. Two petitioners addressed precedence of hazard with respect to Division 6.1 liquids. For consistency with the IMDG Code and ICAO, HMAC suggested that RSPA revise the table in paragraph (b) to show that "for the purpose of determining the primary hazard class in this paragraph, a Division 6.1, Packing Group III hazard, mixture or solution, may not be taken into account except in the case of a pesticide." RSPA agrees and is adding a new superscript 4 to the Division 6.1, Packing Group III entry, cross referenced with Class 3, Packing Group III, and a footnote to indicate that, for pesticides, only Division 6.1, Packing Group III, takes precedence over Class 3, Packing Group III.

Establishing precedence of hazard in cases of "divergent Packing Groups" troubled two petitioners who asked RSPA to provide more guidance. They assumed, for example, that a mixture of Class 3 Packing Group III and Class 8 Packing Group I liquids (shown in the table to have a Class 8 primary class) would be assigned Packing Group I. RSPA is revising paragraph (a)(8) to clarify this situation.

RSPA also was asked to specify how precedence of hazard is determined for materials meeting the definition of more than two hazards. In these cases, precedence can be determined by deriving the precedence of any two hazard classes and then comparing the result with the third hazard class to establish the order of precedence of hazard. This procedure can be repeated for any number of hazard classes. For example, precedence of hazard for a material meeting the definitions of Class 3, Packing Group II, Class 8, Packing Group II, and Division 6.1, Packing Group III is Class 3, Packing Group II.

Section 173.3. Several petitioners claimed that salvage drums will not consistently pass the three-foot Packing Group III drop test with liquids required in paragraph (c)(1), seriously affecting the availability of these drums for emergency operations. They claimed requiring salvage drums to meet the Packing Group III performance level for liquids will render most current salvage drums obsolete. Other petitioners asserted that required tests for salvage drums may lessen their range of applications. HMAC said the performance capabilities of salvage drums are limited because they are large open head units. A petitioner pointed out, "However, when correctly used, a salvage drum will never be required to hold liquids. All free liquid is required to be absorbed. Existing salvage drums have performed well, and where leakage is present, absorbent material is included within the package."

Another petitioner suggested that a salvage drum tested and marked for solids makes more sense given the new UN entry, "Solids containing flammable liquids, n.o.s." Because the presence of free liquids must be absorbed by absorbent material, he said "the most logical approach is to mark the drum for solids. This is a more understandable marking that would also help reinforce the requirement that there be no free liquid" in the salvage drum at the time it is closed for transport. Recognizing that liquids can settle out of solid materials even if the package is closed with no "free" liquids, one petitioner recommended that RSPA adopt the 20

kPa leakproofness test method requirement for Packing Group II in § 178.604(e)(2) instead of the 35 kPa now required in § 173.3 for liquids in the salvage drum.

RSPA agrees with the principle that a properly used salvage drum with sufficient absorbent material will hold no free liquid and that testing requirements should appropriately address the manner in which salvage drums are actually used. Thus, RSPA is revising paragraph (c)(1) to require salvage drums to withstand testing with liquid solids at the Packing Group III performance level, including a leakproofness test of 20 kPa (3 psi). To ensure the availability of salvage drums for emergency service throughout the U.S. during the transition period, RSPA also is revising paragraph (c)(1) to allow any salvage drums manufactured and marked before October 1, 1993 to pre-HM–181 requirements, to continue in service.

Section 173.4. For international consistency, RSPA accepts a recommendation that the cross-sectional compressive load test in paragraph (a)(6)(ii) be replaced with the compression test specified in § 178.606.

Section 173.9. A proposal by two petitioners to remove references to "rail car" in paragraphs (a) and (b) so that this section would apply to all transport vehicles moving under fumigation is considered beyond the scope of the final rule.

Section 173.12. Paragraph (b) is reorganized for clarity and a new paragraph (b)(3) is added specifying materials not permitted to be shipped in lab packs, including liquids classed in Division 6.1, Packing Group I. Paragraphs (d)(1) and (d)(2) are added stating that technical name requirements on shipping papers and package markings do not apply to lab packs except packagings containing hazardous substances, which must be described as required in § 172.203(c), or Division 6.1 materials subject to requirements in § 172.203(m). HMAC's recommended revision of paragraph (b) to require the words "lab pack" entered in parentheses after the generic description from the § 172.101 Table is considered beyond the scope of the final rule.

Several petitions addressed the meaning in paragraph (a) of "equivalent" open head drum" when a closed head drum is substituted for a open head unit. Petitioners contended that waste disposal firms misinterpret an "equivalent" open head replacement to mean a unit constructed of the same material but without regard for the design and performance specified for the closed head drum. Thus, they interpret paragraph (a) to allow any open head drums, creating potential safety problems. One petitioner said that an "equivalent" open head drum should comply with the part 178 marking and performance requirements that applied to the closed head unit it replaces. RSPA agrees that in cases where an "equivalent" open head drum is selected for the shipment of hazardous wastes, it must meet the performance standards of any originally authorized closed head drum. Therefore, petitions requesting removal of the word "equivalent" are not accepted.

Two petitioners urged RSPA to delete the requirement in paragraph (b) that lab packs be transported for disposal or recovery by highway only, adding that "more and more intermodal transport is being used to carry hazardous waste." They contended that there is no safety reason for restricting lab pack shipments to the highway mode. These petitions are rejected because RSPA has determined in the final rule that more stringent controls are to be placed over the packaging and transport of hazardous wastes and is not electing to broaden the range of permitted lab pack transport beyond the highway mode. However, in the final rule, RSPA is relaxing controlled transport requirements by permitting excepted lab pack shippers to use common highway carriers.

2. Subpart B; Preparation of Hazardous Materials for Transportation

Section 173.21. RSPA is accepting a petition from the Society of Plastics Industry to revise the introductory text to paragraph (f) to clarify that a material with a self accelerated decomposition temperature (SADT) of 50C (122F), that gives off a dangerous quantity of heat or gas, is forbidden in transportation.

Section 173.24. A number of petitioners addressed the determination of "no significant release" or "no identifiable release" as a condition of package integrity before offering shipments for transport. They contended that the criterion "no identifiable release" in paragraph (b)(1) is not universally applicable because not all releases are harmful. One petitioner said paragraph (b)(1) "fails to acknowledge there are degrees of hazard recognized in the three Packing Groups . . . and the technical and economic limitations of packages and equipment." Petitioners suggested revisions to paragraph (b)(1) by requiring "no significant" release or "no release in a quantity that is harmful to persons or the environment." One petitioner recommended restricting the "no identifiable release" requirement to shipments of Class 7, Division 2.3 and Division 6.1 materials.

RSPA believes that a determination of "no release" or "no significant release" or no release based on varying degrees of hazard are unquantifiable, subjective and are not applicable in the regulations. Rather than providing an undeterminable standard of measurement, paragraph (a)(1) establishes a principal shipper responsibility. It requires the person who prepares a properly certified package for transport to use good judgment "without use of instruments" to ensure that the package will not release its contents under conditions normally incident to transportation. Therefore, paragraph (a)(1) remains unchanged in the final rule.

Several petitioners asked RSPA to interpret what may constitute the use of an "instrument" in complying with paragraph (b)(1). They asked, for example, if the application of soap bubbles to detect a leak could be construed as the use of an instrument. In this case, the answer is no. However, RSPA wishes to make it clear that if someone actually uses an "instrument" such as a gas chromatogram or ultrasound technology and detects a leak, it is still a leak, and the packaging is not in compliance with paragraph (b)(1).

The Plastic Drum Institute (PDI) urged RSPA to publish its "Compatibility Test Procedures for Plastic Drum and Receptacles" in the **Federal Register** as a proposed rule to supplement paragraph (e) by addition to and modification of Appendix B to Part 173. This booklet, submitted to RSPA in August 1990, offers an alternative method of compatibility testing and rate of permeation. RSPA will consider adoption of PDI's proposal into the regulations at a later date.

The Organic Peroxides Producers Safety Division (OPPSD) asserted that most temperature-controlled organic peroxides will not survive the 180–day compatibility test at 18 C, and asked RSPA to adopt a UN-recommended preliminary test of samples filled with intended ladings for "a long period of time" without reference to temperature. RSPA does not believe that this proposed procedure is adequate. However, the procedures for testing chemical compatibility and rate of permeation contain a provision for the use of alternative procedures if they are approved by the Associate Administrator for Hazardous Materials Safety. RSPA would consider a specific alternative to the chemical compatibility test for organic peroxides under this

approval provision if it were submitted to the Associate Administrator.

A petitioner asked RSPA to revise paragraph (e) to make it clearer that the shipper requirement to assure package compatibility with its lading applies to all packagings, not just plastic packaging. The petitioner contended that paragraph (e)(3) gives the impression that non-plastic packagings do not have to be tested for compatibility. RSPA is denying this petition. Paragraph (e)(1) makes it sufficiently clear that persons offering hazardous materials for transportation must ensure that all packagings are compatible with their lading. Paragraph (e)(3) is limited to plastic packagings, and requires testing under certain conditions.

One petitioner objected to paragraph (g) which prohibits venting of packages containing materials likely to evolve toxic, flammable or asphyxiant gases. The petitioner claimed that he has used vented drums for years to ship Class 3 Packing Group III materials "characterized by slow evolution of small amounts of hydrogen gas at ambient temperatures . . . without a single incident resulting in illness or injury because of venting." He added that prohibiting venting in this case "may encourage use of less safe procedures" and that paragraph (g)(2) is not in agreement with the UN Recommendations or the IMDG Code. RSPA agrees that venting of these materials can be permitted under certain circumstances, consistent with international standards. Therefore, paragraph (g)(2) is revised to permit venting when "the evolved gases are not poisonous, or likely to create a flammable mixture with air or be an asphyxiant under normal conditions of transportation."

Paragraph (g)(4) is revised to clarify that venting is permitted if a packaging is designed to preclude an "unintentional" release of hazardous materials.

Section 173.24a. A number of petitioners urged RSPA to remove paragraph (a)(5), requiring that packagings be capable of withstanding a vibration test, until the UN recommends the test and international modal agencies adopt it. They claim the vibration standard, as a domestic exception, will put U.S. shippers at a competitive disadvantage in both domestic and international markets. One petitioner contended that vibration testing has merit only when applied to drums intended for the transport of liquids. Another petitioner questioned the value of vibration testing for explosives packagings. The National Solid Wastes Management Association (NSWMA) said few shippers or carriers of waste materials classed in Class 9 packaged in non-specification packages have the ability to perform a vibration test. NSWMA added, "it is only reasonable that vibration testing should be the responsibility of manufacturers."

The vibration standard in paragraph (a)(5) does not require testing. As stated in the preamble to the final rule, RSPA added the easily reproducible vibration test standard in § 178.608 to the UN-recommended Subpart M tests to account for conditions likely to be encountered in typical domestic transportation environments. Paragraph (a)(5) addresses the suitability of any hazardous materials package exposed to extensive vibration stresses during transportation. The shipper is not required to perform this test. Vibration capability can be based on voluntary testing, on previous experience in the use of design types subjected to high-vibration distribution systems, or on an engineering evaluation of package design and integrity with regard to vibration.

Although vibration testing as a capability is retained in the final rule, RSPA agrees that this test should be adopted as an international standard. Consequently, the U.S. recently proposed inclusion of a similar vibration standard in the UN Recommendations.

Two petitioners expressed concern about permitted use of Packing Group I-tested packagings for Packing Group II or III materials with higher specific gravities. One petitioner pointed out that paragraphs (b)(1)(i), (b)(1)(ii), and (b)(1)(iii), which permit lower hazard but higher specific gravity materials to be shipped in Packing Group I-tested packagings, are inconsistent with paragraph (b)(2) which prohibits a single or composite packaging from containing a solid to a gross mass greater than that marked on the package.

HMAC asserted that higher specific gravity liquids should be permitted in packagings "where the weight of the drum plus contents exceed the maximum design strength of the container if filled to rated capacity." In some of these cases, HMAC said "it will be impossible to obtain the performance rating needed to meet requirements based on full containers using current technology even with the employment of the sturdiest construction material available." HMAC recommended adoption of a formula to determine a maximum allowable net product weight for high specific gravity materials.

RSPA believes paragraphs (b)(1)(i), (b)(1)(ii), and (b)(1)(iii), allowing Packing Group I-tested packagings to contain Packing Group II and III materials when they do not exceed stated specific gravity limits, are consistent with UN recommendations linking package design types with the relative densities of the materials they are intended to contain. However, to remove perceived inconsistencies between the permitted use conversions and the general gross mass standard for solids, paragraph (b)(2) is revised as follows, "Except as otherwise provided in this section, a single or composite non-bulk packaging may not be filled * * *" RSPA is accepting a petition from HMAC to allow heavier solids in packagings rated for higher hazard level liquids, if they meet the specific gravity limits in paragraphs (b)(1)(i), (b)(1)(ii), and (b)(1)(iii). Paragraph (b)(3) is revised accordingly.

One petitioner asked RSPA to re-evaluate the requirement in paragraph (c)(1)(iii) that corrosive materials in bottles be further packed in closed inner receptacles before packing in outer packaging "because it conflicts" with UN Recommendations and ICAO requirements. This petition is not accepted because there already is an exception in § 173.161 for corrosive materials in chemical kits that is consistent with UN Recommendations and ICAO.

Section 173.24b. The five percent outage specified in paragraph (a)(3) for insulated and uninsulated tanks containing Division 6.1 Packing Group I liquids poisonous by inhalation was disputed by one petitioner who claimed "there is no need for an outage requirement above two percent." The petitioner said that over a period of a year, a five percent outage requirement would result in added shipments of these materials "increasing cost and risk due to the extra shipments." RSPA believes the provision is needed to reduce the potential of bulk packages containing poison by inhalation liquids from becoming liquid full in transportation and notes that the petitioner did not provide justification, based on safety considerations, for reducing outage to two percent. Therefore, the five percent outage requirement is retained.

HMAC recommended revising paragraph (d)(2) by removing the density of a material as a factor in determining the maximum weight of lading permitted in a bulk packaging. HMAC said, "In practice, volume is usually the variable that is adjusted to achieve correct lading weight." RSPA agrees and is revising paragraph (d)(2) by removing the phrase "due to its density."

Section 173.25. Paragraph (c) pertaining to poisons being transported in the same motor vehicle with foodstuffs, feed or other edible material, is revised to require a "liquid-tight and dustproof" overpack as specified in § 177.841(e) or in an overpack "which is a UN 1A2, 1B2 or 1N2 drum tested and marked at least for the Packing Group II performance level."

Section 173.28. RSPA reviewed 33 petitions for reconsideration addressing non-bulk package reuse requirements. Eight petitioners urged RSPA to align the 43 kPa (7 psi) leakproofness test requirement before reuse in paragraph (b)(2)(i) with the leakproofness test recommended by the UN and adopted for new drums in § 178.604 of up to 30 kPa (4 psi). Two petitioners asked RSPA to except steel drums in controlled distribution from the test. PDI asserted that the 7 psi test may be suitable for steel drums but is excessive for plastic packagings. PDI claimed that when plastic drums are pressurized to 7 psi, "they are severely deformed." However, The Association of Container Reconditioners-NABADA urged RSPA to retain the 7 psi test, contending that UN recommendations for the leakproofness testing of new drums "are set too low" to adequately detect leaks before reuse.

RSPA is denying petitions to except packaging from the leakproofness test before reuse in controlled distribution or on the basis of special package construction or capacity rating because petitioners offered insufficient data to justify taking such action. Petitioners offered no evidence, for example, that closed distribution systems would eliminate normal transportation stresses on reused drums that may lead to metal fatigue, abrasion of plastic material, denting and puncturing.

In principle, RSPA believes that leakproofness testing prior to reuse, or after reconditioning, provides a verifiable check that drums intended to be reused under normal transportation conditions are capable of maintaining the integrity to which they were originally certified. Thus, noting that the vapor pressure of some Packing Group I materials often exceeds 7 psi, RSPA is requiring reused drums intended to contain Packing Group I materials to withstand a leakproofness test of at least 7 psi. For drums intended to contain materials of lesser hazard that often present significantly less vapor pressure in normal transportation, RSPA is revising paragraph (b)(2)(i) to require the 20 kPa (3 psi) test specified for PG II and III materials in § 178.604(e) (2) and (3) for new drums. RSPA believes 3 psi is an appropriate level of leakproofness testing to avoid distortion of thinner-walled packaging.

RSPA is revising marking provisions in paragraph (b)(2)(ii). Drums reused without reconditioning must be marked with the letter "L" for a drum that successfully passes the leakproofness test specified in paragraph (b)(2)(i), the name and address or symbol of the person conducting the test, and the month and last two digits of the year the test was conducted. This marking conforms, in part, with sections 9.5.4(i) and (j) of the UN Recommendations addressing reconditioner certification. It is a certification that a person who reuses a drum without reconditioning has complied with the requirements of this section.

Eight petitioners opposed requirements in paragraph (b)(4) that metal and plastic drums and jerricans or the outer packagings of composite packagings must meet minimum thickness requirements marked in millimeters on drums intended for reuse. RSPA denies these petitions to remove minimum thickness requirements for the reasons given in the December 21, 1990 final rule (see page 52428).

RSPA accepts suggestions from several plastic package manufacturers to add minimum thickness table entries for 30 and 60 liter plastic drums and retain current minimum thickness requirements for the DOT specification 34 polyethylene drum. Therefore, minimum thickness standards for plastic packagings are revised as follows: 20 liters (L), 1.1 mm (0.03 inch); 30L, 1.1mm (0.03 inch); 60L, 1.8 mm (0.071 inch). Minimum thicknesses for 30L and 60L metal packagings are 0.7 mm (0.028 inch) and 0.9 mm (0.035 inch) respectively. Requirements for 40L, 120L, 220L and 450L plastic and metal packagings remain as specified in the final rule. RSPA also is revising the heading of column 1 of the table of minimum thicknesses in paragraph (b)(4) to indicate "Maximum capacity" which better describes the capacity of a packaging to be completely filled with liquid, and to be consistent with references to "maximum capacity" throughout the final rule, particularly within the manufacturing standards.

Several petitioners objected to the introduction to paragraph (b)(4), requiring drums authorized for reuse to be marked in millimeters with the minimum thickness of the packaging material without also requiring that this mark be made permanent. One petitioner asserted that not requiring a permanent thickness mark on a drum intended for reuse would oblige a person to physically measure that drum against a minimum thickness standard and to re-mark it after each trip throughout the reuse process. RSPA agrees, and is revising the introduction to paragraph (b)(4) by incorporating language from section 9.5.2 of the UN Recommendations stating that the mark indicating package material thickness on drums intended for reuse should be applied in a permanent form (e.g. embossed).

RSPA rejects assertions from several petitioners that a minimum thickness requirement for plastic inner receptacles "is unnecessary" because the strength and durability of a composite packaging "is not derived from the inner liner." RSPA believes that inner plastic packagings are vulnerable to such damage as creasing or puncturing during loading or unloading. PDI also pointed out that very few existing reusable composite drums with liners meeting paragraph (b)(5) requirements are available. In corrections to Docket HM-181, RSPA is retaining a thickness standard for inner plastic liners. However, it is revised to 1.0 mm (0.039 inch) to ensure the ready availability of this inner packaging, by permitting use of a DOT 2SL-type liner.

Section 173.31. Requirements for manway covers are relocated from §§ 173.242 and 173.243 to new paragraph (a)(8).

Section 173.32. HMAC's petition recommending a revision to paragraph (a)(6) authorizing an unlined DOT 51 portable tank constructed of stainless steel to be used in place of a lined DOT 60 portable tank is denied because there is not sufficient justification for taking this action.

Section 173.32b. For international consistency, two petitioners requested a revision of paragraph (b) to allow the two-and-a-half year visual inspection of IM portable tanks to be carried out within three months before or after the specified date. This revision was not proposed in Notice 87-4 and is considered beyond the scope of the final rule.

Section 173.32c. Six petitioners objected to the filling density requirements for portable tanks contained in existing § 173.32c(j) and urged RSPA to remove this requirement. Paragraph (j) specifies that IM portable tanks or compartments with a volume greater that 1,900 gallons may not be loaded to a filling density less than 80 percent by volume. Petitioners asked why RSPA is imposing minimum filling density requirements on portable tank users and not on cargo tank users. One petitioner claimed that the "loading of

highway cargo tanks at more or less than 80% full has never been required," and that "cargo and portable tanks are very similar in their use and operation." Other petitioners added that there is no evidence to support the 80 percent rule. They recommended that portable tank loading should be regulated as not exceeding maximum gross weight, capacity or approved temperature range as shown on certification plates. Although these comments may or may not be valid, paragraph (j) was not addressed in Notice 87–4, and is not germane to this final rule. Therefore, the petitions are denied.

In addition, RSPA is adding a new paragraph (q) to address insulation requirements for IM portable tanks containing molten materials.

Section 173.33. HMAC suggested a revision to paragraph (f), to state that if a higher integrity tank is constructed of stainless steel, lining should not be required. RSPA believes there is insufficient justification for taking such action. The majority of MC 331 cargo tanks are not made of stainless steel.

Section 173.40. Two petitioners asserted that paragraph (c)(2) requiring that the valve assembly on cylinders intended to contain poisonous materials that are also corrosive "be made gas tight by means of a seal cap * * *" would require the retrofit of millions of cylinders in chlorine service. The petitioners misunderstand that chlorine is not subject to this section. Packaging requirements for chlorine are contained in § 173.304.

The Compressed Gas Association (CGA) asked RSPA to provide more detail regarding the two-meter drop test specified in paragraph (d)(2) to determine the adequacy of valve protection for cylinders containing poisonous liquids. CGA pointed out that ISO is preparing a detailed standard for valve protection caps and guards and recommends that RSPA adopt that standard as an alternative. RSPA acknowledges that this alternative may be considered, but in the context of a future rulemaking action.

3. Subpart C; Definitions, Classification and Packaging for Class 1

In the preamble to the final rule, RSPA stated that in order for an explosive that had been approved under the old HMR to be transported after October 1, 1993, it would have to be reclassified under the new regulations (i.e., Docket HM–181). In addition, RSPA stated that it would provide, upon request, such reclassification. However, RSPA went on to say that all existing explosive competent authority approvals will become invalid on October 1, 1993. This last statement was incorrect. Explosive competent authority approvals will not become invalid on October 1, 1993. Such approvals will remain valid until further notice. In addition, any explosive material that has received a competent authority approval is not required to be reclassed because the approval already provides the new classification for the explosive material.

Several petitioners were concerned over the removal of the entry "ammunition, non-explosive" from the § 172.101 Table. Petitioners stated that if this entry is not retained that their non-hazardous commodities would have to be shipped as Division 1.4 materials. RSPA removed this entry from the § 172.101 Table because an explosive material that is correctly determined to be non-explosive would not be subject to the HMR unless the material meets another hazard class definition. RSPA does not believe that it is necessary to add a section to the HMR that states that if a material does not meet the definition of an explosive that the material is non-explosive. Therefore, RSPA is denying these petitions.

Section 173.50. Several petitioners requested that the 25 gram limitation placed on Division 1.4 devices be removed. Petitioners stated that the limit is arbitrary and inconsistent with the UN Recommendations and that materials that meet the tests for Division 1.4 materials should be classed as a 1.4 material without regard to quantity. Upon further review, RSPA is removing the 25-gram limitation on Division 1.4 materials. RSPA also is revising the definition of Division 1.4 to include substances and devices. As part of the approval process, RSPA will review very closely any device that contains over 25 grams of explosive material and that is recommended for Division 1.4. In addition, RSPA will not allow any such items to be classed by analogy; the devices must be subject to the appropriate tests. This administrative requirement will also be imposed on items that have been approved by a foreign competent authority.

One petitioner objected to the classification of PETN with not less than 25% water as a Division 1.1A material. The petitioner stated that this material should be classed as a 1.1D material as in the UN Recommendations. The petitioner stated that to classify PETN on the basis of the sensitivity level of dry PETN is not correct and that foreign manufacturers have been shipping water-wetted PETN safely for a long time. RSPA is classifying PETN as an initiating explosive, Division 1.1A material, because RSPA has test data to indicate that PETN wetted with 25% water gave positive test results on the UN Test 3(b)(i), BAM Friction Test.

Section 173.56. One petitioner requested that explosives approved by another foreign competent authority be allowed for transportation within the U.S. without further approval from RSPA. RSPA believes that the requirement for a U.S. approval, which existed prior to the amendments promulgated under Docket HM–181, is necessary to ensure the safe transportation of explosive materials in the U.S. Though RSPA accepts approvals issued by foreign competent authorities as the basis for an explosive approval within the U.S., RSPA reserves the right to reject any foreign approval. RSPA believes that the hazards associated with Class 1 materials are so great as to require this degree of government oversight. Therefore, RSPA is denying this petition.

Section 173.62. One petitioner requested that the particular packaging requirement "D13" be amended to state "end closures may be formed from the body material." The petitioner stated that this will allow the continued use of the DOT 23G specification packaging. RSPA does not believe that this change is necessary because as long as the 23G can meet the requirements for a 1G packaging, the 23G will continue to be authorized. Therefore, RSPA is denying this petitioner's request.

Several petitioners requested that numerous packagings be added to several of the packing methods in § 173.62. These packagings, however, are not currently authorized by the UN Recommendations. Therefore, RSPA finds this petition out of the scope of this correction document and denies these petitioners' request. One petitioner requested that the packaging exception provided for government-owned munitions in the Annex to the IMDG Code be incorporated into the HMR. RSPA concurs and has added this exception as paragraph (e) to § 173.62.

Several petitioners requested that Class 1 materials that are sent to packing method E–146 be allowed to be transported under packagings approved by the Associate Administrator for Hazardous Materials Safety. The petitioners stated that this would be in conformance with the UN Recommendations. RSPA agrees and is amending packing method E–146 to authorize the packagings that were noted in the final rule and any packaging approved by the Associate Administrator for Hazardous Materials Safety.

Section 173.63. In this section, RSPA is removing paragraphs (d) and (e) which

specified the conditions under which articles installed with igniters or initiators can be shipped when in the propulsive state. RSPA believes that such articles, which must comply with § 173.62(b)(5) and which states that all explosives shipped in the propulsive state must be protected from accidental initiation, should be allowed to be transported if they are transported in compliance with the general and applicable requirements of the HMR. Concerns for specific articles that could be shipped in the propulsive state can be handled through the approval process.

4. Subpart D; Definitions, Classification, Packing Group Assignments and Exceptions for Hazardous Materials Other than Class 1 and Class 7

Section 173.115. Paragraph (a) is reorganized to clarify the definition of Division 2.1 flammable gas. In response to two petitions, RSPA is revising paragraph (c)(2) to refer to the formula in § 173.133(b)(1)(i) for determining LC50 values for gas mixtures. RSPA also is clarifying that the criteria in paragraph (c) for materials classed in Division 2.3 specifically refer to "gases poisonous by inhalation" which are subject to additional hazard communications and packaging requirements in Parts 172 and 173. In other words, by definition in this section, any Division 2.3 material is also a poison by inhalation hazard material assigned Hazard Zones A through D.

Section 173.120. Several petitioners urged RSPA to remove the combustible class definition in paragraph (b)(1) and the combustible reclassification option in paragraph (b)(2). AAR and other petitioners asserted, as they did in comments to Docket HM–181, that the domestic combustible liquid classification introduces unneeded regulatory complexity, violating the stated aims of the final rule to simplify the HMR. AAR contended that the reclassification option will confuse rail personnel "who prepare shipping documents based on data submitted by a large number of shippers." AAR said the reclassification option will also confuse emergency responders confronted with identical commodities having different hazard classifications.

One petitioner pointed out that materials with flash points of 73° F or higher are presently excepted from specification packaging when shipped in non-bulk containers (§ 173.118(b)), so the option in paragraph (b)(2) offers little to shippers while "violating the principle of consistent hazard communication for these materials." AAR said there are other ways to distinguish between liquids below 100° F and those at or above 100° F. For example, AAR suggested that RSPA could exempt liquids with flash points above 100° F from all regulations or adopt AAR's proposed red over white placard for all Class 3, Packing Group III materials to distinguish between high and low flash point liquids.

RSPA disagrees with petitioners who would eliminate the combustible class altogether, believing that the significant number of domestically regulated materials with flash points between 38° C (100° F) and 93° C (200° F) cannot be ignored. RSPA believes that widespread shipping and in-transit storage practices, geared to the present flammable liquid definition, would be unnecessarily disrupted by another revision of the flammability range for liquid materials. This is both a safety and an economic issue. The reclassification option in paragraph (b)(2) maintains existing domestic practices in effect since 1974 when the Materials Transportation Bureau established the present domestic flammability range under Docket HM–102. In practice, RSPA does not anticipate that companies will extensively choose different flammable/combustible descriptions for domestic shipments. Some initial confusion will ensue as a result of allowing the option, but over the two-year transition period (to October 1, 1993) provided for conversion to the new hazard communication and classification system, carrier personnel, emergency responders, enforcement personnel and others are expected to adapt to the new system.

RSPA is revising paragraphs (b)(1) and (b)(2), defining combustible liquid and offering the reclassification option, by adding the phrase, "* * * that does not meet the definition of any other hazard class, except Class 9." Confusion still exists when a combustible liquid is also a hazardous substance or waste which, under Docket HM–181, are classed as Class 9 materials. The revisions to (b)(1) and (b)(2) make it clear that a flammable liquid can be reclassified as a combustible liquid if it meets no other hazard class, except Class 9. However, according to the precedence of hazards ranking in § 173.2a(a)(9), combustible liquids are ranked over materials classed as Class 9. Therefore, a combustible liquid that is also a hazardous substance or hazardous waste is classified a combustible material and is authorized to be packaged in a strong, tight non-bulk or bulk packaging, subject to the requirements in § 173.150(f)(3).

RSPA also is revising the combustible liquid reclassification option provided in paragraph (b)(2) to state that this option does not apply to materials being offered for air or vessel transportation unless other means of transportation are impracticable (e.g., air service to remote areas inaccessible to highway or rail transport).

One petitioner asked RSPA to delete or more fully justify the second test referred to in paragraph (c)(2) for determining the flash point of mixtures. This [second] test "is counterproductive," the petitioner asserted. "It is costly and time consuming to produce results which might not represent the material being shipped." Revisions to Class 3 testing methods were not proposed in Notice 87–4 and are beyond the scope of the final rule. However, RSPA may address changes in Class 3 test methods in a future rulemaking.

Section 173.124. One petitioner advised RSPA to delete the term "or toxic" from the definition in paragraph (c) of a Division 4.3 (Dangerous when wet) material because it is inconsistent with the definition in the UN Recommendations which refers only to the emission of "flammable gases" when a Division 4.3 material is in contact with water. However, RSPA considers the potential evolution of toxic gases as one of the properties of a Division 4.3 material; therefore, the definition in paragraph (c) is retained in the final rule. HMAC agreed that materials which meet the criteria of toxic gas "should be regulated in Division 4.3," and asked RSPA to petition the UN to include these materials in the UN Recommendations. Consequently, RSPA plans to make that proposal to the UN during the 1991–92 sessions of the Committee of Experts.

Section 173.128. Petitions requesting that 70 produced organic peroxides and formulations not yet tested for generic UN classification be listed separately for domestic shipment only, based on existing test data, are addressed in § 173.225.

Section 173.132. RSPA is adding a sentence to paragraph (a)(1) encouraging the use of test data reported in the chemical test literature as an alternative to conducting tests with laboratory animals whenever possible.

One petitioner asserted that the limit of inhalation toxicity for dusts and mists in paragraph (a)(1)(iii) of not more than 10 mg/L "is unrealistically high." The petitioner contended that "it is difficult to maintain a concentration of dust or mist over 1 mg/L" and recommended that the UN Committee of Experts establish "a lower, more practical concentration level of dusts and mists." RSPA agrees that a better standard

could be devised and encourages HMAC or individual companies to develop a protocol for presentation to the UN Subcommittee of Experts.

Section 173.133. RSPA revising paragraph (a)(2) to specifically address packing groups and hazard zone assignments for liquids based on the inhalation of vapors. Note 2 to the revised table of hazard zone and packing group assignments clarifies that a liquid classed in Division 6.1, meeting criteria for Packing Group I, Hazard Zones A or B in paragraph (a)(2), "is a material poisonous by inhalation" subject to additional hazard communication requirements in part 172. In other words, by definition in this section, a liquid material poisonous by inhalation is assigned Packing Group I, Hazard Zones A or B.

RSPA also is correcting Figure 1, which graphically displays packing group and hazard zone assignments for both Division 2.3 and 6.1 materials, by deleting Hazard Zones C and D applied to liquids. In paragraph (b)(1)(ii), RSPA is revising the definition for the partial pressure of the i/th component in the formula for estimating the volatility of components in poison mixtures. In the final rule, RSPA neglected to include the reference temperature and pressure of 20C and one atmosphere (atm) respectively.

Section 173.134. In a petition for reconsideration, the National Solid Wastes Management Association (NSWMA) recommended that RSPA revise the definition for infectious substances (etiologic agents) to exclude solid waste or medical waste as defined in 40 CFR 259.10 of the EPA's regulations. The petition was filed under the final rule for Docket HM-142A (56 FR 197, January 3, 1991). On February 22, 1991 (56 FR 7312), RSPA delayed the effective date of the final rule to September 30, 1991, to provide more time to evaluate the petition. In a meeting to obtain clarification of the petition, the NSWMA urged RSPA to reestablish the 50 ml exception for infectious wastes. The NSWMA stated that RSPA's approach to transporting medical waste was inconsistent with the approach taken by other Federal agencies, notably the EPA, and would significantly increase the cost of transporting medical waste for the regulated community, including not-for-profit and small business entities. The NSWMA stated that, contrary to RSPA's preamble discussion in Docket HM-142A that most infectious waste did not contain etiologic agents or was treated on-site to destroy the agent before being transported for disposal, substantial quantities of medical waste are transported off-site for treatment. In support of its statement, the NSWMA noted a statement in EPA's Medical Waste Management in the United States: Second Interim Report to Congress (December 5, 1990, page 34) that only 2 percent of the regulated medical waste shipped off-site (29,600 tons) during the first six months of the EPA's demonstration program was treated prior to shipment. EPA's regulations on medical waste in 40 CFR Part 259 applied in only five States and expired on June 22, 1991, with the end of a two-year demonstration program that EPA established to fulfill its mandate under the Medical Waste Tracking Act of 1988 (MWTA; P.L. 100-582). The MWTA has not been extended. RSPA agrees with the NSWMA that medical waste should be treated differently than most infectious substances.

Docket HM-142A established a definition and packaging provisions for infectious substances and was to serve as a transition to Docket HM-181. On September 18, 1991, RSPA incorporated HM-142A into HM-181 [56 FR 47158]. In addition, in partial response to the NSWMA's request, RSPA extended the 50 ml exception for cultures of infectious substances (etiologic agents), from October 1, 1991, to until October 1, 1992. RSPA anticipated this extension would provide enough time to fully respond to the NSWMA's comments in this correction document. However, after publication of the document in the **Federal Register**, the NSWMA submitted a September 26, 1991 letter asking that RSPA clarify by letter or interim rulemaking that the January 3, and September 18, 1991, final rules "apply to only isolated cultures or stocks such as clinical laboratory specimens and not to 'medical waste' as defined in 40 CFR 259.10(b), 'regulated medical waste' as defined in 40 CFR 259.30(a), and 'mixtures' as defined in 40 CFR 259.31." Because RSPA was unable to publish this correction document in time to respond to the petitioner's substantive concerns, RSPA issued another partial response [56 FR 49830, October 1, 1991] extending the compliance date for hazard communication and classification requirements for all infectious substances until October 1, 1992.

In this correction document, RSPA is revising the requirements pertaining to infectious substances to define and specify more appropriate requirements for regulated medical waste. The definition of a "regulated medical waste" added to appendix G to part 173 is essentially the same definition contained in the former EPA regulations in 40 CFR part 259 and is supported by industry in their recommended guidelines.

As defined in this final rule, "regulated medical waste" includes cultures and stocks of infectious agents, pathological wastes such as human tissues and organs, human blood and blood products, sharps (e.g., discarded hypodermic needles, suture needles, scalpel blades, and blood vials), animal waste such as contaminated carcasses, and biological or contaminated materials from humans and animals.

Since the majority of these wastes are untreated and, thus, may potentially contain infectious substances, RSPA strongly believes that the public and transport personnel be protected from the hazards of these materials during transportation. The packaging requirements for these wastes are consistent with those contained in the former EPA regulations and are used in some States. For a discussion on these requirements, refer to preamble discussion to § 173.197.

After October 1, 1992, shipments of these materials must be accompanied by shipping papers. The packages must be marked "Regulated medical waste" and with the identification number "NA 9275" in accordance with § 172.301, and have affixed the INFECTIOUS SUBSTANCE label prescribed in § 172.432.

Section 173.136. Two petitioners noted that RSPA uses the existing definition of a corrosive material in § 173.240 to define a Class 8 material in paragraph (a), but uses the UN definition of a Class 8 material throughout § 173.137 for assignment of Class 8 packing groups. RSPA currently defines a corrosive material as causing "visible destruction or irreversible alterations in human skin tissues." The UN defines Class 8 material as causing "visible necrosis of the skin tissue." RSPA was asked to apply consistent criterion for Class 8 in both sections. RSPA agrees and is revising both sections to use the existing language of "visible destruction or irreversible alterations . . ." throughout.

HMAC requested a clarification of whether solid materials are addressed in both §§ 173.136 and 173.137, noting that the term "liquids" is used in § 173.136(a)(2) and "substances" is used in § 173.137(c) which implies both liquid and solid materials. Metal corrosion applies only to liquids. The use of the term "substances" in § 173.137(c) is correct because, in these sections, "corrosive material" covers both liquid and solid states.

Section 173.137. A petitioner claimed that under this section, up to three times as many animals could be required in the test specified in this section to determine an appropriate packing group. The petitioner referred to existing requirements (in Appendix A to part 173, paragraph 8) for a "go-no go" test for corrosivity based on a protocol using six test animals. "Since testing (under Docket HM–181) is no longer a 'go-no go' test, it will be harder . . . to not only classify but determine the Packing Groups of similar materials." The petitioner is correct, but under Docket HM–181 no alternative protocol was proposed for Class 8 materials. However, the UN is expected to review this issue in the 1991–92 sessions of the Committee of Experts.

Section 173.140. For clarification, RSPA accepts HMAC's petition to revise the definition of a Class 9 material in paragraph (a) to read, ". . . a material which presents a hazard during transportation, but which does not meet the definition of any other hazard class."

Section 173.150. Asserting that most Division 6.1 Packing Group III materials were previously unregulated, a petitioner requested that RSPA allow Class 3 materials that also meet Division 6.1 Packing Group III criteria to be transported under the limited quantity provisions in paragraphs (b) and (c). This petition is not accepted because RSPA intended to exclude all materials exhibiting subsidiary hazards from qualifying for the limited quantity provisions in this section—except Class 9 materials. RSPA believes there is no justification for singling out the Division 6.1 Packing Group III category for the Class 3 exception. Furthermore, in the final rule, RSPA is imposing more stringent hazard communication and packaging requirements for all poisonous liquids.

Several petitioners, including HMAC, advised RSPA to delete paragraph (f)(1), claiming that the combustible liquid exception in § 173.120(b)(2) and (f)(1) is inconsistent with RSPA's objective to align U.S. rules with UN Recommendations. They said the exception will create a dual classification system and promote inconsistencies between product information sources. For reasons stated above regarding petitions to reconsider § 173.120(b) (1) and (2), RSPA has determined not to delete the domestic combustible liquid exception. AAR points out that § 173.120(b)(2) permits a liquid with a flash point above 100F to be reclassified a combustible liquid if it meets the definition of no other hazard class. But when this reclassification is restated in paragraph (f), no reference is made to other hazard classes. Accordingly, paragraph (f)(1) is revised by adding the phrase "* * * that meets no other hazard class except Class 9."

Three petitioners asked RSPA to delete paragraph (f)(4)(iii) stating that the combustible liquid exception does not apply to materials offered for transportation at a temperature at or above its flash point. They asserted that this provision, addressed in HM–198A, is beyond the scope of the final rule. However, RSPA is maintaining paragraph (f)(4)(iii) because materials shipped in this manner can produce vapors presenting a hazardous ignition source, and must therefore be regulated.

Section 173.152. Two petitioners suggested revising paragraph (b)(1) to provide a 10–pound exception for domestic shipments of Packing Group II oxidizers in strong outer packagings. The petitioners cite two basic products that have been shipped for years in small containers (10 pounds or less) without incident. They say there is no evidence that 2.2–pound shipments provide a greater level of safety than 10–pound shipments. However, a 10–pound exception was not considered under Docket HM–181 and is beyond the scope of the final rule.

Section 173.153. COSTHA urged RSPA to broaden Division 6.1 exceptions to include PG II poison materials and to provide a POISON or KEEP AWAY FROM FOOD labeling exception for combination packagings meeting the selective testing criteria for the so-called "Superpack" in § 178.601(g)(2). In effect, this would retain hazard communication exceptions in COSTHA's current "Poison Pack" exemptions. COSTHA asserted that the absence of a Division 6.1 labeling exception seriously obstructs the domestic distribution of poison materials. Highway carriers, including fast freight and parcel delivery services, refuse to accept packages bearing POISON or KEEP AWAY FROM FOOD labels. Shippers thus experience shipping delays and large surcharges for special pickup service by common carriers of small volume shipments.

RSPA declines to generically expand the exception provided in paragraph (b) to Division 6.1 Packing Group II materials because the objective in the final rule is to fully regulate these materials, especially when shipped with foodstuffs. RSPA points out that there is no basis in existing regulations to grant a labeling exception to Division 6.1 Packing Group II materials. In the existing HMR, poison B liquids, equivalent in degree of hazard to Packing Group II poisons, are subject to labeling requirements. COSTHA's proposal also is inconsistent with UN recommendations and ICAO requirements. In section 6.7, the UN recommends that substances "marked or known to be poison in Packing Groups I, II, III should not be carried in the same * * * conveyances with substances marked or known to be foodstuffs * * *" ICAO requires the POISON label for PG I and II poison liquids and solids and the KEEP AWAY FROM FOOD label for PG III poison liquids and solids. Therefore, labeling exceptions for Division 6.1 Packing Group II poisons will continue to be subject to the exemption process.

Section 173.154. Paragraph (d) is revised to correspond with the existing § 173.245(b). It states that Class 8, Packing Group III materials that are only corrosive to aluminum or steel are excepted from the HMR "when transported by rail or highway in portable tanks, cargo tanks and tank cars constructed of materials that will not react dangerously or be degraded by the corrosive material."

Section 173.155. RSPA is revising paragraph (b) to add a labeling exception to the exceptions provided for limited quantities of miscellaneous materials in Class 9. The labeling exception was inadvertently omitted in the final rule.

Section 173.156. RSPA accepts two petitions requesting removal of the 30 kilogram (66 pound) package gross weight limitation pertaining to limited quantity packaging when applied to domestic-only shipments of ORM-D materials. This would allow ORM-D materials now commonly shipped in stretched-wrapped floor display stands or wire bound shrouded pallets exceeding 30 kg gross weight to continue to be transported that way. Paragraph (b) thus is revised to remove the package weight restriction if ORM-D materials are shipped by a private or contract motor carrier—or by a common carrier vehicle under exclusive use for such service—from a distribution center to a retail outlet.

5. Subpart E: Non-bulk Packaging for Hazardous Materials Other Than Class 1 and Class 7

Section 173.158. Responding to a petitioner's request, RSPA is authorizing a combination packaging with a 4G fiberboard outer packaging for nitric acid of 80 percent or greater concentration. This is consistent with the IMDG Code which allows a 4G outer packaging for all concentrations of nitric acid.

Section 173.164. A petitioner asked RSPA to revise paragraph (b)(1) to be consistent with Packing Instruction 805 of the ICAO Technical Instructions for manufactured articles containing mercury. This revision would maintain a current exemption excepting mercury shipped in articles from regulation under certain conditions. The petitioner claimed that, "to date, we are not aware of any loss of contents during transportation in connection with this exemption." RSPA accepts this petition and is adding a new paragraph (b)(2) excepting from the requirements of this subchapter, "thermometers, switches and relays, each containing a total quantity of not more that 15 grams of mercury if they are installed as an integral part of a machine or apparatus and so fitted that shock or impact damage" leading to a leakage of mercury is unlikely to occur.

Section 173.173. The National Paint and Coatings Association, HMAC and other petitioners reasserted positions taken in comments to Docket HM–181, urging DOT to except five-gallon DOT Specification 37 open head pails from Subpart M testing. They claimed that the extensively used open-head five-gallon Specification 37 pail cannot pass the Packing Group II drop test, forcing them to use the substantially more expensive Specification 17H packaging that can pass the test. One petitioner recommended a new paragraph (c) authorizing metal drums not over 20 liters and capable of passing Packing Group II tests with solids for Packing Group II or III paint and paint related materials.

Other than citing cost impact, petitioners offered no justification stating why they cannot use packagings capable of meeting the minimum performance levels specified in parts 173 and 178. A number of incidents involving failure of open head five-gallon steel containers have been reported to RSPA. For example, HMIS data shows that between January 1, 1986 and January 1, 1991, 210 five-gallon Specification 37A containers failed during loading/unloading operations or in transportation, many involving shipments of paint and paint related materials. Incidents included failures of welds and seams, closures and basic packaging material. As stated in the preamble, RSPA believes the five-year transition (to October 1, 1996) provided for conversion to UN performance standards gives the paint industry ample time to develop cost-effective packaging capable of passing subpart M tests. Addressing another issue, RSPA is revising paragraph (a) to include "drying" compound among the substances included in the definition of "Paint related material."

Section 173.181. Several petitioners requested revisions to paragraph (c) to liberalize packaging authorizations for pyrophoric materials. Consistent with long-standing shipping practices, another petitioner suggested revisions to paragraph (c) authorizing glass inner bottles in strong tight, firmly cushioned metal cans further packed in fiber drums. Accordingly, paragraph (c) is revised to read, "Steel drums (1A2) or fiber drums (1G) * * * with inner strong tight metal cans * * *." One petitioner recommended that RSPA eliminate references to certain types of metal construction or material thicknesses for inner packagings, for example, specifying metal inner cans constructed of "electrocoated tin plate material not less than 0.015 inch thick," or requiring "tin plate" instead of "metal" separators between each layer of inner containers. RSPA agrees and is revising paragraphs (c) and (c)(3) to remove those specific references.

Section 173.185. The exemption (DOT E–7052) authorizing the shipment of lithium batteries is incorporated into this section and will be terminated on September 30, 1993. Rechargeable lithium batteries and devices or equipment containing lithium batteries may continue to be offered under the terms of the exemption. However, those rechargeable lithium batteries and devices or equipment containing lithium batteries not acknowledged in writing by the Office of Exemptions and Approvals by September 1, 1991 must be approved and shipped in accordance with the requirements in this section. In addition, the devices and equipment containing lithium batteries and rechargeable lithium batteries being shipped under DOT E–7052 must be reidentified in accordance with this section by September 30, 1993.

Consistent with ICAO classification, paragraph (a) is revised to include shipments of "lithium batteries and cells contained in equipment" as requiring approval by the Associate Administrator for Hazardous Materials Safety. RSPA also accepts a petitioner's request to add a new paragraph (k) permitting lithium batteries or cells discharged to below 2 volts to be shipped for testing purposes by highway only. A petitioner's recommendation that RSPA except liquid cathode lithium batteries containing up to one gram of lithium or lithium alloy from regulation is beyond the scope of the final rule.

Section 173.188. Three petitioners, including the Chemical Manufacturers Association (CMA), requested a revision to paragraph (a)(2) permitting phosphorus to be shipped in closed head steel drums (1A1) with capacities of up to 250 liters (66 gallons) and open head steel drums (1A2) with capacities up to 115 liters (30 gallons). They said this would allow use of 55 gallon specification 17C and UN 1A1 drums now authorized in DOT E–7753 for phosphorus shipments. CMA's request also is aligned with CA–910236 permitting international shipments in UN 1A1 drums not exceeding 250 L capacity. RSPA accepts this petition and is revising paragraph (a)(2) accordingly.

Section 173.193. Four petitioners objected to the 250 pound cylinder size limit contained in paragraph (b) and urged RSPA to remove it. They claimed that the cylinder capacity limitation "is not necessary or justified" for these materials, especially for methyl bromide. Petitioners pointed out that requirements for methyl bromide in existing § 173.353 impose no cylinder capacity limit. They said the cylinder size limitation also is inconsistent with the approach RSPA has taken regarding materials poisonous by inhalation packaged in cylinders. Section 173.40 contains no cylinder capacity limits, nor do §§ 173.302, 173.304 and 173.305 for compressed or liquified gases in Hazard Zones A and B. RSPA agrees that the water capacity limit for cylinders should not apply to methyl bromide and is revising paragraph (b) to state that exception.

Citing a long-standing and safe shipping practice, one petitioner asked RSPA to continue to allow methyl bromide and chloropicrin mixtures to be shipped in small packages. Accordingly, RSPA is adding a new paragraph (c) authorizing combination packaging with inside metal cans containing not over 1¾ pounds each of methyl bromide mixtures with up to two percent chloropicrin.

Section 173.197. This section has been added to specify packaging requirements for medical waste. These requirements are effective on October 1, 1992. In paragraph (a), RSPA is providing for the use of packagings conforming to the requirements of part 178 of this Subchapter at the Packing Group II performance level. Paragraph (b) requires that the packagings be capable of passing the testing requirements contained in subpart M of part 178 but excepts the packagings from having to be marked or tested to the UN standards until October 1, 1994. Specifically, the regulations require the use of rigid, leakproof packagings that are impervious to moisture and of

sufficient strength to prevent tearing or bursting under normal conditions of use and handling. Packagings used for medical waste that are sharps (e.g., discarded hypodermic needles, suture needles, pasteur pipettes, scalpel blades, blood vials, culture dishes, and slides), and for fluids in quantities greater than 20 cubic centimeters must meet certain additional requirements. Requiring these packagings to be rigid will preclude the use of double bags not packed in a strong outer packaging. However, RSPA believes the use of rigid packagings offers a more adequate level of safety to the public and transport personnel. This action will provide uniform Federal regulation of regulated medical waste in transportation.

Sections 173.202, 173.203; 173.211 through 173.213. Ten petitioners asked RSPA to add single package authorizations to the generic non-bulk packaging sections for liquids and solids. Among them, the Fiber Drum Technical Council (FDTC) asserted that fiber drums lined with an assortment of plastic, mylar, nylon, polyethylene/oil and other lining materials, strengthened to pass at least the Packing Group II test with liquids, should be authorized domestically for Packing Group II and III liquids and Packing Group I solids. In its petition, FDTC referred to the "1G fiber drum with inner plastic liner" as defined in section 9.6.6.1. of the UN Recommendations. The "lined" 1G fiber drum is distinguished from the "6HG1 composite plastic receptacle with outer fiber drum" described in section 9.6.18 which is authorized internationally for most liquids and solids.

FDTC claimed that fiber drums constructed with linings impervious to various liquid ladings provide better barrier properties than plastic counterparts. They also show good stacking strength and perform better than other packagings in high humidity and temperature environments. FDTC contended there are fewer available polyethylene resin/hazardous material compatibility matches for plastic drums or steel drum coatings. Because single-trip fiber drums can be cost-effectively incinerated, FDTC said they also are a more environmentally acceptable choice of container.

RSPA recognizes that single fiber drums have not been viewed internationally as suitable for transporting liquid hazardous materials because of the high water absorption properties of fiber packaging materials. ICAO and the IMDG Code prohibit use of fiber drums, with or without lining, for corrosive, flammable or poisonous liquids. Under ICAO, fiber drums cannot be used for Packing Group I corrosive or flammable solids, but the lined drum can be used for Packing Group I poison solids. The IMDG Code allows use of the 1G for Packing Group I poison, corrosive and Packing Group II flammable solids.

Based on the extensive, safe domestic use of this packaging for low hazard materials, RSPA believes that lined fiber drums capable of passing at least the Packing Group II performance tests with liquids should be generically authorized for those materials. Special Provision N37 in § 172.102 already authorizes integrally lined fiber drums for such materials as "Compound, cleaning liquid, n.o.s. Packing Group II and III." Consequently, paragraphs (c) in §§ 173.202 and 173.203 are revised to include the lined fiber drum 1G. RSPA also is revising § 173.211(c) to authorize the unlined fiber drum 1G for Packing Group I solids.

A number of petitioners urged RSPA to authorize the 5M1 multiwall paper bag for all hazardous solids in §§ 173.211, 173.212 and 173.213. The Chemical Packaging Committee of the Institute of Packaging Professionals (CPC) noted that existing § 173.365 authorizes the DOT Specification 44D multiwall paper bag for Poison B solids and that bags meeting the 5M1 standard have been successfully used for other solids under various exemptions. COSTHA said that many solids for which packaging in §§ 173.212 and 173.213 is authorized were previously authorized for transport in non-specification packagings, "particularly those in Packing Group III of Division 6.1 and Class 8." COSTHA contended that "safety will not be compromised by authorizing the 5M1 for these materials, provided the bag meets part 178 requirements." HMAC and other petitioners asked RSPA to revise § 173.211(c) to include the water-resistant multiwall paper bag 5M2 for Packing Group I solids.

RSPA notes that the water-resistant 5M2 multiwall bag has gained limited international acceptance. It is authorized by the IMDG Code only for Packing Group II and III Division 6.1 solids. Based on sufficient history of safe shipping, RSPA is authorizing the 5M2 as a domestic exception for all Packing Group II and III solids. However, it has not been adequately demonstrated that multiwall bags which are not water resistant can offer enough protection against moisture leaching in or out of bags containing hazardous solids. RSPA believes the five-year transition period for conversion of most packagings to the performance-based system offers enough time for the industry to improve bag technology. At that time, companies may wish to petition RSPA for a rulemaking with sufficient data to prove a multiwall paper bag 5M1 is an appropriate packaging for hazardous solids.

Section 173.204. Several petitioners asserted that requiring performance-tested packaging for materials previously shipped in non-specification packages is unnecessary and will drive up shipping costs. HMAC and NSWMA both claimed that RSPA has significantly increased packaging requirements for hazardous substances and wastes "when there has been no established history of package failure under current standards" allowing use of strong, tight packaging for substances and wastes meeting no other hazard class. FDTC said that "any packaging suitable for the containment of wastes until disposal should be adequate, especially since the law is clear concerning spills and cleanup." Petitioners suggested that assigning non-specification packaging for these materials under § 173.204 "would maintain today's proven practices," keeping in mind that shippers are still obligated under § 173.24 to offer structurally sound packages for transportation.

FDTC also petitioned RSPA to allow materials now regulated under § 173.249a to continue to be shipped in non-specification packaging. The Council said the non-specification fiber drum now used for cleaning and textile treatment compound liquids, dye intermediates and mining reagents meets National Motor Freight Classification provisions (Item 296), which includes a one-foot drop test, but that this packaging does not pass the 3.9 foot Packing Group II test required for UN certification. FDTC claimed that, over the past 20 years, more than seven million of these drums, valued at over $88 million, have been used safely. "Required use of the 6HG1 plastic-lined fiber composite for many of these materials would result in a $10 per drum or a 60% overall cost increase."

One of RSPA's overall objectives in the final rule has been to improve transportation safety by upgrading package integrity for a number of materials, including hazardous substances and wastes, previously shipped in non-specification packaging. This especially applies to hazardous wastes which too often have been shipped in substandard packagings from waste sites to disposal facilities. Therefore, consistent with international standards, and with certain exceptions

for waste materials (See § 173.12), RSPA is requiring environmentally hazardous substances and wastes classed in Class 9 to be shipped in packagings meeting at least the Packing Group III performance level.

RSPA is employing the same approach to materials previously regulated under § 173.249a, many of which are consolidated under the "Corrosive liquids, n.o.s." entry and assigned at least Packing Group III packaging. There are very few cases in the final rule where non-specification packaging under § 173.204 is provided, and no provisions are made for non-specification fiber drums. RSPA never intended to except domestically-used fiber drums from the performance standards it adopted. When authorized for use under the UN system, fiber drums must comply with the 1G standard (§ 178.508) and pass the appropriate tests for materials they are intended to contain.

Section 173.224. In response to a petition, RSPA is revising the "Packing Methods for Self-Reacting Materials" chart in paragraph (c) to include "Fiber drum 1G, sift proof" in the "outer packaging" column for the "F5b" entry.

Section 173.225. Several petitioners, including the Organic Peroxides Producers Safety Division (OPPSD) of the Society of the Plastics Industry, urged RSPA to revise paragraph (b) and assign generic UN classifications to 70 unlisted domestically produced organic peroxides and formulations on the basis of limited test data. OPPSD said these materials are transported either under the existing "Organic peroxide, liquid or solution, n.o.s." shipping description or have been tested by the Bureau of Explosives and found to present no hazard. OPPSD added that these 70 products "have been shipped domestically without incident for years." One petitioner asked, "why should many 'old', unlisted, uniquely American organic peroxides and formulations be subject to the battery of UN classification tests prior to DOT approval for transport because there is no provision for them in the European (UN) listing DOT is adopting?" One petitioner added that the generic classification procedure in § 173.128(c) "is potentially burdensome, going far beyond the current process for classifying these materials."

RSPA invested considerable resources over the past five years working with the UN to develop the entire generic organic peroxide classification system and the list presented in the Organic Peroxides Table in paragraph (b). This list was developed from test data provided to the UN working group, including data for many entries from U.S. companies. RSPA continually urged producers, through OPPSD, to check the developing list for new entries, but the response was not positive. As a result, many of the so-called "old" products were not included in the paragraph (b) table. RSPA notes that many organic peroxide compounds and formulations listed specifically by name in the UN table prior to the Sixth edition of the UN Recommendations include U.S.-developed products, not just European products. To address the problem of classifying unlisted products, RSPA suggests that organic peroxides producers submit test data for review and assignment to the appropriate generic types described in § 173.128(b). Producers are encouraged to recommend a more effective mechanism by which a broad range of new formulations can be tested and classed. RSPA believes that over the two-year transition period for conversion to the UN classification system that "old" and new products can be effectively tested and classified.

Responding to a request by OPPSD, RSPA is making a number of editorial changes to the Organic Peroxides Table in paragraph (b), the table of Packagings for Liquid Organic Peroxides in paragraph (d)(1) and the table of Packagings for Solid Organic Peroxides in paragraph (d)(2) for better alignment with UN Recommendations. RSPA also is correcting paragraph (e)(4)(i) by removing the phrase "Type C" and inserting "Type B". Thus, samples of untested new organic peroxides or new formulations may be assigned to the generic Type C classification "if the materials pose a level of hazard no greater than that of a Type B organic peroxide."

Two petitioners asked RSPA to revise paragraphs (e)(2) and (e)(3) to permit use of bottom outlets on cargo tanks and portable tanks containing organic peroxides. They asserted that transportation safety would be improved by allowing tanks with bottom outlets. The petitioners claimed that "use of bottom outlets will also facilitate complete unloading of the product with only minimal cleaning." RSPA notes that organic peroxides are assigned to bulk packaging on a case-by-case basis and believes that use of bottom outlets for these materials in portable and cargo tanks cannot be generically established without a thorough safety analysis. However, this issue may be addressed in a future rulemaking if it is based on a sufficient safety analysis.

Section 173.226. Numerous petitions were submitted suggesting changes to §§ 173.226 and 173.227 for the non-bulk packaging of materials poisonous by inhalation, including revised inner and outer package minimum thicknesses, a lower hydrostatic pressure standard for outer drums, a more flexible inner drum closure provision and expanded use of authorized single packaging in dedicated distribution systems. Two petitioners asked RSPA to authorize 16 gauge 1A2 or 1H2 outer packagings meeting Packing Group II performance standards. However, no test or cost data were advanced to support this revision. RSPA accepts several petitions to authorize 16 gauge minimum thickness (0.054 inch) for 1A1 and 1N1 inner packagings over 32 gallons capacity, provided these inner packagings are capable of meeting higher drop test heights or are rated to carry materials of higher specific gravity.

HMAC, CPC and other petitioners urged RSPA to clarify that the 250 kPa (36 psi) hydrostatic test required in § 178.605(d)(3) for Packing Group I liquids does not apply to the outer drum. They claimed that no commercially available open head drum can withstand this test. RSPA agrees that a lower hydrostatic test pressure for open head outer drums is acceptable given that the primary functions of the outer drum are to provide puncture and impact protection to the inner packaging and to contain any poisonous by inhalation hazard material accidentally released from the inner packaging. Therefore, RSPA is revising paragraph (b) to require 1A2 and 1H2 outer drums to withstand the hydrostatic test pressure of 100 kPa (15 psi) specified in § 178.605(d)(1) for Packing Group II liquids. The 550 kPa (80 psi) hydrostatic test pressure specified in paragraph (b)(1) for inner packagings is retained.

Several petitioners recommended revised minimum separation distances between inner and outer drums for the double drum configurations authorized in §§ 173.226 and 173.227. They suggested a "minimum separation of 2.5 cm (1 inch) around the body of the inner drum and at least 2.5 cm on the top and bottom and between inner and outer drums." CMA and other petitioners claimed that, for many years, shippers have successfully used 85-gallon salvage drums with 2.5 cm clearances on sides, top and bottom. "This revision will permit continued use of readily available salvage drums and prevent an unneeded expense in producing and stocking a new drum of larger capacity for a limited number of products." However, no test data has been offered to support this petition. The drum separation requirements in paragraph (b)(5) were not arbitrarily drawn for the final rule. They follow RSPA's 1986

"Guidelines for Packaging Liquids Toxic by Inhalation" and are contained in numerous approvals granted under Docket HM–196.

A petitioner suggested deletion of the requirement in paragraph (c)(2) that inner packagings must have "screw-type" closures. The petitioner contended that there are "better, safer and more effective closures" than the screw-type device required in paragraph (c). RSPA agrees that any closure held in place "by any means capable of preventing back-off or loosening of the closure" is sufficient. Therefore, paragraph (c)(2) is revised by removing the phrase "screw-type closure." This revision also aligns paragraph (c) with section 9.6.2.4 of the UN Recommendations stating that any closure "should be so designed and applied that they will remain secure and leakproof under normal conditions of transport" without specifying a certain type of closure.

Petitions asking RSPA to extend the authorized use of single packagings in dedicated transportation for lower hazard poisonous by inhalation materials (§ 173.227(c)) to Hazard Zone A or B materials are declined because they contravene RSPA's intent in the final rule to impose extraordinary measures to prevent leaks and dispersion of these materials to the atmosphere. Thus, for Hazard Zone A and B materials, the basic double-drum configuration is maintained for all non-bulk transportation.

Section 173.227. Four petitioners requested a revision of paragraph (b) to authorize either 18 gauge 1A2 and 1H2 outer packagings meeting the Packing Group II performance level or a 16 gauge salvage drum equivalent. Other petitioners suggested revising paragraph (b) to allow a 1H2 drum or a 6HA1 composite drum further packed in a 1A2 or 1H2 drum and revising paragraph (b)(3) to add the 1N1 drum to the list of authorized inner packagings. However, no test data was provided to justify taking these actions.

In response to petitioner requests, for reasons given above, RSPA is revising paragraph (b)(1) to require 1A1, 1H2 and 6HA1 outer packagings to withstand the hydrostatic test pressure of 100 kPa specified in § 178.605(d)(1) for Packing Group II liquids.

CMA suggested that RSPA remove either paragraph (b)(2)(ii) requiring a closure to be held in place to prevent backing off, or (b)(2)(iii) requiring a closure to be secured by a cap seal. CMA claimed that requiring a closure that employs both back off protection and a cap seal capable of withstanding 100 kPa would be "a major stumbling block in compliance. There is no current design that would permit installation of back off protection without compromising the cap seal requirement." CMA urges RSPA to require one or the other until a proven combination has been designed and field tested. This petition is not accepted. Two closure manufacturers have indicated to RSPA that paragraph (b)(2) requirements do not constitute serious design problems and can satisfactorily be complied with. Furthermore, specified back off protection and a cap seal capable of withstanding 100 kPa are contained in RSPA's 1986 "Guidelines for Packaging Liquids Toxic by Inhalation" and are incorporated in numerous HM–196 approvals.

A number of petitioners asked RSPA to revise paragraph (c) by adding the 1H1 closed head plastic drum as a single packaging in dedicated transport. They said adding the 1H1 would liberalize the use of plastic single packagings holding prior HM–196 approval—and in cases where poison materials also are corrosive to steel. CMA also cites "satisfactory shipping history of 1H1 plastic drums of phosphorus oxychloride, as well as the favorable experience gained under HM–196 for other products. It is believed that this omission is an error." However, no test data has been offered to show that the 1H1 as a single packaging meets a sufficiently high level of integrity to be authorized for materials poisonous by inhalation, thus these petitions are not accepted. RSPA would consider a petition for rulemaking on this issue based on adequate test data.

6. Subpart F: Bulk Packaging for Hazardous Materials Other Than Class 1 and Class 7

Section 173.240. RSPA is removing the authorizations for AAR Class 203W, 206W and 211W tank car tanks from paragraph (a) because non-specification tanks already are permitted. Several petitioners asked RSPA to revise paragraphs (a) and (b) to refer to a definition of "sift-proof" in § 171.8 as applied to "sift-proof closed rail cars" and "sift-proof closed vehicles." They suggested that the definition include a "tarpaulin-covered open-type vehicle" for ammonium nitrate fertilizers. Petitioners also urged RSPA to maintain existing § 173.182(b)(2) permitting the use of "sift-proof closed or open type motor vehicles" for transporting ammonium nitrate fertilizers. They contended that elimination of § 173.182(b)(2) "would have a serious effect on the explosives and agricultural industries."

When applied to a closed rail car or vehicle, RSPA believes that the term "sift-proof" already is adequately defined under the "no identifiable release" provision in § 173.24(b)(1). It is also RSPA's opinion that tarpaulin-covered open vehicles meet the definition of "closed vehicles." A request to authorize the use of sift-proof bulk bags for solid environmentally hazardous substances is considered beyond the scope of the final rule.

RSPA is not accepting one petitioner's request to revise paragraph (c) to refer to a broader range of "closed bulk packagings" by deleting references to "closed bins." References to "closed bulk packages" in this section, implying inclusion of IBCs and bulk bags, are considered beyond the scope of the final rule.

A number of petitioners, including HMAC, asked RSPA to align §§ 173.240 through 173.244 with the IMDG Code by authorizing IMO type 1, 2 and 5 portable tanks because they believe these tanks offer containment equivalent to DOT's specification IM 101, IM 102 and DOT 51 portable tanks respectively.

Two petitioners asked RSPA to add authorizations for IM–101 and IM–102 portable tanks in § 173.242, authorize the IM–101 in § 173.243 and authorize the IM–101, qualified by T-notes, in § 173.244. Another petitioner said that RSPA granted interim approval to ship molten cyanuric chloride, classed as "Corrosive liquid, poisonous, n.o.s.", in IM 101 portable tanks. The petitioner pointed out that the IMDG Code also authorizes corrosive liquids posing a poisonous subsidiary hazard to be shipped in IMO type 1 tanks.

Except as limited by special provisions in Column 7 of the § 172.101 Table, these tanks already are authorized in §§ 173.240(c) and 173.241(c) because non-specification portable tanks are permitted by these sections to be used for the transport of lesser hazard materials. For clarification, RSPA is revising paragraph (c) in both §§ 173.240 and 173.241 to specifically authorize IM type 1, 2 and 5 and IM 101 and IM 102 portable tanks. However, requests that IMO types 1, 2, and 5 and IM 101 and IM 102 portable tanks be authorized in §§ 173.242 through 173.244 are not accepted. RSPA believes there is not sufficient justification for creating a new packaging scheme for higher hazard materials based solely on IMO recommendations.

Section 173.241. RSPA is removing the special requirements in paragraph (c) for the generic authorization of DOT 57 portable tanks in this section because

they are inappropriate for this level of hazard.

Section 173.242. For regulatory consistency, RSPA is moving references to DOT Specification 111A100W4 and 111J100W4 tank cars, and Class DOT 103, 104 and 111 tank car tanks in paragraph (a) in §§ 173.242 and 173.243 to the generic section for the qualification, maintenance and use of tank cars (§ 173.31).

Sections 173.243. A petitioner recommended that RSPA remove the requirement in paragraph (a) for gauging devices on Class DOT 103, 104 and 111 tank cars. The petitioner explained that he operates a fleet of 100 insulated DOT–111A100W tank cars built for acrylonitrile service. These cars have no bottom outlets and contain no gauging devices to measure outage through open manways. The petitioner stated, "we feel our operation not only eliminates the need for gauging devices, it is also a safer operation, eliminating a potential leak area." RSPA accepts this petition and paragraph (a) is revised accordingly. Paragraph (b)(2) is revised to remove the authorization for the DOT 406 cargo tank because it is inappropriate for this level of hazard.

Sections 173.243 and 173.244. RSPA is revising paragraph (a) in these sections to properly describe authorized tank car tanks as being "fusion welded" and not "riveted." Therefore, references to "fusion welded" are inserted and references to "riveted tank car tanks" are removed.

Section 173.244. In response to several petitions, RSPA is allowing the use of MC 312 and MC 412 cargo tank motor vehicles subject to the conditions and limitations specified in special provisions B30 and B32. This is in response to several petitioners who argued that heavy walled MC 312 and DOT 412 cargo tanks provide an acceptable level of safety for materials poisonous by inhalation.

Section 173.245. For regulatory consistency, RSPA is adding authorization of tank car tanks and multi-unit tank car tanks when approved by the Associate Administrator for Hazardous Materials Safety.

7. Subpart G: Gases, Preparation and Packagings

Sections 173.302 and 173.304. Under the Docket HM–181 final rule, Column 8B of the § 172.101 Table authorized packagings in §§ 173.302 and 173.304 for various gases which had been reclassified as Division 2.3 materials. However, neither of these two sections was revised in the Docket HM–181 final rule to remove the prohibition against the use of these packagings for poisonous gases. By removing the phrase "or poisonous gas" in these two sections, as appropriate, a Division 2.3 material which is authorized to be packaged in a packaging listed in §§ 173.302 and 173.304 may be so packaged.

Section 173.306. Although not proposed in Docket HM–181, RSPA agrees with COSTHA's petition to add a definition of "flammable aerosol" in the final rule. COSTHA proposed that the definition be added to the defining criteria in § 173.115, but RSPA believes it more appropriately belongs in this section. Accordingly, paragraph (i) is added, incorporating the definition of flammable compressed gas in § 173.300(b)(2), (3) and (4). For consistency, RSPA is revising the limited quantities specified in paragraphs (a)(3)(i) and (b)(1) for metal aerosol containers and foodstuffs and soaps in non-refillable containers as follows, "* * * not exceeding 50 cubic inches capacity (1 liter) * * *." In addition, § 173.306 has been revised to allow Division 6.1 Packing Group III materials to be shipped in accordance with the authorized packagings of this section.

Sections 173.314 and 173.315. These sections are revised in order to clarify the packaging requirements for material poisonous by inhalation. The requirements previously found in § 173.244 and the special provisions for bulk packagings (i.e., B notes) have been moved to these sections. In § 173.315, there are now 4 generic entries for Division 2.3 materials—one corresponding to each hazard zone—and generic entries for Divisions 2.1 and 2.2, which were previously located in § 173.315(a)(2).

Section 173.314. RSPA is revising the table in paragraph (c) amending tank car authorizations for Division 2.3 materials for consistency with special provisions in § 172.102. Several notes to the table are revised by deleting several obsolete provisions. Other notes are edited for clarity. Note 25 to the table is removed as unnecessary since the quantity limitations aboard an aircraft would be exceeded for these packages. Note 16 is removed since it is no longer referenced. Entries for "nitrogen dioxide, liquified" and "ethylene oxide" are added. A fourth column is added captioned "notes". Paragraph (g) is amended by adding a new paragraph (3) referencing additional tank requirements.

HMAC suggested that RSPA revise the paragraph (c) table to include all compressed gases by name, including n.o.s. categories, and to identify notes to the table as appropriate. RSPA developed generic compressed gas entries to cover over 100 materials specifically named in § 172.101, and will retain the generic entries in the final rule. However, some specific compressed gases are listed in the paragraph (c) table because they present hazards requiring added levels of protection.

One petitioner recommended that RSPA remove Note 30 from the entry for "hydrogen chloride" and revise Special Provision B86 to require that new refrigerated liquid tank cars intended to contain this material be equipped with full head shields. The requirement of full head shields for a broader range of hazardous materials in tank cars is being addressed under Docket HM–175A and thus is beyond the scope of the final rule.

Section 173.323. RSPA is accepting a petition recommending removal of the requirement that all copper alloys in package construction material used to contain ethylene oxide be prohibited from contacting the lading, and is revising paragraph (a) accordingly. The petitioner pointed out that ethylene oxide packaging equipped with brass valves has been used for years under DOT E–9047 without incident. Responding to another petition, RSPA is correcting paragraph (b)(1) to authorize ethylene oxide in 4G fiberboard boxes with inner glass ampules or vials up to a total per package weight of 100 grams (3.5 ounces). RSPA also is revising paragraph (b)(4) to incorporate the existing § 173.124(a)(2) authorizing ethylene oxide to be shipped in cylinders over one gallon and five gallon capacities equipped with pressurizing valves and insulation. The five-gallon cylinder must be equipped with eductor tubes.

The Ethylene Oxide Industry Association (EOI) suggested revising paragraph (b)(5) to authorize ethylene oxide in 1A1 drums meeting the Packing Group III performance standard because that performance level equates to a Division 2.3 Hazard Zone D hazard level. However, this comparison is irrelevant given that only Packing Group I standards apply to the packaging of liquid materials poisonous by inhalation. EOI said reference in paragraph (b)(5) to a drum meeting the Packing Group I performance standard "is inconsistent" with poison gases being evaluated on a hazard zone basis. EOI added that the drum authorized in paragraph (b)(5) essentially is derived from the existing § 173.124 authorizing a DOT Specification 5P drum required to pass a Packing Group II drop test of four feet.

In the final rule, assignment of hazardous materials to non-bulk

packagings is based on the packing group system which relates the hazard level of materials to be packaged with the appropriate performance level of the packagings. Non-bulk packaging for all materials poisonous by inhalation, including ethylene oxide classified as a Division 2.3 Hazard Zone C poison gas, has been substantially upgraded in the final rule. Consistent with the generic packaging requirements for Hazard Zone C poison gases in § 173.227, the inner package primarily containing ethylene oxide must be capable of meeting the Packing Group I performance level.

Part 174: Carriage by Rail

Section 174.25. AAR noted that the table in § 174.25(a)(2) does not contain placard notations for Division 6.1 PG III and Class 9 materials, even though rail cars transporting these materials must be placarded. AAR suggested that shipping papers for all placarded rail cars should contain an appropriate placard notation to avoid confusion. RSPA agrees, and the table in paragraph (a)(2) is revised by adding an entry for Division 6.1 PG III materials, and revising the placard notation for Class 9 materials. AAR also recommended that there should be no placard endorsement residues of these materials should excepting tank cars containing a residue of a Division 6.1 PG III or a Class 9 material from the "DANGEROUS" placard endorsement.

Section 174.81. (See § 177.848 for discussion of segregation table issues.)

Section 174.82. AAR and other petitioners asked RSPA to revise paragraph (a), to except all Class 3, PG III materials (flash points between 23° C and 38° C) from required handling of placarded rail cars. AAR asserted that "there is no safety justification for imposing train placement restrictions (on these materials)." Since RSPA is adopting the UN classification system, which does not include a 38° C threshold, AAR suggested, "now is the logical time to exempt all flammable liquids with flash points above 23° C from train placement restrictions." These petitions are considered beyond the scope of Docket HM–181; however, train placement documentation is being addressed in a forthcoming rulemaking action under Docket HM–201A.

Part 176: Carriage by Vessel

Section 176.11. Several petitioners suggested that the reference to "171.12(b)" in § 176.11 was incorrect. Petitioners pointed out that this reference would not allow the shipment of bulk packagings in accordance with the IMDG Code in port areas, which is allowed in § 171.12(c). In the final rule, RSPA did not intend to forbid the movement of IMDG Code bulk packagings in port areas. Therefore, RSPA is amending the reference to § 171.12 by removing the direct reference to paragraph (b). This will allow shippers and carriers to determine which paragraphs of § 171.12 apply to their shipments.

The second sentence of paragraph (a) was intended to state that for Class 1 shipments made in accordance with the IMDG Code, the referenced sections in Part 176 do not apply. The present text is unclear. RSPA is clarifying this sentence by revising it to read, "The requirements of §§ 176.83, 176.84 and 176.112 through 174 are not applicable to shipments of Class 1 (explosive) materials made in accordance with the IMDG Code."

Section 176.76. One petitioner requested that the words containership and barge be added to § 176.76(b). RSPA disagrees. The definitions of trailership and carfloat, which are included in § 176.76(b), include barges. Therefore, RSPA sees no need to include barges in § 176.76(b). Containerships should not be added because they are specially equipped to carry containers, not vehicles. Vehicles should be carried only on vessels that are equipped to carry them. RSPA is denying this petitioner's request.

Section 176.170. Several petitioners requested that the limitation of 5,000 kilograms of Class 1 materials in freight containers of length greater than 6 m in § 176.170 be removed. It is RSPA's concern that freight containers of over 6 m in length could sag and then possibly fail without a proper weight limitation placed on that freight container. The limitation of 5,000 kg, which was developed in an international forum, is believed to be the maximum weight that these freight containers can hold without an unacceptable level of risk of the freight container failing. Therefore, these petitioners' request is denied. However, if a level of safety equivalent to that provided in § 176.170 can be provided, exemption applications submitted in accordance with 49 CFR 107.103 for greater than 5,000 kilograms will be reviewed on a case by case basis.

Section 176.415. RSPA is removing the reference to ammonium nitrate, Division 1.1D, UN0222, from § 176.415(c)(1)(2) and (5). This is being done because the permit requirements for Division 1.1 materials are found in § 176.100.

Part 177: Carriage by Public Highway

Section 177.848. A number of petitioners objected to revisions of the Segregation Table for Hazardous Materials in the final rule, asserting that they are more stringent than existing requirements in § 177.848 for highway and rail operations, and more stringent than requirements for vessel loading. Petitioners claimed that RSPA "failed to consider significant operational differences between the modes" and that revised requirements in §§ 174.81 and 177.848 "impose vast and unnecessary costs." COSTHA questioned the need to align rail and highway segregation requirements with those in the IMDG Code "since the majority of rail and highway shipments are not destined for eventual transport by vessel."

The United Parcel Service (UPS), the Air Transport Association (ATA) and other petitioners said the new segregation restrictions will interfere with long-standing local pickup and delivery operations, create shipment delays, increase the number of vehicles on the road and cause problems at distribution centers and warehouses which stock and ship a wide variety of goods. UPS noted that the required four-foot separation distance for the segregation of many materials indicated by the letter "O" in the table "complements standard palletized shipments, but ignores long-standing practices for loading small packaged materials." HMAC asserted that the new segregation requirements substantially increase the number of hazard classes to which loading restrictions apply.

Most petitioners urged RSPA to reestablish the existing segregation table in § 177.848 for rail and highway operations. The National Motor Freight Traffic Association, ATA and several carriers suggested that if RSPA retains the revised table, the four-foot separation requirement in paragraph (e)(3) should be deleted. Other petitioners recommended removal of the 10 cm minimum height requirement in paragraph (e)(5)(ii). One petitioner recommended that RSPA revise paragraph (e) to allow palletized loads with "O" and "B" segregation requirements to be transported together with a physical barrier such as a load bar, slip sheet or wooden dunnage between the adjacent materials. However, this proposal was never considered in Docket HM–181 and is beyond the scope of the final rule.

Revised segregation requirements in the final rule are intended to improve transportation safety by imposing appropriate controls over the way certain materials are loaded, especially gases and liquids poisonous by

inhalation. No distinction is made for materials poisonous by inhalation in the existing segregation table. RSPA adopted the segregation table format in section 15.1.16 of the IMDG Code, but not its content, as ATA contended. The IMDG Code employs different separation distances and storage requirements. The Code states in section 15.2.3.1 that dangerous goods which have to be separated from each other should not be carried in the same cargo transport unit, but the Code does not specifically address prohibited co-loading. RSPA determined to impose more stringent segregation requirements for certain materials shipped by rail or highway because these materials are exposed to greater transportation stresses over longer durations (over-the-road vibration and car handling in rail yards).

In response to petitioner requests, RSPA is revising the tables in paragraph (d) in §§ 174.81 and 177.848 by removing letter "O" requirements for Class 3 liquids co-loaded with 4.1, 4.3 and 5.2 materials; and for Division 2.1 flammable gases co-loaded with 4.2, 4.3, 5.1 and 5.2 materials. RSPA also is revising the tables in §§ 174.81 and 177.848 to permit the co-loading of Class 8 (corrosive) liquids with Division 4.3 materials under the less restrictive conditions specified by the letter "O." The tables in both sections are further revised by removing paragraph (e)(5)(ii) specifying letter "B" requirements and removing the letter "B" from the table. The 10 cm minimum height requirement is not limited to palletized materials, and has been moved to paragraph (e)(3). RSPA emphasizes that, in addition to the four-foot separation distance and 10 cm minimum height indicated by the letter "O" in paragraph (e)(3), any other equivalent means may be employed to assure that, in the event of an incident resulting in leakage of materials from packages, commingling of hazardous materials will not occur.

Part 178: Specifications for Packagings

Section 178.2. Several petitioners asked RSPA to clarify the term "manufacturer" as it is applied to the functions of certifying compliance with performance standards under part 178. HMAC observed that paragraph (b) fails to identify any particular person who is required to perform the marking function. The definition of "manufacturer" in § 171.8 also fails to specifically identify such a person. HMAC added that it is unclear why "marking" should be identified as the sole critical factor in determining the "manufacturer" since the process of creating any packaging also includes its design, fabrication, assembly, testing and may include such other functions as maintenance, reconditioning, repair or preparation for transport. HMAC suggested a new definition of "manufacturer" as any person "who designs, manufactures, fabricates, assembles, marks, maintains, reconditions, repairs, tests or prepares a package . . ." Another petitioner said that "most people encountering the term 'manufacturer' would assume it means the actual manufacturer of the packaging," and recommended that RSPA adopt additional terms as necessary to identify other participants in the packaging certification process.

RSPA agrees that responsibility for certifying compliance with part 178 should be more clearly established. However, RSPA believes identification of specifically responsible persons, as HMAC suggested, should be left to the contractual arrangements made by parties who create, close, and test design types. Accordingly, paragraph (b) is revised by removing the reference to "manufacturer" and paragraph (b)(2) is revised to emphasize that "the person" whose name is included in the certification mark required in § 178.503(a)(8) is to be held responsible for compliance with subparts L and M of part 178. In other words, "the person" (manufacturer, shipper, third-party laboratory, or others) who applies the certification mark containing his name, address or symbol is carrying out the function of certifying that the packaging he sells, distributes or uses complies in every respect with the successfully tested design type. For consistency elsewhere in part 178, RSPA is removing references to the "manufacturer" as being solely responsible for package certification.

Two petitioners asked RSPA to make the notification requirements in paragraph (c) a recommendation and not a requirement. They said mandatory notification requirements will add significant expense in time, documentation and delivery of notification. One petitioner claimed, "Within the drum industry, methods of closure are well known." Requiring manufacturers to notify each person to whom packagings are transferred of design shortfalls is essential in a performance standards system in which eventual users are much more involved in package design.

Notification to users of requirements not met at the time of transfer addresses a gap in the Hazardous Materials Regulations by closing a loop of compliance with parts 178 and 173 for persons who certify packagings and persons who prepare them for transportation. Therefore, paragraph (c) is revised to specify that the packaging manufacturer "or other person certifying compliance with the requirements of this part," and each subsequent packaging distributor, must notify users of what remains to be done to prepare (close) packagings built to certified design types for transportation. For example, a drum user could be notified of the type of gasketing described in the design type test documentation for closing a drum built to the successfully tested design type. A combination packaging user could be notified of the type of tape described in the documentation to close an outer 4G fiberboard box. Notification requirements in paragraph (c) directly relate to the shipper's part 173 responsibility to assure that the integrity of packages constructed or assembled according to successfully tested design types is maintained under normal transportation conditions. Paragraph (c) and § 173.24(d) comprise essential safety initiatives in the final rule and are therefore maintained as requirements.

Section 178.3. Seven petitioners addressed the size and location of package certification markings specified in paragraph (a). Four petitioners recommended removal of marking sizes specified in paragraph (a)(4) to allow greater design flexibility and to be consistent with UN Recommendations which do not suggest specific marking sizes. One petitioner urged RSPA to prohibit the placing of markings on the bottoms of packagings "because it makes it very difficult to verify the markings if containers are heavy."

The marking sizes specified in paragraph (a)(4) are intended to provide necessary standardization in the application of legible markings and are consistent with UN Recommendations suggesting "a size relative to the packaging as to be readily visible." With respect to marking location, RSPA encourages the industry to develop its own set of cost-effective standards. The issues of marking size and location are currently being considered by the UN Subcommittee of Experts and any changes to these requirements will be addressed in future rulemaking. A new paragraph (c) is added to clarify that a packaging may be marked in conformance with more than one specification or standard.

Section 178.503. Five petitioners asked RSPA to add a new paragraph (b) to § 178.503 requiring the permanent embossing of drum certification information. NABADA claimed that the lack of permanent certification markings "will result in the obliteration of all

information about the packaging during the reconditioning process * * * severely limiting the potential for use of that drum again." NABADA said the application of a drum mark that can withstand the reconditioning process "enables reconditioners to readily identify drums for sale after the process is completed. Otherwise, reconditioners would have to retest and recertify each unmarked drum for resale with the material intended to be shipped." NABADA asserted this would complicate the business of reconditioning, selecting and reselling drums, substantially adding to product cost.

RSPA accepts a petition from NABADA that, consistent with Section 9.5.2 of the UN Recommendations, "every reusable packaging liable to undergo a reconditioning process which might obliterate the package markings" should bear certain markings in a permanent form (e.g. embossed). Accordingly, RSPA is revising the introductory paragraph (a) to require that the marks specified in paragraphs (a)(1) through (a)(6) and (a)(9) be made permanent.

Responding to suggestions from several petitioners, RSPA also is revising the introductory paragraph (a) to state that a single marking may be applied in one line or in multiple lines if the prescribed sequence is maintained. Paragraph (a) also is revised to recommend use of slash marks (as indicated by examples in paragraph (d)) to present information contained in the certification mark.

Revision of various elements of the package certification mark specified in paragraph (a) was requested by nine petitioners. One petitioner suggested that the introductory notes contained in section 9.5 of the UN Recommendations, defining the purposes and limitations of the certification mark representing a successfully tested packaging design type, be incorporated into paragraph (a). However, RSPA believes the intent of the UN notes is already expressed in part 178 and in §§ 173.24 and 173.24a. Therefore, these notes are not included in § 178.503.

In response to petitioner requests, RSPA is making several revisions to paragraph (a). RSPA is revising introductory paragraph (a) to clarify that marking in a "durable manner" may require some permanent markings. A single marking may be applied in one line or in multiple lines if the prescribed sequence is maintained. Paragraph (a) also is revised to recommend use of slash marks (as indicated by examples in paragraph (d)) to present information contained in the certification mark.

One petitioner claimed that by requiring the marked test pressure to be "rounded off" to the nearest 10 kPa, a packaging could show a test pressure rating that is greater than its performance ability. Accordingly, RSPA is revising paragraph (a)(5)(i) to require the test pressure marked in kilopascals be "rounded down" to the nearest 10 kPa.

Paragraph (a)(7) is revised to more clearly indicate the "state authorizing allocation of the mark" and that the letters "USA" indicate that the packaging is manufactured and marked in the U.S. in compliance with the final rule. Packages marked "USA" must be manufactured in the US. Paragraph (a)(8) is revised to specify that the name and address or symbol of the "person" (i.e., manufacturer, approval agency or others) who applies the mark certifies compliance with subparts L and M of part 178. This reinforces the intent in the final rule to hold the person who certifies a design type responsible for fully complying with part 178 requirements.

Several petitioners asked RSPA to align paragraph (a)(9) with the marking requirements for selective testing Variation II in the Competent Authority approval issued on February 21, 1991 (incorporated into § 178.601(g)(2)(viii) in corrections to the final rule). Accordingly, paragraph (a)(9) is removed and paragraph (a)(2) revised to include the following sentence, "The letter 'V' must follow the packaging identification code on packagings tested in accordance with § 178.601(g)(2); for example, "4GV."

Paragraph (a)(10) is redesignated as (a)(9) and revised to require that the package thickness marking also be applied to packages intended to be reconditioned. One petitioner recommended revising this paragraph to "reflect important differences between head and body thicknesses," and to express "the nominal thickness of material construction used in the heads and body rounded down to the nearest 0.1 mm." As stated in the preamble to the final rule, RSPA is relying on the actual marked thickness of the package to implement authorized reuse requirements in § 173.28. Therefore, the mark specified in redesignated paragraph (a)(9) expresses a stated minimum rather than a permitted range of thicknesses. An example is added to show how the minimum thickness may be displayed when head and body thicknesses are different.

RSPA is adding a new paragraph (a)(10) recommending, but not requiring (because it is not suggested by the UN), a mark indicating the rated capacity of packagings intended to carry liquids.

NABADA claimed that the marking requirement in paragraph (c) will result in dual marking by the reconditioner who reconditions a DOT specification package (marked near the top) that also carries a UN certification mark (usually marked near the bottom). RSPA should remove the phrase "shall be marked by the reconditioner near the marks required in paragraphs (a) (1) through (6)," NABADA said, because it is inconsistent with the existing requirement in § 173.28 to place the reconditioner's mark "within 10 inches of the head." International standards do not specify exact manufacturer or reconditioner certification marking locations, thus, RSPA is not requiring them in paragraph (c). RSPA's intent in paragraph (c) is to require a reconditioner to place his mark "near" the manufacturer's original UN mark for consistency and to be readily visible in relation to the first six performance rating and structural information elements of the manufacturer's mark.

Sections 178.504, 178.505 and 178.506. For consistency with UN Recommendations and the IMDG Code, paragraphs (b)(4), (b)(3) and (b)(3) of each of these sections are revised to recommend, but not require, that steel, aluminum and other metal drums "have at least two expanding rolling hoops." Paragraphs (b)(5), (b)(4) and (b)(4) of these sections also are revised to recommend, but not require, that flanges be mechanically seamed or welded to steel, aluminum and other metal drum bodies.

Sections 178.508, 178.509 and 178.522. One petitioner suggested that these sections be revised to specify maximum total quantity limits for fiber, plastic and composite packagings with inner plastic receptacles. This petition is declined because, in the final rule, RSPA is not specifying non-bulk packaging outage requirements.

Section 178.521. Three petitioners requested that standards in § 178.520(b)(3) authorizing a range of inner-lining materials for water-resistant textile bags (5L3) be applied also to standards for multi-wall water-resistant paper bags (5M2) in § 178.521 (b)(2). Another petitioner claimed that 5M2 standards in paragraph (b)(2) place "a limitation on [design] flexibility and technical innovation of the bag by requiring restrictive placement of water-resistant plies." However, RSPA has insufficient justification at this time to revise UN 5M2 standards. RSPA may consider addressing this issue at a

future time if provided with additional information.

Section 178.601. Revisions to general testing requirements in § 178.601 drew a substantial number of petitions for reconsideration of the final rule. HMAC urged RSPA not to refer to prescribed subpart M tests in paragraph (a) as "minimum requirements." HMAC claimed that the term "minimum requirements" invites tort litigation plaintiffs "to assert that mere compliance with the precise requirements is 'minimal', less than safe and therefore, constitutes negligence."

RSPA disagrees with the contention that an assertion of "minimum" standards can be construed as a reduction of transportation safety. Packaging requirements in 49 CFR have always been considered "minimum" in that they are designed to ensure an adequate level of safety without imposing excessive regulation. In the final rule, RSPA is not departing from this principle in stating that the tests prescribed in subpart M represent "minimum" performance levels. This means packages expected to carry hazardous materials in "normal" distribution systems must be capable of passing at least the "minimum" test procedures specified in subpart M. To ensure package capability in any given distribution system, it may be desirable to test at higher levels.

Several petitioners were troubled by the meaning of the term "identical" in the definition of a "different packaging" in paragraph (c)(4), and asked that the term be removed. In the preamble to Docket HM–181, RSPA stated that performance tests may be conducted at a single facility to qualify all "identical" packagings produced by the same manufacturer at multiple locations. Although one petitioner agreed with this policy, he said there is little guidance in paragraph (c)(4) regarding the meaning of "identical". The petitioner asked, "Even if the design specifications are the same, even if molds, dies and materials of construction are uniform, can we meet an engineering-derived definition of identical packages" produced at multiple locations?" NABADA interpreted "identical" in paragraph (c)(4) to mean that it is RSPA's intent to demand design-type requalification retests "even if no change in the designer's definition of a design type has been made because the second package is 'not identical to' the first design."

By "identical", RSPA is not implying that packagings must be produced to the exactitude of design types containing precisely established engineering specifications. In paragraph (c)(4), RSPA intends "identical" to mean a production unit that is alike in every respect with the successfully tested design-type described in detail in the test documentation required in paragraph (k) to be kept by the person who certifies the tested design type. This documentation should incorporate details of "design, package size, material and thickness, manner of construction" and closure recommended by the UN in its definition of design-type. RSPA believes that such documentation should constitute a sufficient level of detail to ensure compliance with Subpart M requirements. If a packaging is being produced by the same manufacturer at multiple sites, the test documentation should be maintained and complied with at those locations.

Several petitioners urged RSPA to revise the design requalification test requirements in paragraph (e) regarding retest intervals. One petitioner requested extending the retest interval for "expensive" stainless steel, nickel or monel packages from one to three years. Another petitioner, claiming low annual production rates, suggested a retest frequency based on the number of units produced. The Aerospace Industries Association (AIA) suggested following the 24-month interval for requalifying combination package design types by subsequent retest intervals of at least 36 months. The Department of Defense (DOD) contended that retest frequency requirements in paragraph (e) "present a significant problem for DOD munitions packaging." DOD said it conducts package production quality control by the use of "specifications, configuration-controlled drawings and/or special packaging instructions (SPIs)" and this procedure is disturbed by the recurring retest intervals imposed by the final rule.

Given the number of locations that may produce packaging in accordance with a given design-type, RSPA generally considers the retest intervals to be the minimum to ensure design-type requalification and will retain them in paragraph (e). However, RSPA agrees that, if fully justified by data showing the need to modify requalification procedures, special circumstances may warrant some modification. Thus RSPA is revising paragraph (e) to allow changes in retest frequency subject to the approval on a case-by-case basis by the Associate Administrator of Hazardous Materials Safety.

Several petitioners, including COSTHA, requested that selective testing in accordance with Variations III, IV and V published in the February 21, 1991 **Federal Register** (56 FR 7076) be incorporated into paragraph (g). COSTHA noted, "There is no logical reason from a safety standpoint to preclude application of (Variations III, IV and V) from the selective testing of packagings intended for use solely in domestic transport under Docket HM–181." RSPA agrees and therefore is revising paragraph (g) by adding new paragraphs (g)(3), (Variation 3) allowing variations in the external dimensions of single or composite packagings, (g)(4) (Variation 4) allowing variations in the external dimensions of the outer packagings of combination packagings and (g)(5) (Variation 5) allowing variations in the use of closure devices and gasketings. RSPA also is revising paragraph (c)(4) to add a new paragraph (v) to include "packaging which differ only in their lesser design height" in the definition of "design type." The provision was inadvertently omitted from the final rule.

RSPA is revising paragraph (g)(2)(viii) (Variation 2) to allow retention of the full weight of the outer packaging in the marked gross mass of the combination package, and to require the letter "V" to be marked instead of "SP".

The Institute of Makers of Explosives (IME) asked RSPA to revise paragraph (g)(3) (Variation 3) to allow differences in volumetric capacity linked with changes in the density of materials without design requalification of single and composite packagings. IME claimed that "the volume required to package 50 pounds of explosives will vary with the density of the material being packed. [Yet,] in variation 3, RSPA ties volumetric factors (length and width) to mass with no consideration for density." However, to be consistent with selective testing variations already agreed to by the UN, and that are incorporated into paragraph (g), RSPA considers additional variations beyond the scope of the final rule. With sufficient justification, additional selective testing variations may be considered in future rulemakings.

One petitioner urged RSPA to limit substitution of different inner packagings which have not been tested, to surface transportation only. The petitioner said allowing design changes without further testing for packagings intended for air transport that contain materials in Packing Groups I and II "poses an unacceptable degree of risk in this sensitive shipping environment."

For air transport, RSPA believes an adequate level of safety would be achieved if different packagings authorized under all the variations in paragraph (g) meet requirements in § 173.27(c)(1) and (2). Therefore, RSPA is revising the introduction to paragraph (g) to include those requirements.

One petitioner questioned the application of selective testing requirements to § 173.27(c)(3)(i) which authorizes use of a supplementary packaging that meets the pressure requirement for air shipment of liquids when the inner packaging does not itself meet the pressure capability standard in § 173.27(c)(2)(i) (eg., a glass bottle inside a steel drum where the drum meets the pressure requirement). The petitioner assumed that if the supplementary packaging can be considered an inner packaging with respect to selective testing variations in paragraph (g), then any variation of inner receptacles within the supplementary packaging would not be a factor in determining whether or not further testing of the package is required.

A supplementary package could be considered an inner packaging, but RSPA does not agree that this would apply in all cases. It may not be appropriate in many circumstances to consider changes of inner receptacles within a supplementary packaging as being a minor design variation which would not require testing under paragraph (g). Waiving further design testing in these cases would require approval by the Associate Administrator for Hazardous Materials Safety.

Three petitioners urged RSPA to relax requirements in paragraph (k) that design qualification and periodic test records be kept at each location where packagings are manufactured. HMAC and CPC asserted that this requirement "would be burdensome to the chemical packaging industry without providing any additional safety." They said record retention would be especially burdensome to shippers who assemble and fill combination packaging design types at multiple plant locations.

As mentioned above, RSPA believes that maintaining design qualification test documentation at every location where packagings are produced to a successfully tested design type provides essential quality control. In other words, test documentation maintained at every manufacturing site ensures that, on inspection, each production unit conforms to the originally tested design type.

Therefore, RSPA is maintaining test documentation requirements in paragraph (k) for design qualification and periodic retesting. RSPA agrees with one petitioner that test documentation could be contained in a central computer system accessed by all locations where packagings are produced.

Section 178.602. Several petitioners asked RSPA to provide a clearer standard of package "capacity" in paragraph (b), referring to the fill quantity necessary to conduct testing with the product. Accordingly, RSPA is revising paragraph (b) to indicate a required fillable level of 95 percent of "total" capacity for liquids and 98 percent of total capacity for solids.

Six petitioners claimed that the two-percent relative humidity deviation specified in paragraph (d) for the preparation of fiberboard packagings for testing is impractical. One petitioner said this requirement may be obtainable, "but it places a costly burden on a test facility to acquire a precision humidity chamber capable of meeting the two-percent variation." Another petitioner asserted that the variation now required "is unnecessarily restrictive when one considers the dynamic environments in which these packages are transported." Several petitioners asked RSPA to either delete the two-percent variation over the 24-hour conditioning period altogether or require conditioning in an atmosphere of 48 percent relative humidity minimum and a temperature range of 18° C to 29° C.

FDTC suggested that RSPA allow short term relative humidity fluctuations of up to five percent contained in its proposal to the UN Committee of Experts and since adopted by the UN. Consequently, RSPA is revising paragraph (d) to allow fluctuations in relative humidity of plus or minus five percent as long as the readings average plus or minus two percent over the entire 24-hour conditioning period. Any other revision would be inconsistent with the UN Recommendations.

A petitioner asked RSPA to revise paragraph (e) allowing open head drums to undergo production leakproofness testing without first installing removable heads. The petitioner pointed out that during production leakproofness testing, the open end of a drum is sealed as part of the test procedure. Requiring a drum to be tested with the lid in place "would be very time consuming" and offer no better test results. RSPA believes that paragraph 178.604(c)(1) meant to allow for testing packagings without removable heads in place. Therefore, RSPA is modifying paragraph (e) to read, "Except as otherwise provided, each packaging must be closed . . ." and clarifying paragraph 178.604(c)(1) by adding a new sentence which reads, "Removable heads need not be installed during production testing."

Sections 178.603 and 178.605. Responding to a petitioner's request, RSPA is clarifying introductory paragraphs in §§ 178.603 and 178.605 to state that the drop and hydrostatic tests must be conducted for package design type qualification and that retests are to be performed as specified in § 178.601(e).

Section 173.603. To reduce drop testing costs, one petitioner urged RSPA to revise paragraph (a) to allow reuse of samples for the four orientations of the design qualification test which require up to five samples for each drop. He claimed that reuse of a sample package "would actually be a more severe test of the package." The object in the final rule with respect to design requalification is to obtain authentic results by using a minimal but sufficient sampling of packagings out of the production line for each drop orientation.

Other petitioners asked RSPA to extend the reduced sample exception in paragraph (b) for the periodic retesting of stainless steel, nickel or monel to aluminum and steel drums. They said this revision should apply as well to reduced sample exceptions in §§ 178.604(b), 178.605(b), 178.606(b) and 178.608(b). Another petitioner asked RSPA to revise paragraph (b) to allow use of two combination packaging samples for the second and subsequent retests. RSPA is declining to adopt these petitions to extend the general exception, but will consider allowing additional test sample reductions on a case-by-case basis subject to the approval of the Associate Administrator for Hazardous Materials Safety.

RSPA believes there is not sufficient justification for adopting revisions to paragraph (f) for passing the drop test suggested by several petitioners. However, for clarification, RSPA is adopting the Military Traffic Management Command's (MTMC) request to revise paragraph (f)(6) as follows, "No rupture is permitted in packagings for goods in Class 1 which would permit spillage of loose explosive substances or articles from the outer packaging."

One petitioner suggested revising paragraph (a) to align with section 9.7.3.1 of the UN Recommendations to require for other than flat drops, that the center of gravity be vertically over the point of impact. RSPA believes that such a method would be difficult to achieve with a test sample filled to 98% of capacity with the material it is intended to contain. For other than flat drops, RSPA has always maintained that drops oriented to strike diagonally on edge are most effective.

Section 178.604. One petitioner urged RSPA to except high-integrity drums used in controlled distribution systems from leakproofness test requirements altogether. However, this petitioner

presented no evidence that high-integrity drums, even when utilized in controlled distribution, are subject to any less transportation stress which the minimum test standards prescribed in Subpart M are designed to address. Furthermore, high-integrity drums often carry the most hazardous materials to which appropriate test standards must apply.

RSPA is accepting petitions requesting that the three leakproofness test methods described in appendix B to part 178 be authorized for design qualification together with the full submersion test specified in paragraph (d). Therefore, the introduction to appendix B is revised to state that "the following leakproofness test methods are authorized." The phrase "for other than the original design qualification test" is removed.

The required 30-second test duration to detect leakage from packagings undergoing the helium and pressure differential tests described in paragraphs (1) and (2) of appendix B drew substantial petitioner opposition. Eight petitioners urged RSPA to delete references to the 30-second hold in both tests. They said leakproof testing techniques should not be limited to an arbitrary test duration standard. Instead, emphasis should be placed on the manufacturer's responsibility to adequately perform the leakproof test regardless of test duration.

PDI had recommended the 30-second test duration in comments to Docket HM-181 for the much slower plastic drum production line of the mid-1980s. In its petition, however, PDI said that over the past five years, production line procedures, including the way packaging is leakproof tested, have become more efficient. PDI asserted that the 30-second hold for both tests has "become overly restrictive" and that it would inhibit manufacturers from improving package testing procedures.

Several petitioners claimed that new technical developments in helium testing have rendered the 30-second hold impractical. One petitioner said the 30-second duration requirement for the helium test should be withdrawn because the test equipment he uses effectively examines a drum in about three and a half seconds. Another petitioner uses technology geared to container type, size and the operator's own production pace and requirements. He said the time it takes to effectively conduct a helium test by using this newer technology "will vary, but it certainly does not require 30 seconds to separate minute differences in the pressure." Another petitioner said the 30-second requirement "would impose a production rate of about 100 drums per hour whereas most production rates are geared for 600 or more drums per hour."

The Steel Shipping Container Institute (SSCI) said the 30-second hold requirement for the helium and pressure differential test "is not feasible or consistent with manufacturing processes for steel drums," and that steel pails have been leakproof tested for years in much less than 30 seconds per unit. SSCI pointed out that the UN does not recommend, nor does ICAO or the IMDG Code specify, leakproofness test duration.

RSPA believes that the full submersion leakproofness test prescribed in paragraph (d) must be conducted "for a period of time sufficient to pressurize the interior of the packaging to the specified air pressure" so that legitimate test results occur. The principle of "sufficient duration" is meant to apply as well to the approved alternative tests in appendix B. RSPA will maintain this principle in the final rule. However, RSPA acknowledges that petitioners make a sufficiently good case that leakproofness test methods yielding good results from test durations of less than five seconds have developed for both plastic and steel drum production lines. Accordingly, RSPA is revising paragraphs (1) and (2) of appendix B to remove references to 30 seconds. Therefore, a packaging passes the helium and pressure differential tests if there is no leakage over a sufficient duration to determine leakage of helium or change in pressure differential.

In response to petitioners who claimed that evacuation of a helium testing chamber down to a pressure of 0 kPa is not feasible or consistent with existing practices, RSPA is revising paragraph (1) to require evacuating a test chamber down to 5 kPa or less. Five petitioners asserted that the so-called production line "T-zone test", involving examination of one drum seam under pressure coupled with chime cuts, is at least as effective as testing the entire drum submerged under water as prescribed in paragraph (d). As a standard production line process, SSCI said T-zone tests employ internal air pressures of up to 15 psi coupled with a visual inspection of chime cuts. By contrast, SSCI noted that RSPA has adopted UN recommendations establishing much lower air pressure applications for the full submersion test.-

Several SSCI member companies supplemented SSCI's petition to add the T-zone test to the authorized test alternatives in appendix B with T-zone equivalency test data. They compared T-zone test results with those obtained from "submerged under water" and "solution over [all] seams" procedures. To measure equivalency, SSCI said one drum was removed from the production line each hour after being tested by the T-zone method and tested by fully submerging it under water or applying a solution of soap suds over all seams while internal air pressure was applied. One company tested 138 samples this way over 26 production days with no leaks detected. Another company found no leaks among 387 test samples over 52 production days. A third company said that out of 400 drums tested, only four leaking drums were rejected after full submersion testing after having first passed the T-zone test. For all the drums this company sold in 1990, SSCI said that less than one out of every thousand was claimed to be leaking after having left the manufacturing premises. This rate of drum failure is supported by RSPA's HMIS incident reporting data. For example, out of 6,610 incidents involving DOT 17C, 17E, 17F and 17H drums reported to RSPA between January 1981 and January 1991, 185 weld/seam failures were recorded, or about 18 such failures a year.

One petitioner suggested permitting a T-zone test which examines "the entire weld and both seams over a distance of at least three inches on either side of the weld." The petitioner claims this test "should have a reliability of more than 95 percent" relative to the full submersion test specified in paragraph (d). T-zone tests now conducted under approval (eg., SA-811002) involve application of soap solution "over the entire side seam and a distance of not less than eight inches on each side of the side seam along the side chime seam(s)."

Prior to RSPA's jurisdiction over the authorization of hazardous materials packaging, the Association of American Railroads Bureau of Explosives granted drum manufacturers approvals to employ the T-zone test. These approvals have been continued for over 10 years. However, the HMR have always specified production line leakproof testing by applying air pressure to drums restrained under water or with solution over all seams. For example, this requirement is contained in §§ 178.115-13, 178.116-13, 178.117-14, 178.118-14 for DOT specification 17 steel drums and in §§ 178.80-14, 178.81-14, 178.82-14, 178.83-15 and 178.88-13 for DOT specification 5 steel drums. Although drum manufacturers have shown the T-zone test to be a fairly reliable indicator of drum failures, they have not adequately shown this test to be an "equally effective" leakproofness

testing method. RSPA notes that companies that conducted the equivalency tests did not evaluate the effectiveness of the T-zone test by using drums that were known to leak. This procedure may have yielded less favorable results.

However, in view of the time it takes to conduct the full submersion leakproofness test in high-volume production lines, and based on data submitted by petitioners, RSPA agrees that a partial solution over seams leakproofness test, with chime cuts, conducted at currently applied test pressure levels (i.e., not less than 7 psi) is an acceptable production line procedure for detecting leaks. Therefore, RSPA is revising Appendix B to permit a production line solution over partial seams leakproofness test for drums intended to be used for all three packing groups, provided packagings are restrained while an internal air pressure of not less than 7 psi is applied. As required under the current approval, packagings must be coated with soap solution over the entire side seam and a distance of not less than eight inches on each side of the side seam along the chime seam(s). Chime cuts must be made on the initial drum at the beginning of each production run and on the initial drum after any adjustment to the chime seamer.

Proposed addition to appendix B of an alcohol spray test for fiber drums and use of a "sensitive commercial pressure gauge" are declined because petitioners did not submit sufficient information to justify taking these actions.

HMAC asked RSPA to revise paragraph (d) to require the use of an inert gas detector to detect leakage in cases where full water submersion would affect the integrity of the packaging. However, RSPA believes the alternatives to full water submersion now authorized for design qualification and production testing should adequately address this problem without any further revision of paragraph (d).

Section 178.606. RSPA is adding a provision to paragraph (b) to permit, under certain conditions, stack testing of the outer packagings of combination packagings without the inner packagings.

Two petitioners asked RSPA to extend the dynamic compression test authorized for periodic retesting in paragraph (c)(2)(ii) to the design qualification stacking test prescribed in paragraph (c). These petitions are declined because, in this final rule, RSPA has determined not to go beyond UN recommendations in mandating any design-type test not contained in chapter 9. Alternative design-type tests yielding equivalent results may be used if approved by the Associate Administrator for Hazardous Materials Safety.

A recommendation by MTMC to add alternative design qualification tests for plastic drums and jerricans, including shorter duration tests in varying temperature or pressure is declined for lack of adequate justification. RSPA is adopting HMAC's suggested revised formula for determining the application of dynamic compression in retesting packagings intended for both liquids and solids. The revised formula takes into account the partial filling of packagings for testing (98% for liquids, 95% for solids).

Section 178.608. Four petitioners recommended removal of the vibration test standard because vibration testing is not now a requirement under international standards. For reasons stated under § 173.24a(a)(5), RSPA is maintaining this capability standard. RSPA is accepting CPC's petition to modify the vibration test method to include the use of rotary motion tables producing the same peak-to-peak vertical double amplitude. CPC said these machines constitute about 95 percent of those available.

RSPA also is revising criteria in paragraph (c) for passing the test by adding the following language, "No test sample should show any deterioration which could adversely affect transportation safety or any distortion liable to reduce packaging strength." This revision is contained in the U.S. proposal to add the vibration test to chapter 9 of the UN Recommendations. It extends to vibration testing, RSPA's intent in Docket HM–181 to emphasize maintenance of package structural integrity during transportation by aligning criteria for passing the vibration test with criteria in § 178.603(f) for passing the drop test and § 178.606(d) for passing the stacking test. It also more closely aligns the vibration capability standard with general requirements for packagings in § 173.24.

Part 179: Specifications for Tank Cars

Section 179.101–1. As requested by one petitioner, the "Insulation" entry requirements for 112A200W, 112A340W, 112A500W, 114A340W, and 114A400W tank car tanks are changed to read "[4] optional".

Section 179.105–7. In response to several petitions, RSPA is amending this section by adding the word "insulated" before "tank car tank" and correcting the reference from section "A8.01" of appendix A of the AAR Specifications for Tank Cars" to "A8.00." In addition, RSPA is allowing the use of smaller pressure relief devices for all materials poisonous by inhalation, rather than limiting this provision to Division 2.3 materials.

Section 179.200–18. Several petitioners suggested a longer implementation period for the stencilling requirements in paragraph (b)(4). RSPA disagrees. These stencils may be applied during the loading process.

Federal Preemption Under the HMTA

Section 105(a)(4) of the HMTA, as amended by the HMTUSA, preempts any non-Federal (i.e., State, political subdivision, or Indian tribe) law or regulation concerning certain "covered subjects" unless the non-Federal requirement is "substantively the same" as the Federal law or regulation on that subject. The "covered subjects" are:

(i) The designation, description, and classification of hazardous materials;

(ii) The packing, repacking, handling, labeling, marking, and placarding of hazardous materials;

(iii) The preparation, execution, and use of shipping documents pertaining to hazardous materials and requirements respecting the number, content, and placement of such documents;

(iv) The written notification, recording, and reporting of the unintentional release in transportation of hazardous materials; or

(v) The design, manufacturing, fabrication, marking, maintenance, reconditioning, repairing, or testing of a package or container which is represented, marked, certified, or sold as qualified for use in the transportation of hazardous materials.

49 App. U.S.C. 1804(a)(4) (A) and (B)

In a February 28, 1991 final rule (56 FR 8616), RSPA added this new preemption standard to § 107.202 to mirror the statute. Section 105(a)(5) of the HMTA, as amended by the HMTUSA, provides that if DOT issues a regulation concerning any of the covered subjects after the date of enactment of the HMTUSA (November 16, 1990), DOT must determine and publish in the **Federal Register** the effective date of the Federal preemption. That effective date may not be earlier than the 90th day following the date of issuance and not later than two years after the date of issuance.

To the extent that the requirements of Docket HM–181 involve covered subjects, States, political subdivisions, or Indian tribes may only establish, maintain, and enforce laws, regulations, or other requirements concerning such subjects if they are substantively the

same as the requirements in Docket HM–181. RSPA has determined that the effective date of Federal preemption for these requirements will be October 1, 1993.

Rulemaking Analyses and Notices

A. Executive Order 12291

This final rule has been reviewed under the criteria specified in § 1(b) of Executive Order 12291 and is determined not to be a major rule. However, it is a significant rule under the regulatory procedures of the Department of Transportation (44 FR 11034). This final rule does not impose additional requirements and, in fact, provides relief in some areas. The net result is that costs imposed under the final rule published in the **Federal Register** on December 21, 1990 are reduced, but without a reduction in safety [55 FR 52402]. The original regulatory evaluation of the final rule was reexamined but was not modified because the changes made under this rule provide limited relief and thus will result in minimal economic impact on industry.

B. Executive Order 12612

This action has been analyzed in accordance with Executive Order 12612 ("Federalism"). The HMTA contains an express preemption provision which RSPA is implementing at the minimum level necessary to achieve the objectives of the statute. Therefore, preparation of a Federalism Assessment is not warranted.

C. Impact on Small Entities

Based on limited information concerning size and nature of entities likely to be affected by this rule, I certify this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A regulatory flexibility analysis is available for review in the docket.

D. Paperwork Reduction Act

This amendment imposes no changes to the information collection and recordkeeping requirements contained in the December 21, 1990 final rule, which was approved by the Office of Management and Budget (OMB) under the provisions of 44 U.S.C. chapter 35.

E. Regulatory Information Number (RIN)

A regulatory information number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN numbers contained in the heading of this document can be used to cross-reference this action with the Unified Agenda.

F. National Environmental Policy Act

This final rule has been reviewed under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and does not require an environmental impact statement.

List of Subjects

49 CFR Part 106

Administrative practice and procedure, Hazardous materials transportation.

49 CFR Part 107

Administrative practice and procedure, Hazardous materials transportation, Packaging and containers, Penalties, Reporting and recordkeeping requirements.

49 CFR Part 171

Exports, Hazardous materials transportation, Hazardous waste, Imports, Incorporation by reference, Reporting and recordkeeping requirements.

49 CFR Part 172

Hazardous materials transportation, Hazardous waste, Labeling, Packaging and containers, Reporting and recordkeeping requirements.

49 CFR Part 173

Hazardous materials transportation, Packaging and containers, Radioactive materials, Reporting and recordkeeping requirements, Uranium.

49 CFR Part 174

Hazardous materials transportation, Radioactive materials, Railroad safety.

49 CFR Part 175

Air carriers, Hazardous materials transportation, Radioactive materials, Reporting and recordkeeping requirements.

49 CFR Part 176

Hazardous materials transportation, Maritime carriers, Radioactive materials, Reporting and recordkeeping requirements.

49 CFR Part 177

Hazardous materials transportation, Motor carriers, Radioactive materials, Reporting and recordkeeping requirements.

49 CFR Part 178

Hazardous materials transportation, Motor vehicle safety, Packaging and containers, Reporting and recordkeeping requirements.

49 CFR Part 179

Hazardous materials transportation, Railroad safety, Reporting and recordkeeping requirements.

49 CFR Part 180

Hazardous materials transportation, Motor carriers, Motor vehicle safety, Packaging and containers, Reporting and recordkeeping requirements.

In consideration of the foregoing, 49 CFR chapter I is amended as follows:

PART 106—RULEMAKING PROCEDURES

1. The authority citation for part 106 continues to read as follows:

Authority: 49 App. U.S.C. 1472(h)(1); 49 App. U.S.C. 1672; 49 App. U.S.C. 1803, 1804, 1808; 49 App. U.S.C. 1653, 1657(e); 49 App. U.S.C. 2002.

§ 106.3 [Amended]

2. In § 106.3, in paragraph (a) the wording "Director, Office of Hazardous Materials Transportation" is removed and replaced with "Associate Administrator for Hazardous Materials Safety".

Appendix A [Amended]

3. In part 106, appendix A, in paragraph (a), the wording "Director, Office of Hazardous Materials Transportation" is removed and replaced with "Associate Administrator for Hazardous Materials Safety".

PART 107—HAZARDOUS MATERIALS PROGRAM PROCEDURES

4. The authority citation for part 107 continues to read as follows:

Authority: 49 App. U.S.C. 1421(c); 49 App. U.S.C. 1802, 1806, 1808, 1811; 49 CFR 1.45 and 1.53 and app. A of part 1, Public Law 89–670 (49 U.S.C. 1653(d), 1655).

§ 107.1 [Amended]

5. In § 107.1, in paragraph (a), the wording "Office of Hazardous Materials Transportation" is removed and replaced with "Associate Administrator for Hazardous Materials Safety".

6. In § 107.215, paragraphs (b)(6), (b)(7), and (b)(8) are revised to read as follows:

§ 107.215 Application.

* * * * *

(b) * * *

(6) State why the applicant believes the State, political subdivision or Indian tribe requirements affords an equal or greater level of protection to the public than is afforded by the requirements of

the Act or the regulations issued under the Act;

(7) State why the applicant believes the State, political subdivision or Indian tribe requirement does not unreasonably burden commerce; and

(8) Specify what steps the State, political subdivision or Indian tribe is taking to administer and enforce effectively its inconsistent requirement.

§ 107.502 [Amended]

7. In § 107.502, in paragraph (d), the wording "Office of Hazardous Materials Transportation" is removed and replaced with "Associate Administrator for Hazardous Materials Safety".

Subpart G [Removed]

8. In part 107, subpart G, consisting of §§ 107.601 and 107.603, is removed.

§§ 107.3 and 107.402 [Amended]

9. In addition to the amendments set forth above, in §§ 107.3 and 107.402(a), the wording "Director, Office of Hazardous Materials Transportation" is removed and replaced with "Associate Administrator for Hazardous Materials Safety" each place it appears.

§§ 107.401, 107.402, 107.403, 107.404, 107.405 [Amended]

10. In addition to the amendments set forth above, part 107 is amended by removing the wording "Director, OHMT" and replacing it with "Associate Administrator for Hazardous Materials Safety" in the following sections:

(a) § 107.401(b)
(b) § 107.402(b)(6)
(c) § 107.402(c)
(d) § 107.403(a)
(e) § 107.403(b)
(f) § 107.404(a)(3)
(g) § 107.404(b)
(h) § 107.405(a)
(i) § 107.405(b)

§ 107.3 [Amended]

11. In addition to the amendments set forth above, in § 107.3, the definition "OHMT" is removed.

§ 107.317 [Amended]

11a. In addition to the amendments set forth above, in § 107.317(c), the wording "OHMT" is removed and replaced with "Associate Administrator for Hazardous Materials Safety".

PART 171—GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS

12. The authority citation for part 171 continues to read as follows:

Authority: 49 App. U.S.C. 1802, 1803, 1804, 1805, 1808, 1818; 49 CFR Part 1.

§ 171.3 [Amended]

13. In § 171.3, in Note 1, in the first sentence, the word "that" is revised to read "to".

§ 171.4 [Removed and Reserved]

14. Section 171.4 is removed and reserved.

§ 171.5 [Removed and Reserved]

15. Section 171.5 is removed and reserved.

16. Section 171.6 is revised to read as follows:

§ 171.6 Control numbers under the Paperwork Reduction Act.

(a) *Purpose and scope.* This section collects and displays the control numbers assigned to the HMR collections of information by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980. This section complies with the requirements of 5 CFR 1320.7(f), 1320.12, 1320.13 and 1320.14 (OMB regulations implementing the Paperwork Reduction Act of 1980) for the display of control numbers assigned by OMB to collections of information of the HMR.

(b) *OMB control numbers.* The table in paragraph (b)(2) of this section sets forth the control numbers assigned to collection of information in the HMR by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980.

(1) Column 1 lists the OMB control number assigned to the HMR collections of information. Column 2 contains the Report Title of the approved collection of information. Column 3 lists the part(s) or section(s) in 49 CFR identified or described in the collection of information.

(2) Table.

Current OMB control No.	Title	Title 49 CFR part or section where identified and described
2137–0014	Cargo Tank Specification Requirements.	§§ 107.503, 178.320, 178.337, 178.338, 178.345, 180.417, 180.409.
2137–0018	Portable Tank Inspection and Testing.	§§ 173.24, 173.32, 173.32a, 173.32b, 173.32d
2137–0022	Recordkeeping and Information Collection for Cylinders.	§§ 173.34, 173.303(d)
2137–0034	Hazardous Material Shipping Papers.	Part 172, §§ 172.7(a)(1), 173.22(a)(1), 173.56(b)(1), (d)(1), (e)(2), 173.150(f)(3)(i), 174.10(c), 174.12, 174.25, 174.26(c), 174.114, 175.30, 175.35, 175.703, 176.9, 176.24, 176.27, 176.30, 176.31, 176.36, 176.89, 176.90, 176.95.
2137–0039	Hazardous Materials Incident Report.	§§ 171.15, 171.16.
2137–0051	Rulemaking and Exemption Petitions.	Part 107, Subpart B, §§ 106.31, 107.5, 107.7, 107.103(b)(11), (d).
2137–0510	RAM Transportation Requirements.	§§ 173.22(c), (d), 173.417(a)(5), (b)(3), (4), 173.471(a), 471(d), (f), 173.472, 173.476(a), 173.416(b), 173.473(a), 173.476(b), 173.473(d), (e), 173.478(a), 173.417(b)(4), 173.477, 173.478, 173.415(a), 173.457(b), 173.414(d), 177.825(a), (d).
2137–0542	Cryogenic Liquids Requirements.	§§ 177.816, 177.818, 177.840(h), 173.33(d)(1)(ii).

Current OMB control No.	Title	Title 49 CFR part or section where identified and described
2137–0557	Approvals for Hazardous Materials.	§§ 107.402, 107.404, 107.300a, 173.300b, 173.51(a), (b) 173.56(a)(2), (b)(1), (2), (4), (c), (f), (g), (i), (j)(3), 173.63(c), 173.171(a), (c), 173.180(a), 173.340(a), (b), (c)(4), 173.336, 172.102(c)(B69), 173.21, 173.159(f), 173.3a, 173.4(a)(11), 173.24(e)(3)(iii), 173.128(c)(4), 173.225(b)(4), (c), 173.245(b), 173.334(d), 173.7, 173.806, 176.340, 173.305, 173.315, 173.319, 173.334, 173.185(a)(h)(1), (2), (3)(ii), 173.214, 178.601(g), 178.606(c), 178.608(b)(5), 179.14(b), 172.101(k)(2)(3).
2137–0559	Rail Carriers and Tank Car Tank Requirements.	§§ 173.31(a)(4), 173.31(c)(8), (d), 173.31(d)(4), Table Footnote (i), 173.332(d), 173.336(b)(4), 173.366(a), 173.273(a)(4), 173.247(a)(14), 173.10, 174.9, 174.20, 174.50, 174.61(c), 174.63(d)(1), (2), 174.81 Table Note b, 177.8484(a) Table Note b, 174.114(a), 174.104(c), (e), (f).
2137–0572	Testing Requirements for Packaging.	§§ 178.601(l), 178.0–2(c).
2137–0575	Bulk Packaging Marking Requirements.	§§ 172.332, 172.336.
2137–0580	Emergency Response Communication Standards.	Part 172, Subpart G.

§ 171.7 [Amended]

17. In § 171.7, the following changes are made:

a. In the paragraph (a) heading, the word "*incorporation*" is revised to read "*incorporated*".

b. In paragraph (a)(3), in the table, for the entry for "*General Services Administration,* Federal Specification RR–C–901C", the references "172.302; 172.304" are removed and replaced with "173.302; 173.304; 173.336".

c. In paragraph (b), in the table, for the entry "Emergency Handling of Hazardous Materials in Surface Transportation", the year "1987" is removed and replaced with "1989".

18. In § 171.8, the following definitions are added, revised, or removed, as indicated, in appropriate alphabetical order:

§ 171.8 Definitions and abbreviations.

(Add:)

* * * * *

Hazard zone means one of four levels of hazard (Hazard Zones A through D) assigned to gases, as specified in § 173.116(a) of this subchapter, and one of two levels of hazards (Hazard Zones A and B) assigned to liquids that are poisonous by inhalation, as specified in § 173.133(a) of this subchapter. A hazard zone is based on the LC50 value for acute inhalation toxicity of gases and vapors, as specified in § 173.133(a).

Infectious substance (etiologic agent). See § 173.134 of this subchapter.

* * * * *

Magnetic material. See § 173.21(d) of this subchapter.

* * * * *

Material poisonous by inhalation means:

(1) A gas meeting the defining criteria in § 173.115(c) of this subchapter and assigned to Hazard Zone A, B, C, or D in accordance with § 173.116(a) of this subchapter;

(2) A liquid (other than as a mist) meeting the defining criteria in § 173.132(a)(1)(iii) of this subchapter and assigned to Hazard Zone A or B in accordance with § 173.133(a) of this subchapter; or

(3) Any material identified as an inhalation hazard by a special provision in Column 7 of the § 172.101 Table.

* * * * *

Oxidizer. See § 173.28 of this subchapter.

* * * * *

State means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, American Samoa, Guam, or any other territory or possession of the United States designated by the Secretary.

* * * * *

(Revise:)

* * * * *

Bulk packaging means a packaging, other than a vessel or a barge, including a transport vehicle or freight container, in which hazardous materials are loaded with no intermediate form of containment and which has:

(1) A maximum capacity greater than 450 L (119 gallons) as a receptacle for a liquid;

(2) A maximum net mass greater than 400 kg (882 pounds) or a maximum capacity greater than 450 L (119 gallons) as a receptacle for a solid; or

(3) A water capacity greater than 454 kg (1000 pounds) as a receptacle for a gas as defined in § 173.115 of this subchapter.

* * * * *

Cryogenic liquid. See § 173.115(g) of this subchapter.

* * * * *

Inner receptacle means a receptacle which requires an outer packaging in order to perform its containment function. The inner receptacle may be an inner packaging of a combination packaging or the inner receptacle of a composite packaging.

* * * * *

Irritating material. See § 173.132(a)(2) of this subchapter.

* * * * *

Maximum net mass means the allowable maximum net mass of contents in a single packaging, or as used in subpart M of part 178 of this subchapter, the maximum combined mass of inner packaging, and the contents thereof.

* * * * *

Non-bulk packaging means a packaging which has:

(1) An maximum capacity of 450 L (119 gallons) or less as a receptacle for a liquid;

(2) A maximum net mass of 400 kg (882 pounds) or less and a maximum capacity of 450 L (119 gallons) or less as a receptacle for a solid; or

(3) A water capacity of 454 kg (1000 pounds) or less as a receptacle for a gas as defined in § 173.115 of this subchapter.

* * * * *

Packaging means a receptacle and any other components or materials necessary for the receptacle to perform its containment function in conformance with the minimum packing requirements of this subchapter. For radioactive

materials packaging, see § 173.403 of this subchapter.

* * * * *

Person means an individual, firm, copartnership, corporation, company, association, joint-stock association, including any trustee, receiver, assignee, or similar representative thereof, or government, Indian tribe, or agency or instrumentality of any government or Indian tribe when it offers hazardous materials for transportation in commerce or transports hazardous materials in furtherance of a commercial enterprise, but such term does not include:

(1) The United States Postal Service; or

(2) For the purposes of sections 110 and 111 of the Hazardous Materials Transportation Act (49 App. U.S.C. 1809–1810), any agency or instrumentality of the Federal Government.

* * * * *

Technical name means a recognized chemical name or microbiological name currently used in scientific and technical handbooks, journals, and texts. Generic descriptions are authorized for use as technical names provided they readily identify the general chemical group, or microbiological group. Examples of acceptable generic chemical descriptions are organic phosphate compounds, petroleum aliphatic hydrocarbons and tertiary amines. For proficiency testing only, generic microbiological descriptions such as bacteria, mycobacteria, fungus, and viral samples may be used. Except for names which appear in Subpart B of Part 172 of this subchapter, trade names may not be used as technical names.

* * * * *

United States means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, American Samoa, Guam, or any other territory or possession of the United States designated by the Secretary.

* * * * *

(Remove:)
Etiologic or infectious substance
IM Tank Table
Infectious substance
Magnetic materials
Manufacturer
Net weight
Net weight, Net mass or Net quantity
Oxidizer or Oxidizing material

19–20. Section 171.10 is revised to read as follows:

§ 171.10 Units of measure.

(a) General. To ensure compatibility with international transportation standards, most units of measure in this subchapter are expressed using the International System of Units ("SI" or metric). Where SI units appear, they are the regulatory standard. U.S. standard or customary units, which appear in parentheses following the SI units, are for information only and are not intended to be the regulatory standard.

(b) Abbreviations for SI units of measure generally used throughout this subchapter are as shown in paragraph (c) of this section. Customary units shown throughout this subchapter are generally not abbreviated.

(c) Conversion values. (1) Conversion values are provided in the following table and are based on values provided in ASTM E 380–89, "Standard for Metric Practice."

(2) If an exact conversion is needed, the following method should be used.

TABLE OF CONVERSION FACTORS FOR SI UNITS

Measurement	SI to U.S. standard	U.S. standard to SI
Length	1 cm=0.3937008 in	1 in=2.540000 cm
	1 m=3.280840 ft	1 ft=0.3048000 m
Thickness	1 mm=0.03937008 in	1 in=25.40000 mm
Mass (weight)	1 kg=2.204622 lb	1 lb=0.4535924 kg
	1 gr=0.03527397 oz	1 oz=28.34952 gr
Pressure	1 kPa=0.1450377 psi	1 psi=6.894757 kPa
	1 Bar=100 kPa=14.5 psi	1 psi=0.06 Bar
	1 kPa=7.5 mm Hg	
Volume (liquid)	1 l=0.2641720 gal	1 gal=3.785412 l
	1 ml=0.03381402 oz	1 oz=29.57353 ml
	1 m^3=35.31466 ft^3	1 ft^3=0.02831685 m^3
Density	1 kg/m^3=0.06242797 lb/ft^3	1 lb/ft^3=16.01846 kg/m^3

Abbreviations for units of measure are as follows:
Unit of measure and abbreviation:
(SI): Millimeter, mm; centimeter, cm; meter, m; gram, g; kilogram, kg; kiloPascal, kPa; liter, L; milliliter, ml; cubic meter, m^3;
(U.S.): Inch, in; foot, ft; ounce, oz; pound, lb; pounds per square inch, psi; gallon, gal; cubic feet, ft^3.

21. In § 171.11, paragraphs (c) and (d)(9) are revised and paragraph (d)(12) is added to read as follows:

§ 171.11 Use of ICAO technical instructions.

* * * * *

(c) Is not a forbidden material or package according to § 173.21 of this subchapter or Column 3 of the § 172.101 Table; and

(d) * * *

(9) When a hazardous material, which is subject to the requirements of the ICAO Technical Instructions, is a material poisonous by inhalation (see § 171.8 of this subchapter)—

(i) The shipping description must include the words "Poison-Inhalation Hazard" or "Inhalation Hazard", as required in § 172.203(m) of this subchapter;

(ii) The material must be packaged in accordance with the requirements of this subchapter; and

(iii) The package must be marked in accordance with § 172.313 of this subchapter and labeled with "POISON" or "POISON GAS", as appropriate, in accordance with subpart E of part 172 of this subchapter.

* * * * *

(12) If an ammonium nitrate fertilizer or ammonium nitrate mixed fertilizer, must not meet the definition and criteria of a Class 1 (explosive) material.

22. In § 171.12, paragraph (b) is revised, the last parenthetical sentence of paragraph (c) is revised, and paragraphs (c)(1) and (2) are added to read as follows:

§ 171.12 Import and export shipments.

* * * * *

(b) *IMDG Code.* The IMDG Code sets forth descriptions, classifications, packagings, labeling and vessel stowage requirements. Notwithstanding the provisions of this subchapter, a material which is packaged, marked, classed, labeled, placarded, described, stowed

and segregated, and certified in accordance with the IMDG Code, and otherwise conforms to the requirements of this section, may be offered and accepted for transportation and transported within the United States. The following conditions and limitations apply:

(1) The provisions of this paragraph (b) apply only if all or part of the transportation is by vessel.

(2) A number of materials listed in the IMDG Code are not subject to the requirements of this subchapter. The provisions of this subchapter do not apply to materials listed in the IMDG Code which are not designated as hazardous materials under this subchapter. These materials may, however, be transported in the U.S. when described, marked and labeled in accordance with the IMDG Code.

(3) A material designated as a hazardous material under this subchapter which is not subject to the requirements of the IMDG Code may not be transported under the provisions of this section.

(4) A forbidden material or package according to § 173.21 of this subchapter or Column 3 of the § 172.101 Table may not be transported under the provisions of this section.

(5) Bulk packagings must conform to the requirements of this subchapter.

(6) For export, packagings must conform to the applicable requirements in §§ 173.24, 173.24a and 173.28 of this subchapter.

(7) A Class 1 material must be classed and approved under the procedures in Subpart C of Part 173 of this subchapter, and packages of Class 1 materials must be marked in accordance with § 172.320 and Part 176 of this subchapter.

(8) When a hazardous material, which is subject to the requirements of the IMDG Code, is a material poisonous by inhalation (see § 171.8 of this subchapter)—

(i) The shipping description must include the words "Poison-Inhalation Hazard" or "Inhalation Hazard", as required in § 172.203(m) of this subchapter;

(ii) The material must be packaged in accordance with the requirements of this subchapter; and

(iii) The package must be marked in accordance with § 172.313 of this subchapter and labeled and placarded with "POISON" or "POISON GAS", as appropriate, in accordance with Subparts E and F, respectively, of Part 172 of this subchapter.

(9) Class 7 materials must conform to the provisions of paragraph (d) of this section.

(10) For a hazardous waste, as defined in this subchapter—

(i) The word "Waste" must precede the proper shipping name on shipping papers and packages; and

(ii) The requirements of § 172.205 of this subchapter with respect to hazardous waste manifests are applicable.

(11) A hazardous substance as defined in this subchapter must conform to the requirements of §§ 172.203(c) and 172.324 of this subchapter.

(12) A poisonous material must conform to the requirements of § 172.203(m) of this subchapter.

(13) For a Division 4.3 material, the words "Dangerous When Wet" must appear in association with the basic description on shipping papers.

(14) Any ammonium nitrate fertilizer or ammonium nitrate mixed fertilizer must not meet the definition and criteria of a Class 1 (explosive) material.

(15) Cylinders not manufactured to DOT specifications must conform to the requirements of § 173.301(i) and (j) of this subchapter.

(16) Shipments of hazardous materials under this section must conform to the requirements for emergency response information as prescribed in subpart G of part 172 of this subchapter.

(c) * * * The requirement in § 172.201(d) of this subchapter for an emergency telephone number does not apply to shipments made in accordance with the IMDG Code if the hazardous material:

(1) Is not offloaded from the vessel;

(2) Is offloaded between ocean vessels at a U.S. port facility without being transported by public highway.

* * * * *

23–24. In § 171.12a, the first sentence in paragraph (b) introductory text, and paragraphs (b)(1), (b)(5) and (b)(13) are revised and paragraph (b)(14) is added to read as follows:

§ 171.12a Canadian shipments and packagings.

* * * * *

(b) *Conditions and limitations.* Notwithstanding the requirements of Parts 172, 173, and 178 of this subchapter, and subject to the limitations of paragraph (a) of this section, a hazardous material that is classed, marked, labeled, placarded, described on a shipping paper, packaged, and offered for transportation in accordance with the Regulations Respecting the Handling, Offering for Transport and Transporting of Dangerous Goods (the Transportation of Dangerous Goods Regulations or TDG Regulations), issued by the Government of Canada, may be offered and accepted for transportation and transported by motor vehicle or rail car. * * *

(1) A number of materials listed in the TDG Regulations may not be subject to the requirements of this subchapter. The provisions of this subchapter do not apply to materials listed in the TDG Regulations which are not designated as hazardous materials under this subchapter. These materials may, however, be transported in the U.S. when described, marked and labeled in accordance with the TDG Regulations.

* * * * *

(5) When a hazardous material, which is a material poisonous by inhalation under the provisions of this subchapter (see § 171.8 of this subchapter), is subject to the requirements of the TDG Regulations—

(i) The shipping description must include the words "Poison-Inhalation Hazard" or "Inhalation Hazard", as required in § 172.203(m) of this subchapter;

(ii) The material must be packaged in accordance with the requirements of this subchapter; and

(iii) The package must be marked in accordance with § 172.313 of this subchapter. Except for a package containing anhydrous ammonia, the package must be labeled and placarded with "POISON" or "POISON GAS", as appropriate, in accordance with subparts E and F, respectively, of part 172 of this subchapter. For shipments of anhydrous ammonia, the shipping paper must contain an indication that the markings, labels and placards have been applied in conformance with the TDG Regulations and this paragraph (b)(5).

* * * * *

(13) When the provisions of this subchapter require that a DOT specification or UN standard packaging must be used for a hazardous material, a packaging authorized by the TDG Regulations may be used only if it corresponds to the DOT specification or UN packaging authorized by this subchapter. Cylinders not manufactured to DOT specifications must conform to the requirements of § 173.301(i) and (j) of this subchapter.

(14) Any ammonium nitrate fertilizer or ammonium nitrate mixed fertilizer must not meet the definition and criteria of a Class 1 (explosive) material.

§ 171.12a [Amended]

25. In addition, in § 171.12a, the following changes are made:

a. In paragraph (a), in the second sentence, the word "either" is added immediately before the word "terminate".

b. In paragraph (b)(4), "§ 173.320" is revised to read "§ 172.320".

26. Section 171.14 is republished to read as follows:

§ 171.14 Transitional provisions for implementing requirements based on the UN recommendations.

(a) *Purpose and scope.* A rule published in the **Federal Register** on December 21, 1990, effective October 1, 1991, resulted in a comprehensive revision of this subchapter based on the UN Recommendations. The purpose of the provisions of this section is to provide an orderly transition to the new requirements, so as to minimize any burdens associated with them. During a transition period as provided herein, persons may elect to comply with either the applicable old requirements of this subchapter in effect on September 30, 1991, or the new requirements of this subchapter appearing in the December 21, 1990 rule, and the rule published in the **Federal Register** on September 18, 1991, effective October 1, 1991.

(b) *Transition dates.* The following transition dates apply only to the new requirements in the December 21, 1990 rule:

(1) *October 1, 1991.* On October 1, 1991, the following requirements are effective:

(i) For new explosives, the hazard classification procedures as set forth in subpart C of part 173 (for explosives) of this subchapter and, except for vehicle placarding, hazard communication requirements (i.e., shipping papers, emergency response information, package markings, and labeling) as set forth in part 172 of this subchapter.

(ii) The classification of materials poisonous by inhalation meeting the criteria of Division 2.3 (see § 173.115(c) of this subchapter), which includes materials assigned Special Provision 13 in Column 7 of the § 172.101 Table; Division 6.1 (see § 173.133(a) of this subchapter); or are otherwise identified as poisonous by inhalation through a special provision in Column 7 of the § 172.101 Table. For such materials, the words "Poison-Inhalation Hazard" or "Inhalation Hazard" as required by § 172.203(m) or by Special Provision 13, as appropriate, shall be entered on shipping papers in association with the basic description.

(2) *October 1, 1992.* On October 1, 1992, the following requirements are effective:

(i) Hazard communication requirements of part 172 of this subchapter (including placarding requirements of subpart F of part 172 of this subchapter) for all materials poisonous by inhalation, which includes materials meeting the criteria in §§ 173.115(c) and 173.133(a) of this subchapter or materials otherwise identified as poisonous by inhalation through a special provision (or assigned Special Provision 13) in Column 7 of the § 172.101 Table.

(ii) For infectious substances (etiologic agents), the hazard classification procedures as set forth in § 173.134 of this subchapter and hazard communication requirements (i.e., shipping papers, emergency response information, package markings, and labeling) as set forth in part 172 of this subchapter.

(3) *October 1, 1993.* On October 1, 1993, the following requirements are effective:

(i) Classification and hazard communication requirements in part 172 of this subchapter, other than subpart F (placarding), and part 173 of this subchapter, that were not previously in effect;

(ii) Packaging requirements for all materials meeting the criteria for poisonous by inhalation;

(iii) Modal segregation requirements in §§ 174.81 and 177.848 of this subchapter; and

(iv) All other requirements of the December 21, 1990, rule for which a lengthier transition period is not provided elsewhere in this section.

(4) *October 1, 1994.* On October 1, 1994, the following are effective:

(i) Placarding requirements in subpart F of part 172 of this subchapter that were not previously in effect; and

(ii) Package manufacturing and marking requirements under the provisions of subpart B of 173, and parts 178 and 179 of this subchapter. (DOT specification packagings removed from part 178 of this subchapter by the December 21, 1990, rule may no longer be manufactured.).

(5) *October 1, 1996.* On October 1, 1996, requirements in parts 172 and 173 of this subchapter for maintenance and use of packagings that were not previously in effect are effective. (DOT specification packagings removed from part 178 of this subchapter by the December 21, 1990 final rule and packaging authorizations removed from part 173 of this subchapter by the December 21, 1990 final rule may no longer be used in place of new packaging requirements.).

(c) *Other transitional provisions.*—(1) *Packages filled prior to October 1, 1991.* Notwithstanding the marking and labeling provisions of subparts D and E, respectively, of part 172, and the packaging provisions of part 173 and subpart B of part 172 of this subchapter, a package may be offered for transportation and transported prior to October 1, 2001, if it—

(i) Conforms to the old requirements of this subchapter in effect on September 30, 1991;

(ii) Is filled with hazardous materials prior to October 1, 1991;

(iii) Is marked "Inhalation Hazard", if appropriate, in accordance with § 172.313 of this subchapter or Special Provision 13, as assigned in the § 172.101 Table; and

(iv) Is not emptied and refilled on or after October 1, 1991.

(2) *Transitional placarding provisions.* Until October 1, 1994, placards which conform to specifications for placards in effect on September 30, 1991, may be used in place of the placards specified in subpart F of part 172 of this subchapter, in accordance with the following table:

PLACARD SUBSTITUTION TABLE

Hazard class or division No.	Current placard name	Old (Sept. 30, 1991) placard name
Division 1.1	Explosives 1.1	Explosives A.
Division 1.2	Explosives 1.2	Explosives A.
Division 1.3	Explosives 1.3	Explosives B.
Division 1.4	Explosives 1.4	Dangerous.
Division 1.5	Explosives 1.5	Blasting agents.
Division 1.6	Explosives 1.6	Dangerous.
Division 2.1	Flammable gas	Flammable gas.
Division 2.2	Nonflammable gas.	Nonflammable gas.
Division 2.3	Poison gas	Poison gas.
Class 3	Flammable	Flammable.
Combustible liquid.	Combustible	Combustible.
Division 4.1	Flammable solid.	Flammable solid.
Division 4.2	Spontaneously combustible.	Flammable solid.
Division 4.3	Dangerous when wet.	Flammable solid W.
Division 5.1	Oxidizer	Oxidizer.
Division 5.2	Organic peroxide.	Oganic peroxide.
Division 6.1, PG I and II.	Poison	Poison.
Division 6.1, PG III.	Keep away from food.	(none required).
Class 7	Radioactive	Radioactive.
Class 8	Corrosive	Corrosive.
Class 9	Class 9	(none required.)

(3) *Intermixing old and new requirements.* During the transition periods provided in paragraph (b) of this section, it is recommended that hazard communication requirements be consistent where practicable, i.e., marking, labeling, placarding, and shipping paper descriptions should conform to either the old requirements of this subchapter in effect on September 30, 1991, or new requirements of this subchapter added or revised by the December 21, 1990, rule, without intermixing of communication elements. However, intermixing is permitted, during the applicable transition periods,

for packaging, hazard communication, and handling provisions, as follows:

(i) A package may be manufactured to the old requirements of this subchapter in effect on September 30, 1991 (e.g., a DOT 17E drum) even if marked and labeled for the hazardous material contained therein under the new requirements of this subchapter appearing in the December 21, 1990 rule;

(ii) A package may be manufactured to the new requirements of this subchapter appearing in the December 21, 1990 rule (e.g., a UN 4G box) even if marked and labeled for the hazardous material contained therein under the old requirements of this subchapter in effect on September 30, 1991;

(iii) If either shipping names or identification numbers are identical, a shipping paper may display the old shipping description even if the package is marked and labeled under the new shipping description;

(iv) If either shipping names or identification numbers are identical, a shipping paper may display the new shipping description even if the package is marked and labeled under the old shipping description;

(v) Either old or new placards may be used during the appropriate placarding transition period regardless of whether old or new shipping descriptions and package markings are used; and

(vi) Either old or new handling requirements, including segregation and stowage, may be used during the applicable transition period (see paragraph (b)(3) of this section).

§ 171.19 [Amended]

27. In § 171.19, the wording "Director, OHMT" is removed and replaced with "Associate Administrator for Hazardous Materials Safety" each place it appears.

§ 171.20 [Amended]

28. In § 171.20, the following changes are made:

a. In paragraph (b), the wording "Director, Office of Hazardous Materials Transportation" is removed and replaced with "Associate Administrator for Hazardous Materials Safety".

b. In paragraphs (a) and (c), the wording "Director, OHMT" is removed and replaced with "Associate Administrator for Hazardous Materials Safety" each place it appears.

PART 172—HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS, HAZARDOUS MATERIALS COMMUNICATIONS REQUIREMENTS AND EMERGENCY RESPONSE INFORMATION REQUIREMENTS

29. The authority citation for part 172 is revised to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1805, 1808; 49 CFR part 1, unless otherwise noted.

30. In § 172.101, paragraphs (c)(10)(i)(E) and (F) are added to read as follows:

§ 172.101 Purpose and use of hazardous materials table.

* * * * *

(c) * * *

(10) * * *

(i) * * *

(E) The material is identified by special provision in Column 7 of the § 172.101 Table as a material poisonous by inhalation; however, it no longer meets the definition of poisonous by inhalation or it falls within a different hazard zone than that specified in the special provision; or

(F) The material can be appropriately described by a shipping name that describes its intended application, such as "Coating solution", "Extracts, flavoring" or "Compound, cleaning liquid".

* * * * *

§ 172.101 [Amended]

31. In addition, in § 172.101, the following changes are made:

a. In paragraph (c)(8), the paragraph heading is revised to read "*Hazardous substances.*"

b. In paragraph (c)(9), a paragraph heading is added to read "*Hazardous wastes.*"

c. In paragraph (c)(10), the paragraph heading is revised to read "*Mixtures and solutions.*"

d. In paragraph (c)(10)(i) introductory text, the wording "not identified specifically by name," is added immediately after "solution" and before "comprised" and the wording "material shall" is revised to read "material, shall".

e. In paragraph (c)(10)(i)(C), the "or" at the end of the paragraph is removed.

f. In paragraph (c)(10)(i)(D), the period is removed and replaced with a semicolon.

g. In paragraph (c)(10)(ii), the wording "paragraphs (c)(10)(i)(A), (i)(B), (i)(C), and (i)(D) of this section are" is revised to read "paragraph (c)(10)(i) of this section is".

h. In paragraph (c)(11) introductory text, the wording "173.56(e)(1) or 173.114a(g)(2)" is revised to read "or 173.56(e)(1)".

i. In paragraph (c)(12)(i), the wording "Column 5" is revised to read "Column 6".

j. In paragraph (c)(12)(ii), a paragraph heading is added to read: "*Generic or n.o.s. descriptions.*"

k. In paragraph (c)(12)(iii), a paragraph heading is added to read: "*Multiple hazard materials.*"; the wording "or a dual hazard n.o.s. description (e.g., "Flammable liquid, corrosive n.o.s.")" is removed; the wording "(e.g., "Flammable liquid, corrosive n.o.s.")" is added immediately after "shipping description" and before "shall"; and a second sentence is added to read "Except for a pesticide, a subsidiary hazard of Division 6.1, Packing Group III, need not be considered for selecting a shipping description."

l. In paragraph (d)(4), the wording "or has a flash point above 60.5°C (141°F) but below 93°C (200°F)" is added at the end of the sentence.

m. In paragraph (f), the wording "Classes 1, 2 and 7 materials, combustible liquids, and ORM-D materials" is revised to read "Classes 2 and 7 materials and ORM-D materials".

n. In paragraph (i)(3), in the first sentence, the wording "packaging other than IM portable tanks." is revised to read "packagings, subject to the limitations, requirements and additional authorizations of Column 7." The third sentence is revised to read "Additional authorizations and limitations for use of IM portable tanks are set forth in Column 7."

o. In paragraph (i)(3)(i), the wording "for a solid or liquid, respectively" is removed.

p. In paragraph (i)(4), "(i.e.," is revised to read "(e.g.,".

q. In paragraph (l)(2), the word "Any" is revised to read "any" and the wording "Except as otherwise provided in this section," is added at the beginning of the sentence.

32. In § 172.101, the title of the Table, and the Table itself are revised to read as follows:

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Accellerene, see p-Nitrosodimethylaniline												
	Accumulators, electric, see Batteries, wet *etc.*												
D	Accumulators, pressurized, pneumatic *or* hydraulic (*containing non-flammable gas*).	2.2	NA1956		NONFLAMMABLE GAS.		306	306	None	No limit	No limit	A	
	Acetal	3	UN1088	II	FLAMMABLE LIQUID	T7	150	202	242	5 L	60 L	E	
	Acetaldehyde	3	UN1089	I	FLAMMABLE LIQUID	A3, B16, T20, T26, T29.	None	201	243	Forbidden	30 L	E	
A	Acetaldehyde ammonia	9	UN1841	III	CLASS 9		155	204	241	200 kg	200 kg	A	34
	Acetaldehyde oxime	3	UN2332	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	A	
	Acetic acid, glacial *or* Acetic acid solution, *more than 80 per cent acid, by mass.*	8	UN2789	II	CORROSIVE	A3, A6, A7, A10 B2, T8.	154	202	242	1 L	30 L	A	12, 21, 48
	Acetic acid solution, *more than 10 per cent but not more than 80 per cent acid, by mass.*	8	UN2790	II	CORROSIVE	A3, A6, A7, A10 B2, T8.	154	202	242	1 L	30 L	A	112
	Acetic anhydride	8	UN1715	II	CORROSIVE	A3, A6, A7, A10, B2, T8.	154	202	242	1 L	30 L	A	40
	Acetone	3	UN1090	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Acetone cyanohydrin, stabilized	6.1	UN1541	I	POISON	2, A3, B9, B14, B32, B74, B76, B77, N34, T38, T43, T45.	None	227	244	Forbidden	30 L	D	25, 40, 49
	Acetone oils	3	UN1091	II	FLAMMABLE LIQUID	T7, T30	150	202	242	5 L	60 L	B	
	Acetonitrile, see Methyl cyanide												
	Acetyl acetone peroxide with more than 9% by mass active oxygen.	Forbidden											
	Acetyl benzoyl peroxide, solid, or more than 40% in solution.	Forbidden											
	Acetyl bromide	8	UN1716	II	CORROSIVE	B2, T12, T26	154	202	242	1 L	30 L	C	8, 40
	Acetyl chloride	3	UN1717	II	FLAMMABLE LIQUID, CORROSIVE.	A3, A6, A7, N34, T18, T26.	None	202	243	1 L	5 L	B	40
	Acetyl cyclohexanesulfonyl peroxide, more than 82 per cent wetted with less than 12 per cent water.	Forbidden											
	Acetyl iodide	8	UN1898	II	CORROSIVE	B2, T9	154	202	242	1 L	30 L	C	8, 40
	Acetyl methyl carbinol	3	UN2621	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Acetyl peroxide, solid, or more than 25 percent in solution.	Forbidden											
	Acetylene, dissolved	2.1	UN1001		FLAMMABLE GAS		None	303	None	Forbidden	15 kg	D	25, 40, 57
	Acetylene (liquefied)	Forbidden											
	Acetylene silver nitrate	Forbidden											
	Acetylene tetrabromide, see Tetrabromoethane												
	Acid butyl phosphate, see Butyl acid phosphate												
	Acid, sludge, *see* Sludge acid												
	Acridine	6.1	UN2713	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Acrolein dimer, stabilized	3	UN2607	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	40
†	Acrolein, inhibited	6.1	UN1092	I	POISON, FLAMMABLE LIQUID.	1, B9, B12, B14, B30, B42, B72, B77, T38, T43, T45.	None	226	244	Forbidden	Forbidden	D	40
	Acrylamide	6.1	UN2074	III	KEEP AWAY FROM FOOD.	T8	153	213	240	100 kg	200 kg	A	12

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Acrylic acid, inhibited	8	UN2218	II	CORROSIVE	B2, T8	154	202	242	1 L	30 L	C	8, 12, 21, 25, 40
	Acrylonitrile, inhibited	3	UN1093	I	FLAMMABLE LIQUID, POISON.	B9, T18, T26	None	201	243	Forbidden	30 L	E	40
	Actuating cartridge, explosive, see Cartridges, power device.												
	Adhesives, *containing a flammable liquid*	3	UN1133	II	FLAMMABLE LIQUID	B52, T7, T30	150	173	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, B52, T7, T30.	150	173	242	60 L	220 L	A	
	Adiponitrile	6.1	UN2205	III	KEEP AWAY FROM FOOD.	T1	153	203	241	60 L	220 L	A	25
	Aerosols,*corrosive, Packing Group II or III, (each not exceeding 1 L capacity).*	2.2	UN1950		NONFLAMMABLE GAS, CORROSIVE.	A34	306	None	None	75 kg	150 kg	A	40, 48, 85
	Aerosols, *flammable, (each not exceeding 1 L capacity).*	2.1	UN1950		FLAMMABLE GAS	N82	306	None	None	75 kg	150 kg	A	40, 48, 85
	Aerosols, *non-flammable, (each not exceeding 1 L capacity).*	2.2	UN1950		NONFLAMMABLE GAS.		306, 307	None	None	75 kg	150 kg	A	48, 85
	Aerosols, *poison, each not exceeding 1 L capacity*	2.2	UN1950		NONFLAMMABLE GAS.	3	306	None	None	Forbidden	Forbidden	A	40, 48, 85
	Air, compressed	2.2	UN1002		NONFLAMMABLE GAS.		306	302	302	75 kg	150 kg	A	
	Air, refrigerated liquid (*cryogenic liquid*)	2.2	UN1003		NONFLAMMABLE GAS, OXIDIZER.		320	316	318, 319	Forbidden	150 kg	A	51
	Air, refrigerated liquid, (*cryogenic liquid*)*non-pressurized.*	2.2	UN1003		NONFLAMMABLE GAS, OXIDIZER.		320	316	318, 319	Forbidden	Forbidden	A	85
	Aircraft evacuation slides, *see* Life saving appliances *etc.*.												
D	Aircraft hydraulic power unit fuel tank (*containing a mixture of anhydrous hydrazine and monomethyl hydrazine*) (*M86 fuel*).	3	NA9302	I	FLAMMABLE LIQUID, POISON, CORROSIVE.		None	172	None	Forbidden	30 L	E	
*	Aircraft survival kits, *see* Life saving appliances *etc.*												
	Alcoholic beverages	3	UN3065	III	FLAMMABLE LIQUID	B1, N11, T1	150	203	242	5 L	60 L	A	
	Alcohols, n.o.s	3	UN1987	I	FLAMMABLE LIQUID	T8, T31	None	201	243	1 L	30 L	E	
				II	FLAMMABLE LIQUID	T8, T31	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	
	Alcohols, toxic, n.o.s.	3	UN1986	I	FLAMMABLE LIQUID, POISON.	T8, T31	None	201	243	Forbidden	30 L	E	40
				II	FLAMMABLE LIQUID, POISON.	T8, T31	None	202	243	1 L	60 L	B	40
	Aldehydes, n.o.s.	3	UN1989	I	FLAMMABLE LIQUID	T8, T31	None	201	243	1 L	30 L	E	
				II	FLAMMABLE LIQUID	T8, T31	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	
	Aldehydes, toxic, n.o.s.	3	UN1988	I	FLAMMABLE LIQUID, POISON.	T8, T31	None	201	243	Forbidden	30 L	E	40
				II	FLAMMABLE LIQUID, POISON.	T8, T31	None	202	243	1 L	60 L	B	40
	Aldol	6.1	UN2839	II	POISON	T8	None	202	243	5 L	60 L	A	48
D	Aldrin, *liquid*	6.1	NA2762	II	POISON		None	202	243	5 L	60 L	B	
D	Aldrin, *solid*	6.1	NA2761	II	POISON		None	212	242	25 kg	100 kg	A	40
	Alkali metal alloys, liquid, n.o.s.	4.3	UN1421	I	DANGEROUS WHEN WET.	A2, A3, N34	None	201	244	Forbidden	1 L	D	
	Alkali metal amalgams	4.3	UN1389	I	DANGEROUS WHEN WET.	A2, A3, N34	None	201	244	Forbidden	1 L	D	

	Alkali metal amides	4.3	UN1390	II	DANGEROUS WHEN WET.	A6, A7, A8, A19, A20.	None	212	241	15 kg	50 kg	E	40
	Alkali metal dispersions, *or* Alkaline earth metal dispersions.	4.3	UN1391	I	DANGEROUS WHEN WET.	A2, A3	None	201	244	Forbidden	1 L	D	
	Alkaline corrosive liquids, n.o.s., see Caustic alkali liquids, n.o.s..												
	Alkaline earth metal alloys, n.o.s.	4.3	UN1393	II	DANGEROUS WHEN WET.	A19	None	212	241	15 kg	50 kg	E	
	Alkaline earth metal amalgams	4.3	UN1392	I	DANGEROUS WHEN WET.	A19, N34, N40	None	211	242	Forbidden	15 kg	D	
	Alkaloids, liquid, *poisonous*, n.o.s., *or* Alkaloid salts, liquid, *poisonous*, n.o.s..	6.1	UN3140	I	POISON	A4, T42	None	201	243	1 L	30 L	A	
				II	POISON	T14	None	202	243	5 L	60 L	A	
				III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	
	Alkaloids, solid, n.o.s. *or* alkaloid salts, solid, n.o.s. *poisonous*.	6.1	UN1544	I	POISON		None	211	242	5 kg	50 kg	A	
				II	POISON		None	212	242	25 kg	100 kg	A	
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Alkyl, Aryl *or* Toluene sulfonic acid, liquid, *with more than 5 per cent free sulfuric acid.*	8	UN2584	II	CORROSIVE	B2, T8, T27	154	202	242	1 L	30 L	B	9
	Alkyl, Aryl *or* Toluene sulfonic acid, liquid, *with not more than 5 per cent free sulfuric acid.*	8	UN2586	III	CORROSIVE	T8	154	203	241	5 L	60 L	B	9
	Alkyl, Aryl *or* Toluene sulfonic acid, solid, *with more than 5 per cent free sulfuric acid.*	8	UN2583	II	CORROSIVE		154	212	240	15 kg	50 kg	A	
	Alkyl, Aryl *or* Toluene sulfonic acid, solid, *with not more than 5 per cent free sulfuric acid.*	8	UN2585	III	CORROSIVE		154	213	240	25 kg	100 kg	A	
	Alkyl phenols, liquid, n.o.s. (*including C2-C8 homologues*).	6.1	UN3145	III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	
	Alkyl phenols, solid, n.o.s. (*including C2-C8 homologues*).	6.1	UN2430	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Alkylamines, n.o.s, *or* Polyalkylamines, n.o.s., *corrosive*.	8	UN2735	I	CORROSIVE	A3, A6, B10, N34, T42.	None	201	242	0.5 L	2.5 L	A	
				II	CORROSIVE	B2, T8	154	202	242	1 L	30 L	A	
				III	CORROSIVE	T8	154	203	241	5 L	60 L	A	
	Alkylamines, n.o.s. *or* Polyalkylamines, n.o.s.*corrosive, flammable*.	8	UN2734	I	CORROSIVE, FLAMMABLE LIQUID.	A3, A6, N34, T8, T31.	None	201	243	0.5 L	2.5 L	A	48
				II	CORROSIVE, FLAMMABLE LIQUID.	T8, T31	None	202	243	1 L	30 L	A	48
	Alkylamines, n.o.s. *or* Polyalkylamines, n.o.s. *flammable, corrosive*.	3	UN2733	I	FLAMMABLE LIQUID, CORROSIVE.	T42	None	201	243	0.5 L	2.5 L	D	40
				II	FLAMMABLE LIQUID, CORROSIVE.	T8, T31	None	202	243	1 L	5 L	B	40
				III	FLAMMABLE LIQUID, CORROSIVE.	B1, T8, T31	None	203	242	5 L	60 L	A	40
	Allethrin, see Pesticides, liquid, toxic, n.o.s.												
	Allyl acetate	3	UN2333	II	FLAMMABLE LIQUID, POISON.	T8	None	202	243	1 L	60 L	E	40
	Allyl alcohol	6.1	UN1098	I	POISON, FLAMMABLE LIQUID.	2, B9, B14, B32, B74, B77, T38, T43, T45.	None	227	244	Forbidden	Forbidden	E	40
	Allyl bromide	3	UN1099	I	FLAMMABLE LIQUID, POISON.	T18	None	201	243	Forbidden	30 L	B	40
	Allyl chloride	3	UN1100	I	FLAMMABLE LIQUID, POISON.	T18, T26	None	201	243	Forbidden	30 L	E	40
	Allyl chlorocarbonate, see Allyl chloroformate												
+	Allyl chloroformate	8	UN1722	I	CORROSIVE, POISON.	1, A3, B9, B14, B30, B72, N41, T38, T43, T44.	None	226	244	Forbidden	2.5 L	D	21, 40, 48, 95
	Allyl ethyl ether	3	UN2335	II	FLAMMABLE LIQUID, POISON.	T8	None	202	243	1 L	60 L	E	40

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Allyl formate	3	UN2336	I	FLAMMABLE LIQUID, POISON.	T18, T26	None	201	243	Forbidden	30 L	E	40
	Allyl glycidyl ether	3	UN2219	III	FLAMMABLE LIQUID, POISON.	B1, T7	150	203	242	60 L	220 L	A	
	Allyl iodide	3	UN1723	II	FLAMMABLE LIQUID, CORROSIVE.	A3, A6, N34, T18.	None	201	243	0.5 L	2.5 L	B	40
+	Allyl isothiocyanate, stabilized	6.1	UN1545	II	POISON	2, A3, A7, B9, B14, B32, B74, T38, T43, T45.	None	227	244	Forbidden	60 L	D	40
	Allylamine	6.1	UN2334	I	POISON, FLAMMABLE LIQUID.	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	Forbidden	Forbidden	E	40
	Allyltrichlorosilane, stabilized	8	UN1724	II	CORROSIVE, FLAMMABLE LIQUID.	A7, B2, B6, N34, T8, T26.	None	202	242	Forbidden	30 L	C	12, 21, 40, 48
	Aluminum alkyl halides	4.2	UN3052	I	SPONTANEOUSLY COMBUSTIBLE.	B9, B11, T28, T29, T40.	None	181	244	Forbidden	Forbidden	D	
	Aluminum alkyl hydrides	4.2	UN3076	I	SPONTANEOUSLY COMBUSTIBLE.	B9, B11, T28, T29, T40.	None	181	244	Forbidden	Forbidden	D	
	Aluminum alkyls	4.2	UN3051	I	SPONTANEOUSLY COMBUSTIBLE.	B9, B11, T28, T29, T40.	None	181	244	Forbidden	Forbidden	D	
	Aluminum borohydride *or* Aluminum borohydride in devices.	4.2	UN2870	I	SPONTANEOUSLY COMBUSTIBLE, DANGEROUS WHEN WET.	B11	None	181	244	Forbidden	Forbidden	D	
	Aluminum bromide, anhydrous	8	UN1725	II	CORROSIVE		154	212	240	15 kg	50 kg	A	40
	Aluminum bromide, solution	8	UN2580	III	CORROSIVE	T8	154	203	241	5 L	60 L	A	
	Aluminum carbide	4.3	UN1394	II	DANGEROUS WHEN WET.	A20, N41	None	212	242	15 kg	50 kg	A	
	Aluminum chloride, anhydrous	8	UN1726	II	CORROSIVE		154	212	240	15 kg	50 kg	A	40
	Aluminum chloride, solution	8	UN2581	III	CORROSIVE	T8	154	203	241	5 L	60 L	A	
	Aluminum dross, wet or hot	Forbidden											
	Aluminum ferrosilicon powder	4.3	UN1395	II	DANGEROUS WHEN WET, POISON.	A19	None	212	242	15 kg	50 kg	A	40, 85, 103
	Aluminum hydride	4.3	UN2463	I	DANGEROUS WHEN WET.	A19, N40	None	211	242	Forbidden	15 kg	E	
	Aluminum nitrate	5.1	UN1438	III	OXIDIZER	A1, A29	152	213	240	25 kg	100 kg	A	
	Aluminum phosphate solution, see Corrosive liquids, n.o.s.												
	Aluminum phosphide	4.3	UN1397	I	DANGEROUS WHEN WET, POISON.	A8, A19, N40	None	211	242	Forbidden	15 kg	E	40, 85
	Aluminum phosphide pesticides	6.1	UN3048	I	POISON	A8	None	211	242	Forbidden	15 kg	E	40, 85
	Aluminum powder, coated	4.1	UN1309	II	FLAMMABLE SOLID		151	212	240	15 kg	50 kg	A	13, 39, 101
				III	FLAMMABLE SOLID		151	213	240	25 kg	100 kg	A	13, 39, 101
	Aluminum powder, uncoated	4.3	UN1396	II	DANGEROUS WHEN WET.	A19, A20	None	212	242	15 kg	50 kg	A	39
	Aluminum resinate	4.1	UN2715	III	FLAMMABLE SOLID		151	213	240	25 kg	100 kg	A	
	Aluminum silicon powder, uncoated	4.3	UN1398	III	DANGEROUS WHEN WET.	A1, A19	None	213	241	25 kg	100 kg	A	40, 85, 103
	Amatols, see Explosives, blasting, type B												

	2-Amino-4-chlorophenol	6.1	UN2673	II	POISON		None	212	242	25 kg	100 kg	A	
	2-Amino-5-diethylaminopentane	6.1	UN2946	III	KEEP AWAY FROM FOOD.	T1	153	203	240	60 L	220 L	A	
	2-(2-Aminoethoxy) ethanol	8	UN3055	III	CORROSIVE	T2	154	203	241	5 L	60 L	A	
	N-Aminoethylpiperazine	8	UN2815	III	CORROSIVE	T7	154	203	241	5 L	60 L	A	12, 48
	Aminophenols (*o-; m-; p-*)	6.1	UN2512	III	KEEP AWAY FROM FOOD.	T1	153	213	240	100 kg	200 kg	A	
	Aminopropyldiethanolamine, see Alkylamines, n.o.s.												
	n-Aminopropylmorpholine, see Alkylamines, n.o.s.												
	Aminopyridines (*o-; m-; p-*)	6.1	UN2671	II	POISON	T7	None	212	242	25 kg	100 kg	B	12, 40, 48
I	Ammonia, anhydrous, liquefied *or* Ammonia solutions *relative density less than 0.880 at 15 degrees C in water, with more than 50 per cent ammonia.*	2.3	UN1005		POISON GAS	4	None	304	314, 315	Forbidden	25 kg	D	40, 57
D	Ammonia anhydrous liquefied or Ammonia solutions, *relative density less than 0.880 at 15 degrees C in water, with more than 50 percent ammonia.*	2.2	UN1005		NONFLAMMABLE GAS.	13	None	304	314, 315	Forbidden	25 kg	D	40, 57
	Ammonia solutions, *relative density between 0.880 and 0.957 at 15 degrees C in water, with more than 10 per cent but not more than 35 percent ammonia.*	8	UN2672	III	CORROSIVE	T14	154	203	241	5 L	60 L	A	40, 85
	Ammonia solutions, *relative density less than 0.880 at 15 degrees C in water, with more than 35 per cent but not more than 50 per cent ammonia.*	2.2	UN2073		NONFLAMMABLE GAS.		306	304	314, 315	Forbidden	150 kg	E	40, 57
	Ammonium arsenate	6.1	UN1546	II	POISON		None	212	242	25 kg	100 kg	A	
	Ammonium azide	Forbidden											
	Ammonium bifluoride, solid, see Ammonium hydrogen fluoride, solid.												
	Ammonium bifluoride solution, see Ammonium hydrogen fluoride, solution.												
	Ammonium bromate	Forbidden											
	Ammonium chlorate	Forbidden											
	Ammonium dichromate	5.1	UN1439	II	OXIDIZER		152	212	242	5 kg	25 kg	A	
	Ammonium dinitro-o-cresolate	6.1	UN1843	II	POISON	T8	None	212	242	25 kg	100 kg	B	36, 65, 66, 77
	Ammonium fluoride	6.1	UN2505	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	26
	Ammonium fluorosilicate	6.1	UN2854	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	26
	Ammonium fulminate	Forbidden											
	Ammonium hydrogen fluoride, solid	8	UN1727	II	CORROSIVE	N34	154	212	240	15 kg	50 kg	A	25, 26, 40
	Ammonium hydrogen fluoride, solution	8	UN2817	II	CORROSIVE, POISON.	N34, T15	None	202	243	1 L	30 L	B	40, 95
	Ammonium hydrogen sulfate	8	UN2506	II	CORROSIVE		154	212	240	15 kg	50 kg	A	40
	Ammonium hydrosulfide, solution, see Ammonium sulfide solution.												
D	Ammonium hydroxide, *see* Ammonia solutions, *etc.*												
	Ammonium metavanadate	6.1	UN2859	II	POISON		None	212	242	25 kg	100 kg	A	
D	Ammonium nitrate fertilizers	5.1	NA2072	III	OXIDIZER	7	152	213	240	25 kg	100 kg	B	48, 59, 60, 117
AW	Ammonium nitrate fertilizers: *uniform non-segregating mixtures of nitrogen/phosphate or nitrogen/potash types or complete fertilizers of nitrogen/phosphate/potash type, with not more than 70 per cent ammonium nitrate and not more than 0.4 per cent total added combustible material or with not more than 45 per cent ammonium nitrate with unrestricted combustible material.*	9	UN2071	III	CLASS 9		155	213	240	200 kg	200 kg	A	
D	Ammonium nitrate-fuel oil mixture (containing only prilled ammonium nitrate and fuel oil).	1.5D	NA0331	II	EXPLOSIVE 1.5D		None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E
	Ammonium nitrate, liquid (*hot concentrated solution*).	5.1	UN2426		OXIDIZER	B5, B17, T25	None	None	243	Forbidden	Forbidden	D	59, 60
D	Ammonium nitrate mixed fertlizers	5.1	NA2069	III	OXIDIZER	10	152	213	240	25 kg	100 kg	B	48, 59, 60, 117
	Ammonium nitrate, *with more than 0.2 per cent combustible substances, including any organic substance calculated as carbon, to the exclusion of any other added substance.*	1.1D	UN0222	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Ammonium nitrate, *with not more than 0.2 per cent of combustible substances, including any organic substance calculated as carbon, to the exclusion of any other added substance.*	5.1	UN1942	III	OXIDIZER	A1, A29	152	213	240	25 kg	100 kg	A	48, 59, 60, 116
	Ammonium nitrite	Forbidden											
	Ammonium perchlorate	5.1	UN1442	II	OXIDIZER	A9	152	212	242	5 kg	25 kg	E	58, 69, 106
	Ammonium perchlorate	1.1D	UN0402	II	EXPLOSIVE 1.1D	107	None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E
	Ammonium permanganate, see Permanganates, inorganic, n.o.s.												
	Ammonium persulfate	5.1	UN1444	III	OXIDIZER	A1, A29	152	213	240	25 kg	100 kg	A	
	Ammonium picrate, *dry or wetted with less than 10 per cent water, by mass.*	1.1D	UN0004	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E
	Ammonium picrate, wetted *with not less than 10 per cent water, by mass.*	4.1	UN1310	I	FLAMMABLE SOLID	A2, N41	None	211	None	0.5 kg	0.5 kg	D	28, 36
	Ammonium polysulfide, solution	8	UN2818	II	CORROSIVE, POISON.	T14	None	202	243	1 L	30 L	B	12, 26, 40, 48, 95
	Ammonium polyvanadate	6.1	UN2861	II	POISON		None	212	242	25 kg	100 kg	A	
	Ammonium silicofluoride, see Ammonium fluorosilicate.												
	Ammonium sulfide solution	8	UN2683	II	CORROSIVE, POISON, FLAMMABLE LIQUID.	T14	None	202	243	1 L	30 L	B	12, 22, 26, 48, 100
	Ammunition, blank, see Cartridges for weapons, blank.												
	Ammunition, illuminating *with or without burster, expelling charge or propelling charge.*	1.2G	UN0171	II	EXPLOSIVE 1.2G		63(b)	62	None	Forbidden	Forbidden	B	
	Ammunition, illuminating *with or without burster, expelling charge or propelling charge.*	1.3G	UN0254	II	EXPLOSIVE 1.3G		63(b)	62	None	Forbidden	Forbidden	B	
	Ammunition, illuminating *with or without burster, expelling charge or propelling charge.*	1.4G	UN0297	II	EXPLOSIVE 1.4G		63(b)	62	None	Forbidden	75 kg	A	24E
	Ammunition, incendiary *liquid or gel, with burster, expelling charge or propelling charge.*	1.3J	UN0247	II	EXPLOSIVE 1.3J		63(b)	62	None	Forbidden	Forbidden	E	7E, 13E, 23E
	Ammunition, incendiary (water-activated contrivances) with burster, expelling charge or propelling charge, see Contrivances, water-activated, etc..												
	Ammunition, incendiary, white phosphorus, *with burster, expelling charge or propelling charge.*	1.2H	UN0243	II	EXPLOSIVE 1.2H		63(b)	62	None	Forbidden	Forbidden	E	8E, 14E, 15E
	Ammunition, incendiary, white phosphorus, *with burster, expelling charge or propelling charge.*	1.3H	UN0244	II	EXPLOSIVE 1.3H		63(b)	62	None	Forbidden	Forbidden	E	8E, 14E, 15E
	Ammunition, incendiary *with or without burster, expelling charge, or propelling charge.*	1.2G	UN0009	II	EXPLOSIVE 1.2G		63(b)	62	None	Forbidden	Forbidden	B	
	Ammunition, incendiary *with or without burster, expelling charge, or propelling charge.*	1.3G	UN0010	II	EXPLOSIVE 1.3G		63(b)	62	None	Forbidden	Forbidden	B	
	Ammunition, incendiary *with or without burster, expelling charge or propelling charge.*	1.4G	UN0300	II	EXPLOSIVE 1.4G		63(b)	62	None	Forbidden	75 kg	A	24E
	Ammunition, practice	1.4G	UN0362	II	EXPLOSIVE 1.4G		63(b)	62	None	Forbidden	75 kg	A	24E
	Ammunition, practice	1.3G	UN0488	II	EXPLOSIVE 1.3G		63(b)	62	None	Forbidden	Forbidden	B	1E, 7E, 25E
	Ammunition, proof	1.4G	UN0363	II	EXPLOSIVE 1.4G		63(b)	62	None	Forbidden	75 kg	A	24E
	Ammunition, rocket, see Warheads, rocket *etc.*												
	Ammunition, SA (small arms), see Cartridges for weapons, *etc.*.												

	Ammunition, smoke (water-activated contrivances), white phosphorus, with burster, expelling charge or propelling charge, see Contrivances, water-activated, *etc. (UN 0248).*												
	Ammunition, smoke (water-activated contrivances), without white phosphorus or phosphides, with burster, expelling charge or propelling charge, see Contrivances, water-activated, *etc. (UN 0249).*												
	Ammunition, smoke, white phosphorus *with burster, expelling charge, or propelling charge.*	1.3H	UN0246	II	EXPLOSIVE 1.3H		63(b)	62	None	Forbidden	Forbidden	E	8E, 14E, 15E, 17E
	Ammunition smoke, white phosphorus *with burster,expelling charge, or propelling charge.*	1.2H	UN0245	II	EXPLOSIVE 1.2H		63(b)	62	None	Forbidden	Forbidden	E	8E, 14E, 15E, 17E
	Ammunition, smoke *with or without burster, expelling charge or propelling charge.*	1.3G	UN0016	II	EXPLOSIVE 1.3G, CORROSIVE.		63(b)	62	None	Forbidden	Forbidden	E	20E
	Ammunition, smoke *with or without burster, expelling charge or propelling charge.*	1.4G	UN0303	II	EXPLOSIVE 1.4G, CORROSIVE.		63(b)	62	None	Forbidden	75 kg	E	20E
	Ammunition, smoke *with or without burster, expelling charge or propelling charge.*	1.2G	UN0015	II	EXPLOSIVE 1.2G, CORROSIVE.		63(b)	62	None	Forbidden	Forbidden	E	20E
	Ammunition, sporting, see Cartridges for weapons, *etc. (UN 0012; UN 0328; UN 0339).*												
	Ammunition, tear-producing, non-explosive, *without burster or expelling charge, non-fuzed.*	6.1	UN2017	II	POISON, CORROSIVE.		None	212	None	Forbidden	50 kg	E	13, 40
	Ammunition, tear-producing *with burster, expelling charge or propelling charge.*	1.2G	UN0018	II	EXPLOSIVE 1.2G, CORROSIVE, POISON.		63(b)	62	None	Forbidden	Forbidden	E	20E
	Ammunition, tear-producing *with burster, expelling charge or propelling charge.*	1.3G	UN0019	II	EXPLOSIVE 1.3G, CORROSIVE, POISON.		63(b)	62	None	Forbidden	Forbidden	E	20E
	Ammunition, tear-producing *with burster, expelling charge or propelling charge.*	1.4G	UN0301	II	EXPLOSIVE 1.4G, CORROSIVE, POISON.		63(b)	62	None	Forbidden	75 kg	E	20E
	Ammunition, toxic, nonexplosive, *without burster or expelling charge, non-fuzed.*	6.1	UN2016	II	POISON		None	212	None	Forbidden	100 kg	E	13, 40
	Ammunition, toxic (water-activated contrivances), with burster, expelling charge or propelling charge, see Contrivances, water-activated, *etc.*.												
	Ammunition, toxic *with burster, expelling charge, or propelling charge.*	1.2K	UN0020	II	EXPLOSIVE 1.2K, POISON.		63(b)	62	None	Forbidden	Forbidden	E	2E, 8E, 11E, 17E
	Ammunition, toxic *with burster, expelling charge, or propelling charge.*	1.3K	UN0021	II	EXPLOSIVE 1.3K, POISON.		63(b)	62	None	Forbidden	Forbidden	E	2E, 8E, 11E, 17E
	Amyl acetates	3	UN1104	III	FLAMMABLE LIQUID	B1, T1	150	203	241	60 L	220 L	A	
	Amyl acid phosphate	8	UN2819	III	CORROSIVE	T7	154	203	241	5 L	60 L	A	
	Amyl alcohols	3	UN1105	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, B3, T1	150	203	242	60 L	220 L	A	
	Amyl butyrates	3	UN2620	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Amyl chlorides	3	UN1107	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	Amyl formates	3	UN1109	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Amyl mercaptans	3	UN1111	II	FLAMMABLE LIQUID	A3, T8	None	202	242	5 L	60 L	B	95, 102
	Amyl methyl ketone	3	UN1110	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Amyl nitrate	3	UN1112	III	FLAMMABLE LIQUID	B1, T1	150	202	242	5 L	60 L	A	40
	Amyl nitrites	3	UN1113	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	E	40
	Amylamines	3	UN1106	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	n-Amylene	3	UN1108	I	FLAMMABLE LIQUID	T14	150	201	243	1 L	30 L	E	
	Amyltrichlorosilane	8	UN1728	II	CORROSIVE	A7, B2, B6, N34, T8, T26.	None	202	242	Forbidden	30 L	C	40
	Anhydrous, ammonia *see Ammonia, anhydrous, liquefied.*												
	Anhydrous hydrofluoric acid, see Hydrogen fluoride, anhydrous.												
+	Aniline	6.1	UN1547	II	POISON	T8	None	202	243	5 L	60 L	A	40
	Aniline hydrochloride	6.1	UN1548	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Aniline oil, see Aniline												
	Anisidines	6.1	UN2431	III	KEEP AWAY FROM FOOD.	T1	153	203	241	60 L	220 L	A	
	Anisole	3	UN2222	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Anisoyl chloride	8	UN1729	II	CORROSIVE	B2, T8	154	202	242	1 L	30 L	C	8, 40
	Anti-freeze, liquid, see Flammable liquids, n.o.s.												
	Antimonous chloride, see Antimony trichloride												
	Antimony compounds, inorganic, liquid, n.o.s.	6.1	UN3141	I	POISON	A4, T42	None	201	243	1 L	30 L	A	
				II	POISON	T14	None	202	243	5 L	60 L	A	
				III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	
	Antimony compounds, inorganic, solid, n.o.s.	6.1	UN1549	I	POISON		None	211	242	5 kg	50 kg	A	
				II	POISON		None	212	242	25 kg	100 kg	A	
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Antimony lactate	6.1	UN1550	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Antimony pentachloride, liquid	8	UN1730	II	CORROSIVE	B2, T8, T26	None	202	242	1 L	30 L	C	8, 40
	Antimony pentachloride, solutions	8	UN1731	II	CORROSIVE	B2, T8, T27	154	202	242	1 L	30 L	C	8, 40
	Antimony pentafluoride	8	UN1732	II	CORROSIVE, POISON.	A3, A6, A7, A10, N3, T12, T26.	None	202	243	Forbidden	30 L	D	40, 95
	Antimony potassium tartrate	6.1	UN1551	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Antimony powder	6.1	UN2871	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Antimony sulfide and a chlorate, mixtures of	Forbidden											
	Antimony sulfide, solid, see Antimony compounds, inorganic, n.o.s..												
D	Antimony tribromide, solid	8	NA1549	II	CORROSIVE		154	212	240	25 kg	100 kg	A	13
D	Antimony tribromide, solution	8	NA1549	II	CORROSIVE	B2	154	202	242	1 L	30 L	C	13
	Antimony trichloride, liquid	8	UN1733	II	CORROSIVE	B2	154	202	242	1 L	30 L	C	40
	Antimony trichloride, solid	8	UN1733	II	CORROSIVE		154	212	240	15 kg	50 kg	A	40
D	Antimony trifluoride, solid	8	NA1549	II	CORROSIVE		154	212	240	25 kg	25 kg	A	13
D	Antimony trifluoride solution	8	NA1549	II	CORROSIVE	B2	154	202	242	1 L	30 L	C	13
	Aqua ammonia, see Ammonia solution, *etc.*												
	Argon, compressed	2.2	UN1006		NONFLAMMABLE GAS.		306	302	314, 315	75 kg	150 kg	A	
	Argon, refrigerated liquid (*cryogenic liquid*)	2.2	UN1951		NONFLAMMABLE GAS.		320	316	318	50 kg	500 kg	B	
	Arsenic	6.1	UN1558	II	POISON		None	212	242	25 kg	100 kg	A	
	Arsenic acid, liquid	6.1	UN1553	I	POISON	T18, T27	None	201	243	1 L	30 L	B	
	Arsenic acid, solid	6.1	UN1554	II	POISON		None	212	242	25 kg	100 kg	A	
	Arsenic bromide	6.1	UN1555	II	POISON		None	212	242	25 kg	100 kg	A	12, 40
	Arsenic chloride, see Arsenic trichloride												
	Arsenic compounds, liquid, n.o.s. *including arsenates n.o.s.; arsenites, n.o.s.; arsenic sulfides, n.o.s.; and organic compounds of arsenic, n.o.s.*.	6.1	UN1556	I	POISON		None	201	243	1 L	30 L	B	40
				II	POISON		None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.		153	203	241	60 L	220 L	B	40
	Arsenic compounds, solid, n.o.s. *including arsenates, n.o.s.; arsenites, n.o.s.; arsenic sulfides, n.o.s.; and organic compounds of arsenic, n.o.s.*.	6.1	UN1557	I	POISON		None	211	242	5 kg	50 kg	A	
				II	POISON		None	212	242	25 kg	100 kg	A	
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Arsenic pentoxide	6.1	UN1559	II	POISON		None	212	242	25 kg	100 kg	A	

D	Arsenic sulfide	6.1	NA1557	II	POISON		None	212	242	25 kg	100 kg	A	
	Arsenic sulfide and a chlorate, mixtures of	Forbidden											
	Arsenic trichioride	6.1	UN1560	I	POISON	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	1L	30L	B	40
	Arsenic trioxide	6.1	UN1561	II	POISON		None	212	242	25 kg	100 kg	A	
D	Arsenic trisulfide	6.1	NA1557	II	POISON		None	212	242	25 kg	100 kg	A	
	Arsenic, white, solid, see Arsenic trioxide												
	Arsenical dust	6.1	UN1562	II	POISON		None	212	242	25 kg	100 kg	A	
	Arsenical pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN2760	I	FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	B	40
				II	FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	B	40
	Arsenical pesticides, liquid, toxic, flammable, n.o.s. *flashpoint not less than 23 degrees C.*	6.1	UN2993	I	POISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	B	40
				II	POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.	B1, T14	153	203	241	60 L	220 L	A	40
	Arsenical pesticides, liquid, toxic, n.o.s.	6.1	UN2994	I	POISON	T42	None	201	243	1 L	30 L	B	40
				II	POISON	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	A	40
	Arsenical pesticides, solid, toxic, n.o.s.	6.1	UN2759	I	POISON		None	211	242	5 kg	50 kg	A	40
				II	POISON		None	212	242	25 kg	100 kg	A	40
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	40
	Arsenious acid, solid, see Arsenic trioxide												
	Arsenious and mercuric iodide solution, see Arsenic compounds, liquid, n.o.s..												
	Arsine	2.3	UN2188		POISON GAS, FLAMMABLE GAS.	1	None	192	245	Forbidden	Forbidden	D	40
	Articles, explosive, extremely insensitive *or* Articles, EEI.	1.6N	UN0486	II	EXPLOSIVE 1.6N	101	None	62	None	Forbidden	Forbidden	B	
	Articles, explosive, n.o.s.	1.4S	UN0349	II	EXPLOSIVE 1.4S	101	None	62	None	25 kg	100 kg	A	9E
	Articles, explosive, n.o.s.	1.4B	UN0350	II	EXPLOSIVE 1.4B	101	None	62	None	Forbidden	Forbidden	A	24E
	Articles, explosive, n.o.s.	1.4C	UN0351	II	EXPLOSIVE 1.4C	101	None	62	None	Forbidden	Forbidden	A	24E
	Articles, explosive, n.o.s.	1.4D	UN0352	II	EXPLOSIVE 1.4D	101	None	62	None	Forbidden	Forbidden	A	24E
	Articles, explosive, n.o.s.	1.4G	UN0353	II	EXPLOSIVE 1.4G	101	None	62	None	Forbidden	Forbidden	A	24E
	Articles, explosive, n.o.s.	1.1L	UN0354	II	EXPLOSIVE 1.1L	101	None	62	None	Forbidden	Forbidden	E	2E, 8E, 17E
	Articles, explosive, n.o.s.	1.2L	UN0355	II	EXPLOSIVE 1.2L	101	None	62	None	Forbidden	Forbidden	E	2E, 8E, 17E
	Articles, explosive, n.o.s.	1.3L	UN0356	II	EXPLOSIVE 1.3L	101	None	62	None	Forbidden	Forbidden	E	2E, 8E, 17E
	Articles, explosive, n.o.s.	1.1C	UN0462	II	EXPLOSIVE 1.1C	101	None	62	None	Forbidden	Forbidden	B	
	Articles, explosive, n.o.s.	1.1D	UN0463	II	EXPLOSIVE 1.1D	101	None	62	None	Forbidden	Forbidden	B	
	Articles, explosive, n.o.s.	1.1E	UN0464	II	EXPLOSIVE 1.1E	101	None	62	None	Forbidden	Forbidden	B	
	Articles, explosive, n.o.s.	1.1F	UN0465	II	EXPLOSIVE 1.1F	101	None	62	None	Forbidden	Forbidden	E	
	Articles, explosive, n.o.s.	1.2C	UN0466	II	EXPLOSIVE 1.2C	101	None	62	None	Forbidden	Forbidden	B	
	Articles, explosive, n.o.s.	1.2D	UN0467	II	EXPLOSIVE 1.2D	101	None	62	None	Forbidden	Forbidden	B	
	Articles, explosive, n.o.s.	1.2E	UN0468	II	EXPLOSIVE 1.2E	101	None	62	None	Forbidden	Forbidden	B	
	Articles, explosive, n.o.s.	1.2F	UN0469	II	EXPLOSIVE 1.2F	101	None	62	None	Forbidden	Forbidden	E	
	Articles, explosive, n.o.s.	1.3C	UN0470	II	EXPLOSIVE 1.3C	101	None	62	None	Forbidden	Forbidden	B	
	Articles, explosive, n.o.s.	1.4E	UN0471	II	EXPLOSIVE 1.4E	101	None	62	None	Forbidden	75kg	A	24E
	Articles, explosive, n.o.s.	1.4F	UN0472	II	EXPLOSIVE 1.4F	101	None	62	None	Forbidden	Forbidden	E	
	Articles, pyrophoric	1.2L	UN0380	II	EXPLOSIVE 1.2L		None	62	None	Forbidden	Forbidden	E	2E, 8E, 17E
	Articles, pyrotechnic *for technical purposes*	1.1G	UN0428	II	EXPLOSIVE 1.1G		None	62	None	Forbidden	Forbidden	B	
	Articles, pyrotechnic *for technical purposes*	1.2G	UN0429	II	EXPLOSIVE 1.2G		None	62	None	Forbidden	Forbidden	B	
	Articles, pyrotechnic *for technical purposes*	1.3G	UN0430	II	EXPLOSIVE 1.3G		None	62	None	Forbidden	Forbidden	B	
	Articles, pyrotechnic *for technical purposes*	1.4G	UN0431	II	EXPLOSIVE 1.4G		None	62	None	Forbidden	75 kg	A	24E
	Articles, pyrotechnic *for technical purposes*	1.4S	UN0432	II	EXPLOSIVE 1.4S		None	62	None	25 kg	100 kg	A	9E
	Asbestos, blue or brown, see Blue asbestos *etc.*												
	Asbestos, white, see White asbestos *etc.*												

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Ascaridole (organic peroxide	Forbidden											
D	Asphalt, *at or above its flashpoint*	3	NA1999	III	None	B1	150	203	242	Forbidden	Forbidden	D	
D	Asphalt, cut back, *see* Ta s, liquid, *etc.*												
	Automobile, motorcycle, tractor, or other self-propelled vehicle, engine, or other mechanical apparatus. see Vehicles, self-propelled.												
	Azaurolic acid (salt of) (dry)	Forbidden											
	Azido guanidine picrate (dry)	Forbidden											
	5-Azido-1-hydroxy tetrazole	Forbidden											
	Azido hydroxy tetrazole (mercury and silver salts)	Forbidden											
	Azido hydroxy tetrazole (mercury and silver salts)	Forbidden											
	3-Azido-1,2-Propylene glycol dinitrate	Forbidden											
	Azidodithiocarbonic acid	Forbidden											
	Azidoethyl nitrate	Forbidden											
	1-Aziridinyl phosphine oxide-(tris), see Tris-(1-aziridinyl) phosphine oxide, solution.												
	2,2'-Azodi-(2,4-dimethyl-4-methoxyvaleronitrile	4.1	UN2955	II	FLAMMABLE SOLID		None	224	None	Forbidden	Forbidden	D	2
	2,2'-Azodi-(2,4 dimethylvaleronitrile)	4.1	UN2953	II	FLAMMABLE SOLID		None	224	None	Forbidden	Forbidden	D	2
	1,1'-Azodi-(hexahydrobenzonitrile)	4.1	UN2954	II	FLAMMABLE SOLID		None	224	None	15 kg	50 kg	B	12, 61, 85
	2,2'-Azodi (2-methyl-butyronitrile)	4.1	UN3030	II	FLAMMABLE SOLID		None	224	None	Forbidden	Forbidden	D	2, 61
	Azodiisobutyronitrile	4.1	UN2952	II	FLAMMABLE SOLID, EXPLOSIVES.	41, 53	None	224	None	Forbidden	Forbidden	D	2
	Azotetrazole (dry)	Forbidden											
	Barium	4.3	UN1400	II	DANGEROUS WHEN WET.	A19	None	212	241	15 kg	50 kg	E	
	Barium alloys, pyrophoric	4.2	UN1854	I	SPONTANEOUSLY COMBUSTIBLE.		None	181	None	Forbidden	Forbidden	D	
	Barium azide, *dry or wetted with less than 50 per cent water, by mass.*	1.1A	UN0224	II	EXPLOSIVE 1.1A, Poison.	111, 117	None	62	None	Forbidden	Forbidden	E	2E, 6E
	Barium azide, wetted *with not less than 50 per cent water, by mass.*	4.1	UN1571	I	FLAMMABLE SOLID, POISON.	A2	None	182	None	Forbidden	0.5 kg	D	28, 36
	Barium bromate	5.1	UN2719	II	OXIDIZER, POISON		None	212	242	5 kg	25 kg	A	56, 58, 106
	Barium chlorate	5.1	UN1445	II	OXIDIZER, POISON	A9, N34, T8	None	212	242	5 kg	25 kg	A	56, 58, 106
	Barium compounds, n.o.s.	6.1	UN1564	I	POISON		None	211	242	5 kg	50 kg	A	
				II	POISON		None	212	242	25 kg	100 kg	A	
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Barium cyanide	6.1	UN1565	I	POISON	N74, N75	None	211	242	5 kg	50 kg	A	26, 40
	Barium hypochlorite *with more than 22 per cent available chlorine.*	5.1	UN2741	II	OXIDIZER	A7, A9, N34	152	212	None	5 kg	25 kg	B	56, 58, 106
	Barium nitrate	5.1	UN1446	II	OXIDIZER, POISON		None	212	242	5 kg	25 kg	A	
	Barium oxide	6.1	UN1884	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Barium perchlorate	5.1	UN1447	II	OXIDIZER, POISON	T8	None	212	242	5 kg	25 kg	A	56, 58, 106
	Barium permanganate	5.1	UN1448	II	OXIDIZER, POISON		None	212	242	5 kg	25 kg	D	56, 58, 69, 106, 107
	Barium peroxide	5.1	UN1449	II	OXIDIZER, POISON		None	212	2	5 kg	25 kg	A	13, 75, 106
	Barium selenate, *see* Selenates *or* Selenites												
	Barium selenite, *see* Selenates *or* Selenites												
D	Barium styphnate	1.1A	NA0473	II	EXPLOSIVE 1.1A	111, 117	None	62	None	Forbidden	Forbidden	E	2E, 6E

	Batteries, dry, containing potassium hydroxide solid, *electric, storage.*	8	UN3028	III	CORROSIVE		None	213	None	25 kg gross.	230 kg gross.	A	
	Batteries, wet, filled with acid, *electric storage*	8	UN2794	III	CORROSIVE		159	159	None	25 kg gross.	No limit	A	
	Batteries, wet, filled with alkali, *electric storage*	8	UN2795	III	CORROSIVE		159	159	None	25 kg gross.	No limit	A	
AW	Batteries, wet, non-spillable, *electric storage*	8	UN2800	III	CORROSIVE		159	159	None	No Limit	No Limit	A	
	Battery fluid, acid	8	UN2796	II	CORROSIVE	A3, A7, B2, B15, N6, N34, T9, T27.	154	202	242	1 L	30 L	B	
	Battery fluid, alkali	8	UN2797	II	CORROSIVE	B2, N6, T8	154	202	242	1 L	30 L	A	
	Battery lithium type, see Lithium batteries *etc.*												
	Battery, wet, filled with acid or alkali with automobile (or named self-propelled vehicle or mechanical equipment containing internal combustion engine) see Vehicles, self-propelled *etc.*.												
	Battery, wet, with wheelchair, see Wheelchair, electric.												
	Benzene	3	UN1114	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	40
	Benzene diazonium chloride (dry)	Forbidden											
	Benzene diazonium nitrate (dry)	Forbidden											
	Benzene-1,3-disulfohydrazide, *not more than 52 per cent as a paste.*	4.1	UN2971	II	FLAMMABLE SOLID		None	224	None	15 kg	50 kg	B	12, 61, 85
	Benzene phosphorus dichloride, see Phenyl phosphorus dichloride.												
	Benzene phosphorus thiodichloride, see Phenyl phosphorus thiodichloride.												
	Benzene sulfohydrazide	4.1	UN2970	II	FLAMMABLE SOLID		None	224	None	15 kg	50 kg	B	12, 61, 85
	Benzene sulfonyl chloride	8	UN2225	III	CORROSIVE	T8	154	203	241	5 L	60 L	A	40
	Benzene triozonide	Forbidden											
	Benzenethiol, see Phenyl mercaptan												
	Benzidine	6.1	UN1885	II	POISON		None	212	242	25 kg	100 kg	A	
	Benzoic derivative pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN2770	I	FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	E	
				II	FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	B	
	Benzoic derivative pesticides, liquid, toxic, flammable, n.o.s. *flashpoint not less than 23 degrees C.*	6.1	UN3003	I	POISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	B	40
				II	POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.	T14	153	203	241	60 L	220 L	A	40
	Benzoic derivative pesticides, liquid, toxic, n.o.s.	6.1	UN3004	I	POISON	T42	None	201	243	1 L	30 L	B	40
				II	POISON	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	A	40
	Benzoic derivative pesticides, solid, toxic, n.o.s.	6.1	UN2769	I	POISON		None	211	242	5 kg	50 kg	A	40
				II	POISON		None	212	242	25 kg	100 kg	A	
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Benzol, see Benzene												
	Benzonitrile	6.1	UN2224	II	POISON	T14	None	202	243	5 L	60 L	A	26, 40
	Benzoquinone	6.1	UN2587	II	POISON		None	212	242	25 kg	100 kg	A	
	Benzotrichloride	8	UN2226	II	CORROSIVE	B2, T15	154	202	242	1 L	30 L	A	40
	Benzotrifluoride	3	UN2338	II	FLAMMABLE LIQUID	T2	150	202	242	5 L	60 L	B	40
	Benzoxidiazoles (dry)	Forbidden											
	Benzoyl azide	Forbidden											
	Benzoyl chloride	8	UN1736	II	CORROSIVE	B2, T9, T26	154	202	242	1 L	30 L	C	8, 40
	Benzyl bromide	6.1	UN1737	II	POISON, CORROSIVE.	A3, A7, N33, N34, T12, T26.	None	202	243	1 L	30 L	D	13, 40
	Benzyl chloride	6.1	UN1738	II	POISON, CORROSIVE.	A3, A7, B41, B70, N33, N43, T12, T26.	None	202	243	1 L	30 L	D	13, 40

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Benzyl chloride *unstabilized*	6.1	UN1738	II	POISON, CORROSIVE.	A3, A7, B8, B11, N33, N34, N43, T12, T26.	None	202	243	1 L	30 L	D	13, 20
	Benzyl chloroformate	8	UN1739	I	CORROSIVE	A3, A6, B4, N41, T18, T26.	None	201	242	Forbidden	2.5 L	D	40
	4-(Benzyl(ethyl)amino)-3-ethoxybenzenediazonium zinc chloride.	4.1	UN3037	II	FLAMMABLE SOLID		None	224	None	Forbidden	Forbidden	D	2
	Benzyl iodide	6.1	UN2653	II	POISON	T8	None	202	243	5 L	60 L	B	12, 40, 48
	4-(Benzyl(methyl)amino)3-ethoxybenzenediazonium zinc chloride.	4.1	UN3038	II	FLAMMABLE SOLID		None	224	None	Forbidden	Forbidden	D	2
	Benzyldimethylamine	8	UN2619	II	CORROSIVE	B2, T1	154	202	242	1 L	30 L	A	12, 21, 40, 48
	Benzylidene chloride	6.1	UN1886	II	POISON	T8	None	202	243	5 L	60 L	D	40
	Beryllium compounds, n.o.s.	6.1	UN1566	II	POISON		None	212	242	25 kg	100 kg	A	
	Beryllium nitrate	5.1	UN2464	II	OXIDIZER, POISON		None	212	242	5 kg	25 kg	A	
	Beryllium, powder	6.1	UN1567	II	POISON, FLAMMABLE SOLID		None	212	242	15 kg	50 kg	A	
	Bifluorides, n.o.s. *solid*	8	UN1740	II	CORROSIVE	N3, N34	None	212	240	15 kg	50 kg	A	25, 26, 40
	Bifluorides, n.o.s. *solutions*	8	UN1740	II	CORROSIVE	N3, N34	None	202	243	1 L	30 L	A	25, 26, 40
	Biphenyl triozonide	Forbidden											
	Bipyridilium pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN2782	I	FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	E	
				II	FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	B	
	Bipyridilium pesticides, liquid, toxic, flammable, n.o.s. *flashpoint not less than 23 degrees C.*	6.1	UN3015	I	POISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	B	21, 40, 48
				II	POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	B	21, 40, 48
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.	B1, T14	153	203	242	60 L	220 L	A	21, 40, 48
	Bipyridilium pesticides, liquid, toxic, n.o.s.	6.1	UN3016	I	POISON	T42	None	201	243	1 L	30 L	B	40
				II	POISON	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	A	40
	Bipyridilium pesticides, solid, toxic, n.o.s.	6.1	UN2781	I	POISON		None	211	242	5 kg	50 kg	A	40
				II	POISON		None	212	242	25 kg	100 kg	A	40
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	40
	bis (*Aminopropyl*) *piperazine, see* Corrosive liquid, n.o.s..												
	Bisulfites, inorganic, aqueous solutions, n.o.s.	8	UN2693	III	CORROSIVE	T8	154	203	241	1 L	30 L	A	8, 26, 40
	Black powder, compressed *or* Gunpowder, compressed *or* Black powder, in pellets *or* Gunpowder, in pellets.	1.1D	UN0028	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Black powder *or* Gunpowder, *granular or as a meal*	1.1D	UN0027	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	10E, 26E
	Blasting agent, n.o.s., see Explosives, blasting *etc.*												
	Blasting cap assemblies, see Detonator assemblies, non-electric, *for blasting.*												
	Blasting caps, electric, see Detonators, electric *for blasting.*												
	Blasting caps, non-electric, see Detonators, non-electric, *for blasting.*												

	Bleaching powder, see Calcium hypochlorite mixtures, *etc.*.												
	Blue Asbestos (*Crocidolite*) *or* Brown asbestos (*amosite, mysorite*).	9	UN2212	II	CLASS 9		155	216	240	Forbidden	Forbidden	A	34, 40
	Bombs, photo-flash	1.1F	UN0037	II	EXPLOSIVE 1.1F		63(b)	62	None	Forbidden	Forbidden	E	
	Bombs, photo-flash	1.1D	UN0038	II	EXPLOSIVE 1.1D		63(b)	62	None	Forbidden	Forbidden	B	
	Bombs, photo-flash	1.2G	UN0039	II	EXPLOSIVE 1.2G		63(b)	62	None	Forbidden	Forbidden	B	
	Bombs, photo-flash	1.3G	UN0299	II	EXPLOSIVE 1.3G		63(b)	62	None	Forbidden	Forbidden	B	
	Bombs, smoke, non-explosive, *with corrosive liquid, without initiating device.*	8	UN2028	II	CORROSIVE		None	160	None	Forbidden	50 kg	E	40
	Bombs, *with bursting charge*	1.1F	UN0033	II	EXPLOSIVE 1.1F		63(b)	62	None	Forbiden	Forbidden	E	
	Bombs, *with bursting charge*	1.1D	UN0034	II	EXPLOSIVE 1.1D		63(b)	62	None	Forbidden	Forbidden	B	3E, 7E
	Bombs, *with bursting charge*	1.2D	UN0035	II	EXPLOSIVE 1.2D		63(b)	62	None	Forbidden	Forbidden	B	3E, 7E
	Bombs, *with bursting charge*	1.2F	UN0291	II	EXPLOSIVE 1.2F		63(b)	62	None	Forbidden	Forbidden	E	
	Bombs with flammable liquid, *with bursting charge*	1.1J	UN0399	II	EXPLOSIVE 1.1J		63(b)	62	None	Forbidden	Forbidden	E	7E, 16E, 23E
	Bombs with flammable liquid, *with bursting charge*	1.2J	UN0400	II	EXPLOSIVE 1.2J		63(b)	62	None	Forbidden	Forbidden	E	7E, 16E, 23E
	Boosters with detonator	1.1B	UN0225	II	EXPLOSIVE 1.1B		None	62	None	Forbidden	Forbidden	B	2E, 6E
	Boosters with detonator	1.2B	UN0268	II	EXPLOSIVE 1.2B		None	62	None	Forbidden	Forbidden	E	1E, 7E
D	Boosters with detonator	1.4B	NA0350	II	EXPLOSIVE 1.4B	115	None	62	None	Forbidden	75 kg	A	24E
	Boosters, *without detonator*	1.1D	UN0042	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	
	Boosters, *without detonator*	1.2D	UN0283	II	EXPLOSIVE 1.2D		None	62	None	Forbidden	Forbidden	B	
	Borate and chlorate mixtures, see Chlorate and borate mixtures.												
	Borneol	4.1	UN1312	III	FLAMMABLE SOLID	A1	None	213	240	25 kg	100 kg	A	
+	Boron tribromide	8	UN2692	I	CORROSIVE, POISON.	2, A3, A7, B9, B14, B32, B74, N34, T38, T43, T45.	None	227	244	Forbidden	2.5 L	C	12
	Boron trichloride	2.3	UN1741		POISON GAS, CORROSIVE.	1, B9, B14	None	304	314	Forbidden	Forbidden	E	25, 40
	Boron trifluoride	2.3	UN1008		POISON GAS	2, B9, B14	None	302	314, 315	Forbidden	Forbidden	D	40
	Boron trifluoride acetic acid complex	8	UN1742	II	CORROSIVE	B2, B6, T9, T27.	154	202	242	1 L	30 L	A	
	Boron trifluoride diethyl etherate	8	UN2604	I	CORROSIVE, FLAMMABLE LIQUID.	A19, T8, T26	None	202	243	0.5 L	2.5 L	D	12, 21, 40, 48
	Boron trifluoride dihydrate	8	UN2851	II	CORROSIVE	T9, T27	154	212	240	15 kg	50 kg	B	12, 40, 48
	Boron trifluoride dimethyl etherate	4.3	UN2965	II	DANGEROUS WHEN WET, CORROSIVE, FLAMMABLE LIQUID.	A19, T8, T26	None	202	243	1 L	5 L	D	21, 28, 40, 49, 100
	Boron trifluoride propionic acid complex	8	UN1743	II	CORROSIVE	B2, T9, T27	154	202	242	1 L	30 L	A	
	Box toe gum, see Nitrocellulose *etc.*												
	Brake fluid, *hydraulic*	3	UN1118	II	FLAMMABLE LIQUID	T7, T30	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	
	Bromates, inorganic, n.o.s.	5.1	UN1450	II	OXIDIZER		152	212	242	5 kg	25 kg	A	56, 58, 106
	Bromine azide	Forbidden											
+	Bromine *or* Bromine solutions	8	UN1744	I	CORROSIVE, POISON.	1, A3, A6, B9, B12, B31, B64, B73, B85, N34, N43, T18, T41.	None	226	249	Forbidden	2.5 L	D	12, 40, 66, 74, 89, 90, 95
	Bromine chloride	2.3	UN2901		POISON GAS, CORROSIVE, OXIDIZER.	2, B9, B12, B14.	None	304	314, 315	Forbidden	Forbidden	D	40, 89, 90
+	Bromine pentafluoride	5.1	UN1745	I	OXIDIZER, POISON, CORROSIVE.	1, B9, B14, B30, B72, T38, T43, T44.	None	228	244	Forbidden	Forbidden	D	25, 40, 66, 90
+	Bromine trifluoride	5.1	UN1746	I	OXIDIZER, POISON, CORROSIVE.	2, B9, B14, B32, B74, T38, T43, T45.	None	228	244	Forbidden	Forbidden	D	25, 40, 66, 90
	4-Bromo-1,2-dinitrobenzene	Forbidden											
	4-Bromo-1,2-dinitrobenzene (unstable at 59 deg C.)	Forbidden											
	1-Bromo-3-methylbutane	3	UN2341	III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	

§ 172.101 Hazardous Materials Table—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	1-Bromo-3-nitrobenzene (unstable at 56 deg C)	Forbidden											
	Bromoacetic acid, *solid*	8	UN1938	II	CORROSIVE	A7, N34, T9	154	212	240	15 kg	50 kg	A	
	Bromoacetic acid, *solution*	8	UN1938	II	CORROSIVE	B2, T9	154	202	242	1 L	30 L	A	40
+	Bromoacetone	6.1	UN1569	II	POISON	2	None	193	245	Forbidden	Forbidden	D	40
	Bromoacetyl bromide	8	UN2513	II	CORROSIVE	B2, T9, T26	154	202	242	1 L	30 L	C	8
	Bromobenzene	3	UN2514	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Bromobenzyl cyanides, *liquid*	6.1	UN1694	I	POISON	T18	None	201	243	Forbidden	30 L	D	12, 40
	Bromobenzyl cyanides, *solid*	6.1	UN1694	I	POISON	T18	None	211	241	Forbidden	50 kg	D	12, 40
	2-Bromobutane	3	UN2339	II	FLAMMABLE LIQUID	B1, T1	150	202	242	5 L	60 L	B	40
	Bromochloromethane	6.1	UN1887	III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	
	2-Bromoethyl ethyl ether	3	UN2340	II	FLAMMABLE LIQUID	T7	150	202	242	5 L	60 L	B	40
	Bromoform	6.1	UN2515	III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	12, 40, 48
	Bromomethylpropanes	3	UN2342	II	FLAMMABLE LIQUID	T7, T30	150	202	242	5 L	60 L	B	
	2-Bromopentane	3	UN2343	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	2-Bromopropane	3	UN2344	II	FLAMMABLE LIQUID	T7	150	202	242	5 L	60 L	B	40
	3-Bromopropyne	3	UN2345	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	D	40
	Bromosilane	Forbidden											
	Bromotoluene-alpha, see Benzyl bromide												
	Bromotrifluoroethylene	2.1	UN2419		FLAMMABLE GAS		None	304	314, 315	Forbidden	150 kg	B	40
	Bromotrifluoromethane, *R13B1*	2.2	UN1009		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A	
	Brucine	6.1	UN1570	I	POISON		None	212	242	5 kg	50 kg	A	
	Bursters, *explosive*	1.1D	UN0043	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	
	Butadienes, inhibited	2.1	UN1010		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	B	40
	Butane *or* Butane mixtures *see also* Petroleum gases, liquefied.	2.1	UN1011		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	E	40
	Butane, butane mixtures and mixtures having similar properties in cartridges each not exceeding 500 grams, see Receptacles, *etc.*.												
	Butanedione	3	UN2346	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	1,2,4-Butanetriol trinitrate	Forbidden											
	Butanols	3	UN1120	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	tert-Butoxycarbonyl azide	Forbidden											
	Butoxyl	3	UN2708	III	FLAMMABLE LIQUID	B1, T1	150	203	241	60 L	220 L	A	
	Butyl acetates	3	UN1123	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T1	150	202	241	60 L	220 L	A	
	Butyl acid phosphate	8	UN1718	III	CORROSIVE	T7	154	203	241	5 L	60 L	A	
	Butyl alcohols, see Butanols												
	Butyl benzenes	3	UN2709	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	n-Butyl bromide	3	UN1126	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	n-Butyl chloride, see Chlorobutanes												
	n-Butyl chloroformate	6.1	UN2743	I	POISON, CORROSIVE.	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	1 L	30 L	A	12, 13, 22, 25, 40, 48, 100
D	sec-Butyl chloroformate	6.1	NA2742	I	POISON, FLAMMABLE LIQUID, CORROSIVE.	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	1 L	30 L	A	12, 13, 22, 25, 40, 48, 100
	Butyl ethers, see Dibutyl ethers												
	Butyl ethyl ether. see Ethyl butyl ether												

	n-Butyl formate	3	UN1128	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	tert-Butyl hydroperoxide, more than 90 per cent with water.	Forbidden											
	N-n-Butyl imidazole	6.1	UN2690	II	POISON	T8	None	202	243	5 L	60 L	A	40
+	Tert-Butyl isocyanate	3	UN2484	I	FLAMMABLE LIQUID, POISON.	1, A7, B9, B14, B30, B72, T38, T43, T44.	None	226	244	Forbidden	30 L	D	40
+	n-Butyl isocyanate	3	UN2485	II	FLAMMABLE LIQUID, POISON.	1, A7, B9, B14, B30, B72, B77, T38, T43, T44.	None	226	244	Forbidden	60 L	D	40
	Butyl mercaptans	3	UN2347	II	FLAMMABLE LIQUID	A3, T8	150	202	242	5 L	60 L	B	26, 95, 102
	n-Butyl methacrylate	3	UN2227	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Butyl methyl ether	3	UN2350	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Butyl nitrites	3	UN2351	I	FLAMMABLE LIQUID	T8	150	202	242	1 L	30 L	E	40
				II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	40
				III	FLAMMABLE LIQUID	B1, T8	150	202	242	60 L	220 L	A	40
	tert-Butyl peroxyacetate, more than 76 per cent in solution.	Forbidden											
	n-Butyl peroxydicarbonate, more than 52 percent in solution.	Forbidden											
	tert-Butyl peroxyisobutyrate, more than 77 per cent in solution.	Forbidden											
	Butyl phosphoric acid, see Butyl acid phosphate												
	5-tert-Butyl-2,4,6-trinitro-m-xylene *or* Musk xylene	4.1	UN2956	III	FLAMMABLE SOLID		None	214	None	Forbidden	Forbidden	D	12
	Butyl vinyl ether, inhibited	3	UN2352	II	FLAMMABLE LIQUID	T7	150	202	242	5 L	60 L	B	40
	Butylacrylate	3	UN2348	III	FLAMMABLE LIQUID	B1, T8, T31	150	202	241	60 L	220 L	A	
	n-Butylamine	3	UN1125	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	40
	N-Butylaniline	6.1	UN2738	II	POISON	T8	None	202	243	5 L	60 L	A	40
	tert-Butylcyclohexylchloroformate	6.1	UN2747	III	KEEP AWAY FROM FOOD.	T8	153	203	241	60 L	220 L	A	12, 13, 25, 48
	Butylene *see also* Petroleum gases, liquefied	2.1	UN1012		FLAMMABLE GAS		None	304	314, 315	Forbidden	150 kg	E	40
	1,2-Butylene oxide, stabilized	3	UN3022	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	49
	Butylphenols, liquid	6.1	UN2228	III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	
	Butylphenols, solid	6.1	UN2229	III	KEEP AWAY FROM FOOD.	T7	153	213	240	100 kg	200 kg	A	
	Butylpropionate	3	UN1914	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Butyltoluenes	6.1	UN2667	III	KEEP AWAY FROM FOOD.	T2	153	203	241	60 L	220 L	A	
	Butyltrichlorosilane	8	UN1747	II	CORROSIVE	A7, B2, B6, N34, T8, T26.	None	202	242	Forbidden	30 L	C	12, 21, 40, 48
	1,4-Butynediol	6.1	UN2716	III	KEEP AWAY FROM FOOD.	A1	None	213	240	100 kg	200 kg	A	61, 70
	Butyraldehyde	3	UN1129	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Butyraldoxime	3	UN2840	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Butyric acid	8	UN2820	III	CORROSIVE	T1	154	203	241	5 L	60 L	A	12, 48
	Butyric anhydride	8	UN2739	III	CORROSIVE	T2	154	203	241	5 L	60 L	A	
	Butyronitrile	3	UN2411	II	FLAMMABLE LIQUID, POISON.	T14	None	202	243	1 L	60 L	E	40
	Butyryl chloride	3	UN2353	II	FLAMMABLE LIQUID, CORROSIVE.	T9, T26	None	202	243	1 L	5 L	C	40
	Cabazide	Forbidden											
	Cacodylic acid	6.1	UN1572	II	POISON		None	212	242	25 kg	100 kg	E	26
	Cadmium compounds	6.1	UN2570	I	POISON		None	211	242	5 kg	50 kg	A	
				II	POISON		None	212	242	25 kg	100 kg	A	
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Caesium hydroxide, solid	8	UN2682	II	CORROSIVE		154	212	240	15 kg	50 kg	A	
	Caesium hydroxide solution	8	UN2681	II	CORROSIVE	B2, T8	154	202	242	1 L	30 L	A	
	Calcium	4.3	UN1401	II	DANGEROUS WHEN WET.		None	212	241	15 kg	50 kg	E	
	Calcium arsenate	6.1	UN1573	II	POISON		None	212	242	25 kg	100 kg	A	

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Calcium arsenate and calcium arsenite, mixtures, solid.	6.1	UN1574	II	POISON		None	212	242	25 kg	100 kg	A	
D	Calcium arsenite, solid	6.1	NA1574	II	POISON		None	212	242	25 kg	100 kg	A	
	Calcium bisulfite solution, see Bisulfites, inorganic, aqueous solutions, n.o.s..												
	Calcium carbide	4.3	UN1402	II	DANGEROUS WHEN WET.	A1, A8, B55, N34.	None	212	241	15 kg	50 kg	B	
	Calcium chlorate	5.1	UN1452	II	OXIDIZER	N34	152	212	242	5 kg	25 kg	A	56, 58, 106
	Calcium chlorate solution	5.1	UN2429	II	OXIDIZER	A2, N41, T8	152	202	242	1 L	5 L	B	56, 58, 106
	Calcium chlorite	5.1	UN1453	II	OXIDIZER	A9, N34	152	212	242	5 kg	25 kg	A	56, 58, 106
	Calcium cyanamide *with more than 0.1 per cent of calcium carbide.*	4.3	UN1403	III	DANGEROUS WHEN WET.	A1, A19	None	213	241	25 kg	100 kg	A	
	Calcium cyanide	6.1	UN1575	I	POISON	N79, N80	None	211	242	5 kg	50 kg	A	26, 40
	Calcium dithionite *or* Calcium hydrosulfite	4.2	UN1923	II	SPONTANEOUSLY COMBUSTIBLE.	A19, A20	None	212	241	15 kg	50 kg	E	13
	Calcium hydride	4.3	UN1404	I	DANGEROUS WHEN WET.	A19, N40	None	211	242	Forbidden	15 kg	E	
	Calcium hydrosulfite, *see* Calcium dithionite												
	Calcium hypochlorite, dry *or* Calcium hypochlorite mixtures dry *with more than 39 per cent available chlorine (8.8 per cent available oxygen).*	5.1	UN1748	II	OXIDIZER	A7, A9, N34	152	212	None	5 kg	25 kg	D	48, 56, 58, 89, 106, 118
	Calcium hypochlorite, hydrated *or* Calcium hypochlorite, hydrated mixtures, *with not less than 5.5 per cent but not more than 10 per cent water.*	5.1	UN2880	II	OXIDIZER		152	212	240	5 kg	25 kg	A	50, 56, 58, 89, 106
	Calcium hypochlorite mixtures, dry, *with more than 10 per cent but not more than 39 per cent available chlorine.*	5.1	UN2208	III	OXIDIZER	A1, A29, N34	152	213	240	25 kg	100 kg	A	56, 58, 69, 106
	Calcium manganese silicon	4.3	UN2844	III	DANGEROUS WHEN WET.	A1, A19	None	213	241	25 kg	100 kg	A	85, 103
	Calcium nitrate	5.1	UN1454	III	OXIDIZER	T2	152	213	240	25 kg	100 kg	A	
A	Calcium oxide	8	UN1910	III	CORROSIVE		154	213	240	25 kg	100 kg	A	
	Calcium perchlorate	5.1	UN1455	II	OXIDIZER	T8	152	212	242	5 kg	25 kg	A	56, 58, 106
	Calcium permanganate	5.1	UN1456	II	OXIDIZER		152	212	242	5 kg	25 kg	D	56, 58, 69, 106, 107
	Calcium peroxide	5.1	UN1457	II	OXIDIZER		152	212	242	5 kg	25 kg	A	13, 75, 106
	Calcium phosphide	4.3	UN1360	I	DANGEROUS WHEN WET, POISON.	A8, A19, N40	None	211	242	Forbidden	15 kg	E	40, 85
	Calcium, pyrophoric *or* Calcium alloys, pyrophoric	4.2	UN1855	I	SPONTANEOUSLY COMBUSTIBLE.		None	187	None	Forbidden	Forbidden	D	
	Calcium resinate	4.1	UN1313	III	FLAMMABLE SOLID	A1, A19	None	213	240	25 kg	100 kg	A	
	Calcium resinate, fused	4.1	UN1314	III	FLAMMABLE SOLID	A1, A19	None	213	240	25 kg	100 kg	A	
	Calcium selenate, *see* Selenates *or* Selenites												
	Calcium silicide	4.3	UN1405	II	DANGEROUS WHEN WET.	A19	None	212	241	15 kg	50 kg	B	85, 103
				III	DANGEROUS WHEN WET.	A1, A19	None	213	241	25 kg	100 kg	B	85, 103
	Camphor oil	3	UN1130	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Camphor, *synthetic*	4.1	UN2717	III	FLAMMABLE SOLID	A1	None	213	240	25 kg	100 kg	A	

	Cannon primers, see Primers, tubular														
	Caproic acid	8	UN2829	III	CORROSIVE	T1	154	203	241	5 L	60 L	A			
	Caps, blasting, see Detonators, *etc.*														
	Carbamate pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN2758	I	FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	B	40		
				II	FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	B	40		
	Carbamate pesticides, liquid, toxic, flammable, n.o.s. *flash point not less than 23 degrees C.*	6.1	UN2991	I	POISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	B	40		
				II	POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	B	40		
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.	B1, T14	153	203	242	60 L	220 L	A	40		
	Carbamate pesticides, liquid, toxic, n.o.s.	6.1	UN2992	I	POISON	T42	None	201	243	1 L	30 L	B	40		
				II	POISON	T14	None	202	243	5 L	60 L	B	40		
				III	KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	A	40		
	Carbamate pesticides, solid, toxic, n.o.s.	6.1	UN2757	I	POISON		None	211	242	5 kg	50 kg	A	40		
				II	POISON		None	212	242	25 kg	100 kg	A	40		
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	40		
	Carbolic acid, see Phenol, solid *or* Phenol, molten														
	Carbolic acid solutions, see Phenol solutions														
I	Carbon, activated	4.2	UN1362	III	SPONTANEOUSLY COMBUSTIBLE.		None	213	241	0.5 kg	0.5 kg	A	12		
I	Carbon, *animal or vegetable origin*	4.2	UN1361	III	SPONTANEOUSLY COMBUSTIBLE.		None	213	241	Forbidden	Forbidden	A	12		
	Carbon bisulfide, see Carbon disulfide														
	Carbon dioxide	2.2	UN1013		NONFLAMMABLE GAS.		306	302, 304	302, 314, 315	75 kg	150 kg	A			
	Carbon dioxide and ethylene oxide mixtures *with more than 6 per cent but not more than 25 percent ethylene oxide.*	2.1	UN1041		FLAMMABLE GAS		None	304	314, 315	Forbidden	25 kg	D	40		
	Carbon dioxide and ethylene oxide mixtures *with more than 25 percent ethylene oxide.*	2.3	UN1041		POISON GAS, FLAMMABLE GAS.	6, B9, B14	None	304	314, 315	Forbidden	25 kg	D	40		
	Carbon dioxide and ethylene oxide mixtures *with not more than 6 per cent ethylene oxide.*	2.2	UN1952		NONFLAMMABLE GAS.		None	304	314, 315	75 kg	150 kg	B			
	Carbon dioxide and nitrous oxide mixtures	2.2	UN1015		NONFLAMMABLE GAS.		306	None	244	75 kg	150 kg	A			
	Carbon dioxide and oxygen mixtures	2.2	UN1014		NONFLAMMABLE GAS.		306	None	244	75 kg	150 kg	A			
	Carbon dioxide, refrigerated liquid	2.2	UN2187		NONFLAMMABLE GAS.	B43	306	None	314, 315	50 kg	500 kg	B			
AW	Carbon dioxide, solid *or* Dry ice	9	UN1845	III	None	B12	217	217	240	200 kg	200 kg	C	40		
	Carbon disulfide	3	UN1131	I	FLAMMABLE LIQUID, POISON.	B16, T18, T26, T29.	None	201	243	Forbidden	Forbidden	D	18, 40, 115		
	Carbon monoxide	2.3	UN1016		POISON GAS, FLAMMABLE GAS.	4	None	302	None	Forbidden	25 kg	D	40		
	Carbon monoxide and hydrogen mixture	2.1	UN2600		FLAMMABLE GAS	5	None	302	302	Forbidden	Forbidden	D	40		
D	Carbon monoxide, refrigerated liquid (*cryogenic liquid*).	2.3	NA9202		POISON GAS, FLAMMABLE GAS.	4	None	316	318	Forbidden	Forbidden	D			
	Carbon tetrabromide	6.1	UN2516	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	25		
	Carbon tetrachloride	6.1	UN1846	II	POISON	N36, T8	None	202	243	5 L	60 L	A	40		
	Carbonyl chloride, see Phosgene														
	Carbonyl fluoride	2.3	UN2417		POISON GAS	2	None	302	None	Forbidden	Forbidden	D	40		
	Carbonyl sulfide	2.3	UN2204		POISON GAS, FLAMMABLE GAS.	2, B9, B14	None	304	314, 315	Forbidden	25 kg	D	40		
	Cartridge cases, empty primed, see Cases, cartridge, empty, with primer.														
	Cartridges, actuating, for aircraft ejector seat catapult, fire extinguisher, canopy removal or apparatus, see Cartridges, power device.														
	Cartridges, explosive, see Charges, demolition														

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Cartridges, flash	1.1G	UN0049	II	EXPLOSIVE 1.1G		None	62	None	Forbidden	Forbidden	B	
	Cartridges, flash	1.3G	UN0050	II	EXPLOSIVE 1.3G		None	62	None	Forbidden	75 kg	B	
	Cartridges for weapons, blank	1.1C	UN0326	II	EXPLOSIVE 1.1C		None	62	None	Forbidden	Forbidden	B	
	Cartridges for weapons, blank	1.2C	UN0413	II	EXPLOSIVE 1.2C		None	62	None	Forbidden	Forbidden	B	
	Cartridges for weapons, blank *or* Cartridges, small arms, blank.	1.3C	UN0327	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	
	Cartridges for weapons, blank *or* Cartridges, small arms, blank.	1.4C	UN0338	II	EXPLOSIVE 1.4C		None	62	None	Forbidden	75 kg	A	24E
	Cartridges for weapons, blank *or* Cartridges, small arms, blank.	1.4S	UN0014	II	None	112	None	62	None	25 kg	100 kg	A	9E
	Cartridges for weapons, inert projectile*or* Cartridges, small arms.	1.2C	UN0328	II	EXPLOSIVE 1.2C		None	62	None	Forbidden	Forbidden	B	
	Cartridges for weapons, inert projectile *or* Cartridges, small arms.	1.4C	UN0339	II	EXPLOSIVE 1.4C		None	62	None	Forbidden	75 kg	B	
	Cartridges for weapons, inert projectile *or* Cartridges, small arms.	1.3C	UN0417	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	
	Cartridges for weapons, inert projectile *or* Cartridges, small arms, *other than blank.*	1.4S	UN0012	II	None	112	None	62	None	25 kg	100 kg	A	9E
	Cartridges for weapons, *with bursting charge*	1.1F	UN0005	II	EXPLOSIVE 1.1F		None	62	None	Forbidden	Forbidden	E	
	Cartridges for weapons, *with bursting charge*	1.2F	UN0007	II	EXPLOSIVE 1.2F		None	62	None	Forbidden	Forbidden	E	
	Cartridges for weapons, *with bursting charge*	1.4F	UN0348	II	EXPLOSIVE 1.4F		None	62	None	Forbidden	Forbidden	E	
	Cartridges for weapons, *with bursting charge*	1.4E	UN0412	II	EXPLOSIVE 1.4E		None	62	None	Forbidden	75 kg	A	24E
	Cartridges for weapons, *with bursting charge*	1.1E	UN0006	II	EXPLOSIVE 1.1E		None	62	None	Forbidden	Forbidden	B	
	Cartridges for weapons, *with bursting charge*	1.2E	UN0321	II	EXPLOSIVE 1.2E		None	62	None	Forbidden	Forbidden	B	
	Cartridges, oil well	1.3C	UN0277	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	
	Cartridges, oil well	1.4C	UN0278	II	EXPLOSIVE 1.4C		None	62	None	Forbidden	75 kg	A	24E
	Cartridges, power device	1.3C	UN0275	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	75 kg	B	
	Cartridges, power device	1.4C	UN0276	II	EXPLOSIVE 1.4C	110	None	62	None	Forbidden	75 kg	A	24E
	Cartridges, power device	1.2C	UN0381	II	EXPLOSIVE 1.2C		None	62	None	Forbidden	Forbidden	B	
	Cartridges, power device	1.4S	UN0323	II	EXPLOSIVE 1.4S	110, 112	None	62	None	25 kg	100 kg	A	9E
	Cartridges, safety, blank, *see* Cartridges for weapons, blank (*UN 0014*).												
	Cartridges, safety, *see* Cartridges for weapons, *other than blank or* Cartridges, power device (*UN 0323*).												
	Cartridges, signal	1.3G	UN0054	II	EXPLOSIVE 1.3G		None	62	None	Forbidden	75 kg	B	
	Cartridges, signal	1.4G	UN0312	II	EXPLOSIVE 1.4G		None	62	None	Forbidden	75 kg	A	24E
	Cartridges, signal	1.4S	UN0405	II	EXPLOSIVE 1.4S		None	62	None	25 kg	100 kg	A	9E
D	Cartridges, small arms	ORM-D	None		None	112	230	None	None	30 kg gross.	30 kg gross.	A	
	Cartridges, sporting, see Cartridges for weapons, *other than blank.*												
	Cartridges, starter, jet engine, see Cartridges, power device.												
I	Cases, cartridge, empty with primer	1.4S	UN0055	II	EXPLOSIVE 1.4S		None	62	None	25 kg	100 kg	A	9E
	Cases, cartridges, empty with primer	1.4C	UN0379	II	EXPLOSIVE 1.4C		None	62	None	Forbidden	75 kg	A	24E
	Cases, combustible, empty, without primer	1.3C	UN0447	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	
	Cases, combustible, empty, without primer	1.4C	UN0446	II	EXPLOSIVE 1.4C		None	62	None	Forbidden	75 kg	A	24E
	Casinghead gasoline see Natural gasoline												
AW	Castor beans *or* Castor meal *or* Castor pomace *or* Castor flake.	9	UN2969	II	None		155	204	240	No limit	No limit	E	34, 40, 44, 120
	Caustic alkali liquids, n.o.s.	8	UN1719	I	CORROSIVE	A7, B10, T42	None	201	242	0.5 L	2.5 L	A	
				II	CORROSIVE	B2, T14	154	202	242	1 L	30 L	A	
				III	CORROSIVE	T7	154	203	241	5 L	60 L	A	
	Caustic potash, see Potassium hydroxide *etc.*												

	Caustic soda, (etc.) see Sodium hydroxide *etc.*													
	Celluloid, *in block, rods, rolls, sheets, tubes, etc., except scrap.*	4.1	UN2000	III	FLAMMABLE SOLID		None	213	240	25 kg	100 kg	A		
	Celluloid, scrap	4.2	UN2002	III	SPONTANEOUSLY COMBUSTIBLE.		None	213	241	Forbidden	Forbidden	D		
	Cement, see Adhesives *containing flammable liquid*													
	Cerium, *slabs, ingots or rods*	4.1	UN1333	II	FLAMMABLE SOLID	N34	None	212	240	15 kg	50 kg	A		74, 91
	Cerium, *turnings or gritty powder*	4.3	UN3078	II	DANGEROUS WHEN WET.	A1	None	213	242	15 kg	50 kg	E		
	Cesium *or* Caesium	4.3	UN1407	I	DANGEROUS WHEN WET.	A19, N34, N40	None	211	242	Forbidden	15 kg	D		
	Cesium nitrate *or* Caesium nitrate	5.1	UN1451	III	OXIDIZER	A1, A29	152	213	240	25 kg	100 kg	A		
D	Charcoal *briquettes, shell, screenings, wood, etc.*	4.2	NA1361	III	SPONTANEOUSLY COMBUSTIBLE.		151	213	240	25 kg	100 kg	A		12
	Charges, bursting, plastics bonded	1.1D	UN0457	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B		
	Charges, bursting, plastics bonded	1.2D	UN0458	II	EXPLOSIVE 1.2D		None	62	None	Forbidden	Forbidden	B		
	Charges, bursting, plastics bonded	1.4D	UN0459	II	EXPLOSIVE 1.4D		None	62	None	Forbidden	75kg	A		24E
	Charges, bursting, plastics bonded	1.4S	UN0460	II	EXPLOSIVE 1.4S		None	62	None	25 kg	100 kg	A		9E
	Charges, demolition	1.1D	UN0048	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B		
	Charges, depth	1.1D	UN0056	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B		3E, 7E
	Charges, expelling, explosive, for fire extinguishers, see Cartridges, power device.													
	Charges, explosive, commercial *without detonator*	1.1D	UN0442	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B		
	Charges, explosive, commercial *without detonator*	1.2D	UN0443	II	EXPLOSIVE 1.2D		None	62	None	Forbidden	Forbidden	B		
	Charges, explosive, commercial *without detonator*	1.4D	UN0444	II	EXPLOSIVE 1.4D		None	62	None	Forbidden	75 kg	A		24E
	Charges, explosive, commercial *without detonator*	1.4S	UN0445	II	EXPLOSIVE 1.4S		None	62	None	25 kg	100 kg	A		9E
	Charges, propelling, for cannon	1.2C	UN0414	II	EXPLOSIVE 1.2C		None	62	None	Forbidden	Forbidden	B		1E, 5E
	Charges, propelling, for cannon	1.3C	UN0242	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B		1E, 5E
	Charges, propelling, for cannon	1.1C	UN0279	II	EXPLOSIVE 1.1C		None	62	None	Forbidden	Forbidden	B		1E, 5E
	Charges, propelling, for rocket motors	1.1C	UN0271	II	EXPLOSIVE 1.1C		None	62	None	Forbidden	Forbidden	B		
	Charges, propelling, for rocket motors	1.3C	UN0272	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B		
	Charges, propelling, for rocket motors	1.2C	UN0415	II	EXPLOSIVE 1.2C		None	62	None	Forbidden	Forbidden	B		
	Charges, propelling, for rocket motors, *composite mixture.*	1.1C	UN0273	II	EXPLOSIVE 1.1C		None	62	None	Forbidden	Forbidden	B		
	Charges, propelling, for rocket motors, *composite mixture.*	1.3C	UN0274	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B		
	Charges, propelling, for rocket motors, *composite mixture.*	1.2C	UN0416	II	EXPLOSIVE 1.2C		None	62	None	Forbidden	Forbidden	B		
	Charges, shaped, commercial *without detonator*	1.2D	UN0439	II	EXPLOSIVE 1.2D		None	62	None	Forbidden	Forbidden	B		
	Charges, shaped, commercial *without detonator*	1.4D	UN0440	II	EXPLOSIVE 1.4D		None	62	None	Forbidden	75 kg	A		24E
	Charges, shaped, commercial *without detonator*	1.4S	UN0441	II	EXPLOSIVE 1.4S		None	62	None	25 kg	100 kg	A		9E
	Charges, shaped, commercial, *without detonator*	1.1D	UN0059	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B		
	Charges, shaped, flexible, linear	1.4D	UN0237	II	EXPLOSIVE 1.4D		None	62	None	Forbidden	75 kg	A		24E
	Charges, shaped, flexible, linear	1.1D	UN0288	II	EXPLOSIVE 1.1D	101	None	62	None	Forbidden	Forbidden	B		
	Charges, supplementary explosive	1.1D	UN0060	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B		1E, 5E
D	Chemical kit	8	NA1760	II	CORROSIVE		154	161	None	1 L	30 L	B		40
	Chemical kits (*must be classified and labelled according to the hazard class of the constituent(s) and must meet the requirements of special provision 15 in 172.102(c)(1)*).													
	Chloral, anhydrous, inhibited	6.1	UN2075	II	POISON	T14	None	212	243	25 kg	100 kg	D		40
	Chlorate and borate mixtures	5.1	UN1458	II	OXIDIZER	A9, N34	152	212	240	5 kg	25 kg	A		56, 58, 106
	Chlorate and magnesium chloride mixtures	5.1	UN1459	II	OXIDIZER	A9, N34, T8	152	212	240	5 kg	25 kg	A		56, 58, 106
	Chlorate of potash, see Potassium chlorate													
	Chlorate of soda, see Sodium chlorate													
	Chlorates, inorganic, n.o.s.	5.1	UN1461	II	OXIDIZER	A9, N34	152	212	242	5 kg	25 kg	A		56, 58, 106
	Chloric acid solution, *with not more than 10 per cent chloric acid.*	5.1	UN2626	I	OXIDIZER	T25	None	229	243	Forbidden	Forbidden	D		56, 58, 106
	Chloride of phosphorus, see Phosphorus trichloride													
	Chloride of sulfur, see Sulfur chloride													
	Chlorinated lime, see Calcium hypochlorite mixtures, *etc.*													

§ 172.101 Hazardous Materials Table—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Chlorine	2.3	UN1017		POISON GAS	2, B9, B14	None	304	314, 315	Forbidden	Forbidden	D	40, 51, 55, 62, 68
	Chlorine azide	Forbidden											
D	Chlorine dioxide, hydrate, frozen	5.1	NA9191	II	OXIDIZER, POISON		None	229	None	Forbidden	Forbidden	E	
	Chlorine dioxide (not hydrate)	Forbidden											
	Chlorine pentafluoride	2.3	UN2548		POISON GAS, OXIDIZER, CORROSIVE.	1, B7, B9, B14	None	304	314	Forbidden	Forbidden	D	40, 89, 90
	Chlorine trifluoride	2.3	UN1749		POISON GAS, OXIDIZER, CORROSIVE.	1, B7, B9, B14	None	304	314	Forbidden	Forbidden	D	40, 89, 90
	Chlorites, inorganic, n.o.s.	5.1	UN1462	II	OXIDIZER	A7, N34, T8	152	212	242	5 kg	25 kg	A	56, 58, 106
	1-Chloro-3-bromopropane	6.1	UN2688	III	KEEP AWAY FROM FOOD.	T2	153	203	241	60 L	220 L	A	
	3-Chloro-4-diethylaminobenzenediazonium zinc chloride.	4.1	UN3033	II	FLAMMABLE SOLID		None	224	None	15 kg	50 kg	C	
	1-Chloro-1,1-difluoroethane, see Chlorodifluoroethanes.												
	3-Chloro-4-methylphenylisocyanate	6.1	UN2236	II	POISON		None	202	243	5 L	60 L	B	40
	4-Chloro-o-toluidine hydrochloride	6.1	UN1579	III	KEEP AWAY FROM FOOD.		153	213	241	100 kg	200 kg	A	
+	Chloroacetaldehyde	6.1	UN2232	II	POISON	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	5 L	60 L	D	40
	Chloroacetic acid, liquid	8	UN1750	II	CORROSIVE, POISON.	A7, N34, T9, T27.	None	202	243	1 L	30 L	A	40
	Chloroacetic acid, solid	8	UN1751	II	CORROSIVE	A3, A7, N34	None	212	242	15 kg	50 kg	A	40
+	Chloroacetone, stabilized	6.1	UN1695	II	POISON	2, B9, B14, B32, B74, N12, N32, N34, T38, T43, T45.	None	227	244	Forbidden	Forbidden	D	40
	Chloroacetone (unstabilized)	Forbidden											
+	Chloroacetonitrile	6.1	UN2668	II	POISON	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	Forbidden	60 L	A	12, 26, 40, 48
	Chloroacetophenone (*CN*), *liquid*	6.1	UN1697	II	POISON	A3, N12, N32, N33.	None	202	242	Forbidden	60 L	D	12, 40
	Chloroacetophenone (*CN*), *solid*	6.1	UN1697	II	POISON	A3, N12, N32, N33, N34.	None	212	None	Forbidden	100 kg	D	12, 40
+	Chloroacetyl chloride	8	UN1752	II	CORROSIVE, POISON.	2, A3, A6, A7, B3, B8, B9, B14, B32, B74, B77, N34, N43, T38, T43, T45.	None	227	244	Forbidden	Forbidden	D	40
	Chloroanilines, liquid	6.1	UN2019	II	POISON	T14	None	202	243	5 L	60 L	A	
	Chloroanilines, solid	6.1	UN2018	II	POISON	T14, T38	None	212	242	25 kg	100 kg	A	
	Chloroanisidines	6.1	UN2233	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Chlorobenzene	3	UN1134	III	FLAMMABLE LIQUID	B1, T1	150	203	241	60 L	220 L	A	
	Chlorobenzol, see Chlorobenzene												
	Chlorobenzotrifluorides	3	UN2234	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	40
	Chlorobenzylchlorides	6.1	UN2235	III	KEEP AWAY FROM FOOD.	T8	153	203	241	60 L	220 L	A	

	Chlorobutanes	3	UN1127	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Chlorocresols, *liquid*	6.1	UN2669	II	POISON	T8	None	202	243	5 L	60 L	A	12
	Chlorocresols, *solid*	6.1	UN2669	II	POISON		None	212	242	25 kg	100 kg	A	12
	Chlorodifluorobromomethane, *R12B1*	2.2	UN1974		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A	
	Chlorodifluoroethanes, *R142b or* Difluorochloroethanes, *R142b.*	2.1	UN2517		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	B	40
	Chlorodifluoromethane and chloropentafluoroethane mixture *with fixed boiling point, with approximately 49 per cent chlorodifluoromethane, R502.*	2.2	UN1973		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A	
	Chlorodifluoromethane, *R22*	2.2	UN1018		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A	
	Chlorodinitrobenzenes	6.1	UN1577	II	POISON	T14	None	212	242	25 kg	100 kg	A	91
	Chloroform	6.1	UN1888	II	POISON	N36, T14	None	202	243	5 L	60 L	A	40
	Chloroformates, n.o.s., *flash point not less than 23 degrees C.*	6.1	UN2742	II	POISON, CORROSIVE.	5	None	202	243	1 L	30 L	A	12, 13, 22, 25, 40, 48, 100
	Chloromethyl ethyl ether	3	UN2354	II	FLAMMABLE LIQUID, POISON.	T8	None	202	243	1 L	60 L	E	40
	Chloromethylchloroformate	6.1	UN2745	II	POISON, CORROSIVE.	T18	None	202	243	1 L	30 L	A	12, 13, 22, 25, 40, 48, 100
	Chloronitroanilines	6.1	UN2237	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
+	Chloronitrobenzene, *ortho, liquid*	6.1	UN1578	II	POISON	T14	None	202	243	5 L	60 L	A	
+	Chloronitrobenzenes *meta or para, solid*	6.1	UN1578	II	POISON	T14	None	212	242	25 kg	100 kg	A	
	Chloronitrotoluenes *liquid*	6.1	UN2433	III	KEEP AWAY FROM FOOD.		153	203	241	60 L	220 L	A	
	Chloronitrotoluenes, *solid*	6.1	UN2433	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Chloropentafluoroethane, *R115*	2.2	UN1020		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A	
	Chlorophenates, liquid	8	UN2904	III	CORROSIVE		154	203	241	5 L	60 L	A	
	Chlorophenates, solid	8	UN2905	III	CORROSIVE		154	213	240	25 kg	100 kg	A	
	Chlorophenols, liquid	6.1	UN2021	III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	
	Chlorophenols, solid	6.1	UN2020	III	KEEP AWAY FROM FOOD.	T7	153	213	240	100 kg	200 kg	A	
	Chlorophenyltrichlorosilane	8	UN1753	II	CORROSIVE	A7, B2, B6, N34, T8, T26.	None	202	242	Forbidden	30 L	C	40
+	Chloropicrin	6.1	UN1580	I	POISON	2, B7, B9, B14, B32, B46, B74, T38, T43, T45.	None	227	244	Forbidden	Forbidden	D	40
	Chloropicrin and methyl bromide mixtures	2.3	UN1581		POISON GAS	2, B9, B14	None	193	314, 315	Forbidden	Forbidden	D	25, 40
	Chloropicrin and methyl chloride mixtures	2.3	UN1582		POISON GAS	2	None	193	245	Forbidden	Forbidden	D	25, 40
	Chloropicrin mixture, flammable (pressure not exceeding 14.7 psia at 115 degrees F flash point below 100 deg F) see Poisonous liquids, flammable, n.o.s..												
	Chloropicrin mixtures, n.o.s.	6.1	UN1583	I	POISON	5	None	201	243	Forbidden	Forbidden	C	40
				II	POISON		None	202	243	Forbidden	Forbidden	C	40
				III	KEEP AWAY FROM FOOD.		153	203	241	Forbidden	Forbidden	C	40
D	Chloropivaloyl chloride	6.1	NA9263	I	POISON, CORROSIVE.	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	Forbidden	Forbidden	B	40
	Chloroplatinic acid, solid	8	UN2507	III	CORROSIVE		154	213	240	25 kg	100 kg	A	
	Chloroprene, inhibited	3	UN1991	I	FLAMMABLE LIQUID, POISON.	B57, T15	None	201	243	Forbidden	30 L	D	40
	Chloroprene, uninhibited	Forbidden											
	2-Chloropropane	3	UN2356	I	FLAMMABLE LIQUID	N36, T14	150	201	243	1 L	30 L	E	
	3-Chloropropanol-1	6.1	UN2849	III	KEEP AWAY FROM FOOD.	T8	153	203	241	60 L	220 L	A	
	2-Chloropropene	3	UN2456	I	FLAMMABLE LIQUID	A3, N36, T20	150	201	243	1 L	30 L	E	
	alpha-Chloropropionic acid	8	UN2511	III	CORROSIVE	T8	154	203	241	5 L	60 L	A	8

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	2-Chloropyridine	6.1	UN2822	II	POISON	T14	None	202	243	5 L	60 L	A	40
	Chlorosilanes, n.o.s.	8	UN2987	II	CORROSIVE	B2	154	202	242	1 L	30 L	C	40
	Chlorosilanes, n.o.s., *flash point not less than 23 degrees C.*	8	UN2986	II	CORROSIVE, FLAMMABLE LIQUID.		None	202	243	1 L	30 L	C	23, 40
	Chlorosilanes, n.o.s. *flashpoint less than 23 degrees C.*	3	UN2985	II	FLAMMABLE LIQUID, CORROSIVE.	T18, T26	None	201	243	1 L	5 L	B	40
	Chlorosilanes, n.o.s., *which in contact with water emit flammable gases.*	4.3	UN2988	I	DANGEROUS WHEN WET, FLAMMABLE LIQUID, CORROSIVE.	A2	None	201	244	Forbidden	1 L	D	21, 28, 40, 49, 100
+	Chlorosulfonic acid (*with or without sulfur trioxide*)	8	UN1754	I	CORROSIVE, POISON.	2, A3, A6, A10, B10, B9, B14, B32, B74, T38, T43, T45.	None	227	244	0.5 L	2.5 L	C	8, 40
	Chlorotetrafluoroethane, *R124*	2.2	UN1021		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A	
	Chlorotoluenes	3	UN2238	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Chlorotoluidines *liquid*	6.1	UN2239	III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	
	Chlorotoluidines *solid*	6.1	UN2239	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Chlorotrifluoroethane, *R133a*	2.2	UN1983		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A	
	Chlorotrifluoromethane and trifluoromethane azeotropic mixture *with approximately 60 per cent chlorotrifluoromethane, R503.*	2.2	UN2599		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A	
	Chlorotrifluoromethane, *R13*	2.2	UN1022		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A	
D	Chromic acid, solid	5.1	NA1463	II	OXIDIZER, CORROSIVE.		None	212	242	5 kg	25 kg	A	
	Chromic acid solution	8	UN1755	II	CORROSIVE	B2, T9, T27	154	202	242	1 L	30 L	C	40
	Chromic anhydride, see Chromium trioxide, anhydrous.												
	Chromic fluoride, solid	8	UN1756	II	CORROSIVE		154	212	240	15 kg	50 kg	A	26
	Chromic fluoride, solution	8	UN1757	II	CORROSIVE	B2, T8	154	202	242	1 L	30 L	A	
	Chromium nitrate	5.1	UN2720	III	OXIDIZER	A1, A29	152	213	240	25 kg	100 kg	A	
	Chromium oxychloride	8	UN1758	I	CORROSIVE	A3, A6, A7, B10, N34, T12, T26.	None	201	242	0.5 L	2.5 L	C	8, 40, 66, 74, 89, 90
	Chromium trioxide, anhydrous	5.1	UN1463	II	OXIDIZER, CORROSIVE.		None	212	242	5 kg	25 kg	A	
	Chromosulfuric acid	8	UN2240	I	CORROSIVE	A3, A6, A7, B4, B6, N34, T12, T27.	None	201	242	0.5 L	2.5 L	B	8, 9, 40, 66, 74, 89, 90
	Chromyl chloride, see Chromium oxychloride												
	Cigar and cigarette lighters, charged with fuel, see Lighters for cigars, cigarettes, *etc.*.												
	Coal briquettes, hot	Forbidden											
	Coal gas	2.3	UN1023		POISON GAS, FLAMMABLE GAS.	3	None	302	314, 315	Forbidden	25 kg	D	40
	Coal tar distillates, flammable	3	UN1136	II	FLAMMABLE LIQUID	T8, T31	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	

	Coal tar dye, corrosive, liquid, n.o.s, see Dyes, liquid *or* solid, n.o.s. *or* Dye intermediates, liquid *or* solid, n.o.s., *corrosive.*													
	Coating solution	3	UN1139	II	FLAMMABLE LIQUID	T7, T30	150	202	242	5 L	60 L	B		
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A		
	Cobalt naphthenates, powder	4.1	UN2001	III	FLAMMABLE SOLID	A19	151	213	240	25 kg	100 kg	A		
	Cobalt resinate, precipitated	4.1	UN1318	III	FLAMMABLE SOLID	A1, A19	151	213	240	25 kg	100 kg	A		
	Cocculus	6.1	UN1584	II	POISON		None	212	242	25 kg	100 kg	A		
	Coke, hot	Forbidden												
	Collodion, see Nitrocellulose *etc.*													
D	Compounds, cleaning liquid	8	NA1760	I	CORROSIVE	A7, B10, T42	None	201	242	0.5 L	2.5 L	B	40	
				II	CORROSIVE	B2, N37, T14	154	202	242	1 L	30 L	B	40	
				III	CORROSIVE	N37, T7	154	203	241	5 L	60 L	A	40	
D	Compounds, cleaning liquid	3	NA1993	I	FLAMMABLE LIQUID	T42	150	201	243	1 L	30 L	E		
				II	FLAMMABLE LIQUID	T8, T31	150	202	242	5 L	60 L	B		
				III	FLAMMABLE LIQUID	B1, B52, T7, T30.	150	203	242	60 L	220 L	A		
D	Compounds, tree *or* weed killing, liquid	8	NA1760	I	CORROSIVE	A7, B10, T42	None	201	242	0.5 L	2.5 L	B	40	
				II	CORROSIVE	B2, N37, T14	154	202	242	1 L	30 L	B	40	
				III	CORROSIVE	N37, T7	154	203	241	5 L	60 L	A	40	
D	Compounds, tree *or* weed killing, liquid	3	NA1993	I	FLAMMABLE LIQUID	T42	150	201	243	1 L	30 L	E		
				II	FLAMMABLE LIQUID	T8, T31	150	202	242	5 L	60 L	B		
				III	FLAMMABLE LIQUID	B1, B52, T7, T30.	150	203	242	60 L	220 L	A		
D	Compounds, tree *or* weed killing, liquid	6.1	NA2810	I	POISON		153	201	243	1 L	30 L	B	40	
				II	POISON		153	202	243	5 L	60 L	B	40	
				III	KEEP AWAY FROM FOOD.		153	203	241	60 L	220 L	A	40	
D	Combustible liquid, n.o.s	Combustible liquid	NA1993	III	None	T1	150	203	241	60 L	220 L	A		
	Components, explosive train, n.o.s.	1.2B	UN0382	II	EXPLOSIVE 1.2B	101	None	62	None	Forbidden	Forbidden	B	1E, 6E	
	Components, explosive train, n.o.s.	1.4B	UN0383	II	EXPLOSIVE 1.4B	101	None	62	None	Forbidden	75 kg	A	24E	
	Components, explosive train, n.o.s.	1.4S	UN0384	II	EXPLOSIVE 1.4S	101	None	62	None	25 kg	100 kg	A	9E	
	Components, explosive train, n.o.s.	1.1B	UN0461	II	EXPLOSIVE 1.1B	101	None	62	None	Forbidden	Forbidden	B	1E, 6E	
	Composition B, see Hexolite, *etc.*													
	Compressed *or* Liquefied gases, flammable, n.o.s.	2.1	UN1954		FLAMMABLE GAS		306	302, 304, 305	314, 315	Forbidden	150 kg		40, 105	
	Compressed *or* Liquefied gases, flammable, toxic, n.o.s. *Inhalation hazard Zone A.*	2.3	UN1953		POISON GAS, FLAMMABLE GAS.	1	None	192	245	Forbidden	Forbidden	D	40, 95	
	Compressed *or* Liquefied gases, flammable, toxic, n.o.s. *Inhalation Hazard Zone B.*	2.3	UN1953		POISON GAS, FLAMMABLE GAS.	2, B9, B14	None	302, 304, 305	314, 315	Forbidden	Forbidden	D	40	
	Compressed *or* Liquefied gases, flammable, toxic, n.o.s. *Inhalation Hazard Zone C.*	2.3	UN1953		POISON GAS, FLAMMABLE GAS.	3, B14	None	302, 304, 305	314, 315	Forbidden	Forbidden	D	40	
	Compressed *or* Liquefied gases, flammable, toxic, n.o.s. *Inhalation Hazard Zone D.*	2.3	UN1953		POISON GAS, FLAMMABLE GAS.	4	None	302, 304, 305	314, 315	Forbidden	Forbidden	D	40	
	Compressed *or* Liquefied gases, n.o.s.	2.2	UN1956		NONFLAMMABLE GAS.		306, 307	302, 304, 305	314, 315	75 kg	150 kg	A		
	Compressed *or* Liquefied gases, toxic, n.o.s. *Inhalation Hazard Zone A.*	2.3	UN1955		POISON GAS	1	None	192	245	Forbidden	Forbidden	D	40	
	Compressed *or* Liquefied gases, toxic, n.o.s. *Inhalation Hazard Zone B.*	2.3	UN1955		POISON GAS	2, B9, B14	None	302, 304, 305	314, 315	Forbidden	Forbidden	D	40	
	Compressed *or* Liquefied gases, toxic, n.o.s. *Inhalation Hazard Zone C.*	2.3	UN1955		POISON GAS	3, B14	None	302, 304, 305	314, 315	Forbidden	Forbidden	D	40	
	Compressed *or* Liquefied gases, toxic, n.o.s. *Inhalation Hazard Zone D.*	2.3	UN1955		POISON GAS	4	None	302, 304, 305	314, 315	Forbidden	Forbidden	D	40	
D	Consumer commodity	ORM-D	None		None		156, 306	156, 306	None	30 kg gross.	30 kg gross.	A		

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Contrivances, water-activated, *with burster, expelling charge or propelling charge.*	1.2L	UN0248	II	EXPLOSIVE 1.2L	101	None	62	None	Forbidden	Forbidden	E	2E, 8E, 11E, 17E
	Contrivances, water-activated, *with burster, expelling charge or propelling charge.*	1.3L	UN0249	II	EXPLOSIVE 1.3L	101	None	62	None	Forbidden	Forbidden	E	2E, 8E, 11E, 17E
	Copper acetoarsenite	6.1	UN1585	II	POISON		None	212	242	25 kg	100 kg	A	
	Copper acetylide	Forbidden											
	Copper amine azide	Forbidden											
	Copper arsenite	6.1	UN1586	II	POISON		None	212	242	25 kg	100 kg	A	
	Copper based pesticides, liquid, flammable, toxic n.o.s., *flash point less than 23 degrees C.*	3	UN2776	I	FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	B	40
				II	FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	B	40
	Copper based pesticides, liquid, toxic, flammable, n.o.s. *flashpoint not less than 23 degrees C.*	6.1	UN3009	I	POISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	B	40
				II	POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.	B1, T14	153	203	241	60 L	220 L	A	40
	Copper based pesticides, liquid, toxic, n.o.s.	6.1	UN3010	I	POISON	T42	None	201	243	1 L	30 L	B	40
				II	POISON	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	A	40
	Copper based pesticides, solid, toxic, n.o.s.	6.1	UN2775	I	POISON		None	211	242	5 kg	50 kg	A	40
				II	POISON		None	212	242	25 kg	100 kg	A	40
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	40
	Copper chlorate	5.1	UN2721	II	OXIDIZER	A1	152	212	242	5 kg	25 kg	A	56, 58, 106
	Copper chloride	8	UN2802	III	CORROSIVE		154	213	240	25 kg	100 kg	A	
	Copper cyanide	6.1	UN1587	II	POISON		None	204	242	25 kg	100 kg	A	26
	Copper selenate, *see* Selenates *or* Selenites												
	Copper selenite, *see* Selenates *or* Selenites												
	Copper tetramine nitrate	Forbidden											
AW	Copra	4.2	UN1363	III	SPONTANEOUSLY COMBUSTIBLE.		None	213	241	Forbidden	Forbidden	A	13, 19, 48, 119
	Cord, detonating, *flexible*	1.1D	UN0065	II	EXPLOSIVE 1.1D	102	63(a)	62	None	Forbidden	Forbidden	B	
	Cord, detonating, *flexible*	1.4D	UN0289	II	EXPLOSIVE 1.4D		None	62	None	Forbidden	75 kg	A	24E
	Cord detonating *or* Fuse detonating *metal clad*	1.2D	UN0102	II	EXPLOSIVE 1.2D		None	62	None	Forbidden	Forbidden	B	
	Cord, detonating *or* Fuse, detonating *metal clad*	1.1D	UN0290	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	
	Cord, detonating, mild effect *or* Fuse, detonating, mild effect *metal clad.*	1.4D	UN0104	II	EXPLOSIVE 1.4D		None	62	None	Forbidden	75 kg	A	24E
	Cord, igniter	1.4G	UN0066	II	EXPLOSIVE 1.4G		None	62	None	Forbidden	75 kg	A	24E
	Cordeau detonant fuse, see Cord, detonating, *etc.*; Cord, detonating, *flexible.*												
	Cordite, see Powder, smokeless												
	Corrosive liquids, flammable, n.o.s.	8	UN2920	I	CORROSIVE, FLAMMABLE LIQUID.	B10, T42	None	201	243	0.5 L	2.5 L	C	12, 21, 25, 40, 48
				II	CORROSIVE, FLAMMABLE LIQUID.	B2, T15, T26	None	202	243	1 L	30 L	C	12, 21, 25, 40, 48
	Corrosive liquids, n.o.s.	8	UN1760	I	CORROSIVE	A7, B10, T42	None	201	243	0.5 L	2.5 L	B	40
				II	CORROSIVE	B2, T14	154	202	242	1 L	30 L	B	40
				III	CORROSIVE	T7	154	203	241	5 L	60 L	A	40

	Corrosive liquids, oxidizing, n.o.s.	8	UN3093	I	CORROSIVE, OXIDIZER.		None	201	243	Forbidden	2.5 L	C	89
				II	CORROSIVE, OXIDIZER.		None	202	243	1 L	30 L	C	89
	Corrosive liquids, poisonous, n.o.s.	8	UN2922	I	CORROSIVE, POISON.	A7, B10	None	201	243	0.5 L	2.5 L	B	40, 95
				II	CORROSIVE, POISON.	B3	None	202	243	1 L	30 L	B	40, 95
	Corrosive liquids, which in contact with water emit flammable gases, n.o.s..	8	UN3094	I	CORROSIVE, DANGEROUS WHEN WET.		None	201	243	Forbidden	1 L	E	
				II	CORROSIVE, DANGEROUS WHEN WET.		None	202	243	1 L	5 L	E	
	Corrosive solids, flammable, n.o.s.	8	UN2921	I	CORROSIVE, FLAMMABLE SOLID.		None	211	242	1 kg	25 kg	B	12, 24, 25, 48
				II	CORROSIVE, FLAMMABLE SOLID.		None	212	242	15 kg	50 kg	B	12, 24, 25, 48
	Corrosive solids, n.o.s.	8	UN1759	I	CORROSIVE		None	211	242	1 kg	25 kg	B	
				II	CORROSIVE		154	212	240	15 kg	50 kg	A	
				III	CORROSIVE		154	213	240	25 kg	100 kg	A	
	Corrosive solids, oxidizing, n.o.s.	8	UN3084	I	CORROSIVE, OXIDIZER.		None	211	240	1 kg	25 kg	C	89
				II	CORROSIVE, OXIDIZER.		None	212	240	15 kg	50 kg	C	89
	Corrosive solids, poisonous, n.o.s.	8	UN2923	I	CORROSIVE, POISON.		None	211	242	1 kg	25 kg	B	40, 95
				II	CORROSIVE, POISON.		None	212	240	15 kg	50 kg	B	40, 95
	Corrosive solids, self heating, n.o.s.	8	UN3095	I	CORROSIVE, SPONTANEOUSLY COMBUSTIBLE.		None	211	241	1 kg	25 kg	C	
				II	CORROSIVE, SPONTANEOUSLY COMBUSTIBLE.		None	212	242	15 kg	50 kg	C	
	Corrosive solids, which in contact with water emit flammable gases, n.o.s..	8	UN3096	I	CORROSIVE, DANGEROUS WHEN WET.		None	211	241	1 kg	25 kg	E	
				II	CORROSIVE, DANGEROUS WHEN WET.		None	212	242	15 kg	50 kg	E	
DW	Cotton	9	NA1365			W41	None	None	None	No limit	No limit	A	
I	Cotton waste, oily	4.2	UN1364	III	SPONTANEOUSLY COMBUSTIBLE.	N9	None	213	None	Forbidden	Forbidden	A	54
AIW	Cotton, wet	4.2	UN1365				None	204	241	Forbidden	Forbidden	A	
	Coumarin derivative pesticides, liquid, flammable, toxic, n.o.s. *,flashpoint less than 23 deg C.*	3	UN3024	I	FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	B	40
				II	FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	B	40
	Coumarin derivative pesticides, liquid, toxic, flammable, n.o.s. *flashpoint not less than 23 degrees C.*	6.1	UN3025	I	POISON, FLAMMABLE LIQUID.		None	201	243	1 L	30 L	B	40
				II	POISON, FLAMMABLE LIQUID.		None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.	B1	153	203	241	60 L	220 L	A	40
	Coumarin derivative pesticides, liquid, toxic, n.o.s.	6.1	UN3026	I	POISON		None	201	243	1 L	30 L	B	40
				II	POISON		None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.		153	203	241	60 L	220 L	A	40
	Coumarin derivative pesticides, solid, toxic, n.o.s.	6.1	UN3027	I	POISON		None	211	242	5 kg	50 kg	A	40
				II	POISON		None	212	242	25 kg	100 kg	A	40
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	40
	Cresols (*o-; m-; p-*)	6.1	UN2076	II	POISON	T8	None	202	243	5 L	60 L	A	
	Cresylic acid	6.1	UN2022	II	POISON	T8	None	202	243	5 L	60 L	A	

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
+	Crotonaldehyde, stabilized	3	UN1143	II	FLAMMABLE LIQUID, POISON.	2, B9, B14, B32, B74, B77, T38, T43, T45.	None	227	244	Forbidden	60 L	B	40
	Crotonic acid *liquid*	8	UN2823	III	CORROSIVE		154	203	240	5 L	60 L	A	12, 48
	Crotonic acid, *solid*	8	UN2823	III	CORROSIVE		154	213	240	25 kg	100 kg	A	12, 48
	Crotonylene	3	UN1144	I	FLAMMABLE LIQUID	T20	150	201	243	1 L	30 L	E	
	Cupriethylenediamine solution	8	UN1761	II	CORROSIVE, POISON.	T8, T26	154	202	243	1 L	30 L	A	95
	Cutters, cable, explosive	1.4S	UN0070	II	EXPLOSIVE 1.4S		None	62	None	25 kg	100 kg	A	9E
	Cyanide or cyanide mixtures, dry, see Cyanides, inorganic, n.o.s..												
	Cyanide solutions	6.1	UN1935	I	POISON	B37, T18, T26	None	201	243	1 L	30 L	B	40, 52
				II	POISON	T18, T26	None	202	243	5 L	60 L	A	40, 52
				III	KEEP AWAY FROM FOOD.	T18, T26	153	203	241	60 L	220 L	A	40, 52
	Cyanides, inorganic, n.o.s.	6.1	UN1588	I	POISON	N74, N75	None	211	242	5 kg	50 kg	A	52
				II	POISON	N74, N75	None	212	242	25 kg	100 kg	A	52
				III	KEEP AWAY FROM FOOD.	N74, N75	153	203	241	100 kg	200 kg	A	52
	Cyanogen bromide	6.1	UN1889	I	POISON, CORROSIVE.	1, A6, A8, B9, B14, B30, B72, T38, T43, T44.	None	226	244	Forbidden	25 kg	D	40
	Cyanogen chloride, inhibited	2.3	UN1589		POISON GAS, FLAMMABLE GAS.	1	None	192	245	Forbidden	Forbidden	D	40
	Cyanogen, liquefied	2.3	UN1026		POISON GAS, FLAMMABLE GAS.	2	None	192	245	Forbidden	Forbidden	D	40
	Cyanuric chloride	8	UN2670	III	CORROSIVE		None	213	240	25 kg	100 kg	A	12, 40, 48
	Cyanuric triazide	Forbidden											
	Cyclobutane	2.1	UN2601		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	B	40
	Cyclobutylchloroformate	6.1	UN2744	II	POISON, CORROSIVE.	T18	None	202	243	1 L	30 L	A	12, 13, 22, 25, 40, 48, 100
	1,5,9-Cyclododecatriene	6.1	UN2518	III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	40
	Cycloheptane	3	UN2241	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	40
	Cycloheptatriene	3	UN2603	II	FLAMMABLE LIQUID, POISON.	T14	None	202	243	1 L	60 L	E	40
	Cycloheptene	3	UN2242	II	FLAMMABLE LIQUID	T7	150	202	241	5 L	60 L	B	
	Cyclohexane	3	UN1145	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	E	
	Cyclohexanone	3	UN1915	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Cyclohexene	3	UN2256	II	FLAMMABLE LIQUID	T7	150	202	242	5 L	60 L	E	
	Cyclohexenyltrichlorosilane	8	UN1762	II	CORROSIVE	A7, B2, N34, T8, T26.	None	202	242	Forbidden	30 L	C	40
	Cyclohexyl acetate	3	UN2243	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
+	Cyclohexyl isocyanate	6.1	UN2488	II	POISON	2, B9, B14, B32, B74, B77, T38, T43, T45.	None	227	244	5 L	60 L	D	40
	Cyclohexyl mercaptan	3	UN3054	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	40, 95, 102
	Cyclohexylamine	8	UN2357	II	CORROSIVE, FLAMMABLE LIQUID.	T8, T26	None	202	243	1 L	30 L	A	12, 21, 40, 48
	Cyclohexyltrichlorosilane	8	UN1763	II	CORROSIVE	A7, B2, N34, T8, T26.	None	202	242	Forbidden	30 L	C	40

	Cyclonite and cyclotetramethylenetetranitramine mixtures, wetted *or* desensitized *see* RDX and HMX mixtures, wetted *or* desensitized *etc.*ed.													
	Cyclonite and HMX mixtures, wetted *or* desensitized *see* RDX and HMX mixtures, wetted *or* desensitized *etc.*.													
	Cyclonite and octogen mixtures, wetted *or* desensitized *see* RDX and HMX mixtures, wetted *or* desensitized *etc.*.													
	Cyclonite, *see* Cyclotrimethylenetrinitramine, *etc.*													
	Cyclooctadiene phosphines, *see* 9-Phosphabicyclononanes.													
	Cyclooctadienes	3	UN2520	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A		
	Cyclooctatetraene	3	UN2358	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B		
	Cyclopentane	3	UN1146	II	FLAMMABLE LIQUID	T14	150	202	242	5 L	60 L	E		
	Cyclopentane, methyl, see Methyl cyclopentane													
	Cyclopentanol	3	UN2244	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A		
	Cyclopentanone	3	UN2245	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A		
	Cyclopentene	3	UN2246	II	FLAMMABLE LIQUID	T13	150	202	242	5 L	60 L	E		
	Cyclopropane, liquified	2.1	UN1027		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	E	40	
	Cyclotetramethylene tetranitramine (dry or unphlegmatized) (HMX).	Forbidden												
	Cyclotetramethylenetetranitramine, desensitized *or* Octogen, desensitized*or* HMX, desensitized.	1.1D	UN0484	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E	
	Cyclotetramethylenetetranitramine, wetted *or* HMX, wetted *or* Octogen, wetted*with not less than 15 per cent water, by mass.*	1.1D	UN0226	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E	
	Cyclotrimethylenenitramine and octogen, mixtures, wetted *or* desensitized *see* RDX and HMX mixtures, wetted *or* desensitized *etc.*.													
	Cyclotrimethylenetrinitrameie and cyclotetramethylenetetranitramine mixtures, wetted *or* desensitized *see* RDX and HMX mixtures, wetted or desensitized *etc.*.													
	Cyclotrimethylenetrinitramine and HMX mixtures, wetted *or* desensitized *see* RDX and HMX mixtures, wetted *or* desensitized *etc.*.													
	Cyclotrimethylenetrinitramine, desensitized *or* Cyclonite, desensitized *or* Hexogen, desensitized *or* RDX, desensitizede; Hexogen; RDX), desensitized.	1.1D	UN0483	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E	
	Cyclotrimethylenetrinitramine, wetted *or* Cyclonite, wetted *or* Hexogen, wetted *or* RDX, wetted *with not less than 15 percent water by mass.*	1.1D	UN0072	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E	
	Cymenes	3	UN2046	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A		
	Decaborane	4.1	UN1868	II	FLAMMABLE SOLID, POISON.	A19, A20	None	212	None	Forbidden	50 kg	A		
	Decahydronaphthalene	3	UN1147	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A		
	n-Decane	3	UN2247	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A		
	Deflagrating metal salts of aromatic nitroderivatives, n.o.s.	1.3C	UN0132	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	1E, 5E	
	Delay electric igniter, see Igniters													
D	Denatured alcohol	3	NA1987	II	FLAMMABLE LIQUID	T8, T31	150	202	242	5 L	60 L	B		
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A		
D	Denatured alcohol	3	NA1986	I	FLAMMABLE LIQUID, POISON.	T8, T31	None	201	243	Forbidden	30 L	E	40	
				II	FLAMMABLE LIQUID, POISON.	T8, T31	150	202	243	1 L	60 L	E	40	
	Depth charges, see Charges, depth													
	Detonating relays, see Detonators, *etc.*													
	Detonator assemblies, non-electric *for blasting*	1.1B	UN0360	II	EXPLOSIVE 1.1B		None	62	None	Forbidden	Forbidden	B	1E, 2E, 6E	
	Detonator assemblies, non-electric, *for blasting*	1.4B	UN0361	II	EXPLOSIVE 1.4B	103	63(f), 63(g)	62	None	Forbidden	75 kg	A	1E, 2E, 6E, 24E	
	Detonators, electric, *for blasting*	1.1B	UN0030	II	EXPLOSIVE 1.1B		63(f), 63(g)	62	None	Forbidden	Forbidden	B		

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Detonators, electric, *for blasting*	1.4B	UN0255	II	EXPLOSIVE 1.4B	103	63(f), 63(g)	62	None	Forbidden	75 kg	A	24E
	Detonators, electric *for blasting*	1.4S	UN0456	II	EXPLOSIVE 1.4S	104	63(f), 63(g)	62	None	25 kg	100 kg	A	9E
	Detonators for ammunition	1.1B	UN0073	II	EXPLOSIVE 1.1B		None	62	None	Forbidden	Forbidden	B	2E, 6E, 25E
	Detonators for ammunition	1.2B	UN0364	II	EXPLOSIVE 1.2B		None	62	None	Forbidden	Forbidden	B	2E, 6E
	Detonators for ammunition	1.4B	UN0365	II	EXPLOSIVE 1.4B	103	None	62	None	Forbidden	75 kg	A	24E
	Detonators for ammunition	1.4S	UN0366	II	EXPLOSIVE 1.4S	104	None	62	None	25 kg	100 kg	A	9E
	Detonators, non-electric, *for blasting*	1.1B	UN0029	II	EXPLOSIVE 1.1B		None	62	None	Forbidden	Forbidden	B	1E, 2E, 6E
	Detonators, non-electric, *for blasting*	1.4B	UN0267	II	EXPLOSIVE 1.4B	103	63(f), 63(g)	62	None	Forbidden	75 kg	B	
	Detonators, non-electric *for blasting*	1.4S	UN0455	II	EXPLOSIVE 1.4S	104	None	62	None	25 kg	100 kg	A	9E
	Deuterium	2.1	UN1957		FLAMMABLE GAS		306	302	None	Forbidden	150 kg	E	40
	Devices, small, hydrocarbon gas powered *or* hydrocarbon gas refills for small devices *with release device.*	2.1	UN3150		FLAMMABLE GAS		306	304		Forbidden	150 kg	B	40
	Di-n-amylamine	6.1	UN2841	III	KEEP AWAY FROM FOOD.	T8	153	203	241	60 L	220 L	A	
	Di-n-butyl peroxydicarbonate, more than 52 per cent in solution.	Forbidden											
	Di-n-butylamine	8	UN2248	II	CORROSIVE, FLAMMABLE LIQUID.	T8	None	202	243	1 L	30 L	A	12, 21, 48
	2,2-Di-(tert-butylperoxy) butane, more than 55 per cent in solution.	Forbidden											
	Di-(tert-butylperoxy) phthalate, more than 55 per cent in solution.	Forbidden											
	2,2-Di-(4,4-di-tert-butylperoxycyclohexyl) propane, more than 42 per cent with inert solid.	Forbidden											
	Di-2,4-dichlorobenzoyl peroxide, more than 75 per cent with water.	Forbidden											
	1,2-Di-(dimethylamino) ethane	3	UN2372	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Di-2-ethylhexyl phosphoric acid, see Diisooctyl acid phosphate.												
	Di-(1-hydroxytetrazole) (dry)	Forbidden											
	Di-(1-naphthoyl) peroxide	Forbidden											
	a,a'-Di-(nitroxy) methylether	Forbidden											
	Di-(beta-nitroxyethyl) ammonium nitrate	Forbidden											
	Diacetone alcohol	3	UN1148	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Diacetone alcohol peroxides, more than 57% in solution with more than 9% hydrogen peroxide, less than 26% diacetone alcohol and less than 9% water; total active oxygen content more than 9% by mass.	Forbidden											
	Diacetyl, see Butanedione												
	Diacetyl peroxide, solid, or more than 25% in solution.	Forbidden											
	Diallylamine	3	UN2359	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	40
	Diallylether	3	UN2360	II	FLAMMABLE LIQUID, POISON.	N12, T8	None	202	243	1 L	60 L	E	40
	4,4'-Diaminodiphenyl methane	6.1	UN2651	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	p-Diazidobenzene	Forbidden											
	1,2-Diazidoethane	Forbidden											

	2-Diazo-1-naphthol-4-sulpho-chloride	4.1	UN3042	II	FLAMMABLE SOLID, EXPLOSIVE.	53	None	224	None	Forbidden	Forbidden	D	
	2-Diazo-1-naphthol-5-sulpho-chloride	4.1	UN3043	II	FLAMMABLE SOLID, EXPLOSIVE.	53	None	224	None	Forbidden	Forbidden	D	
	1,1'-Diazoaminonaphthalene	Forbidden											
	Diazoaminotetrazole (dry)	Forbidden											
	Diazodinitrophenol (dry)	Forbidden											
	Diazodinitrophenol, wetted *with not less than 40 per cent water or mixture of alcohol and water, by mass.*	1.1A	UN0074	II	EXPLOSIVE 1.1A	111, 117	None	62	None	Forbidden	Forbidden	E	2E, 6E
	Diazodiphenylmethane	Forbidden											
	Diazonium nitrates (dry)	Forbidden											
	Diazonium perchlorates (dry)	Forbidden											
	1,3-Diazopropane	Forbidden											
	Dibenzyl peroxydicarbonate, more than 87 per cent with water.	Forbidden											
	Dibenzyldichlorosilane	8	UN2434	II	CORROSIVE	B2, T8, T26	154	202	242	1 L	30 L	C	40
	Diborane	2.3	UN1911		POISON GAS, FLAMMABLE GAS.	1	None	302	None	Forbidden	Forbidden	D	40, 57
	Diborane mixtures	2.1	NA1911		FLAMMABLE GAS	5	None	302	245	Forbidden	Forbidden	D	40, 57
	Dibromoacetylene	Forbidden											
	Dibromobenzene	3	UN2711	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	1,2-Dibromobutan-3-one	6.1	UN2648	II	POISON		None	202	243	5 L	60 L	B	40
	Dibromochloropropane	6.1	UN2872	III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	
A	Dibromodifluoromethane, *R12B2*	9	UN1941	III	None	T22	155	203	241	100 L	220 L	A	25
	1,2-Dibromoethane, see Ethylene dibromide												
	Dibromomethane	6.1	UN2664	III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	
	Dibutyl ethers	3	UN1149	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Dibutylaminoethanol	6.1	UN2873	III	KEEP AWAY FROM FOOD.	T1	153	203	241	60 L	220 L	A	
	N,N'-Dichlorazodicarbonamidine (salts of) (dry)	Forbidden											
	1,1-Dichloro-1-nitroethane	6.1	UN2650	II	POISON	T8	None	202	243	5 L	60 L	A	12, 40, 48
D	3,5-Dichloro-2,4,6-trifluoropyridine	6.1	NA9264	I	POISON	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	Forbidden	Forbidden	A	40, 95
	Dichloroacetic acid	8	UN1764	II	CORROSIVE	A3, A6, A7, B2, N34, T9, T27.	154	202	242	1 L	30 L	A	
	1,3-Dichloroacetone	6.1	UN2649	II	POISON		None	212	243	25 kg	100 kg	B	12, 40, 48
	Dichloroacetyl chloride	8	UN1765	II	CORROSIVE	A3, A6, A7, B2, B6, N34, T8, T26.	154	202	242	1 L	30 L	D	40
	Dichloroacetylene	Forbidden											
	Dichloroanilines, solid *or* liquid	6.1	UN1590	II	POISON	T14	None	202	242	5 L	60 L	A	40
	o-Dichlorobenzene	6.1	UN1591	III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	
	p-Dichlorobenzene	6.1	UN1592	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
D	Dichlorobutene	8	NA2920	I	CORROSIVE, FLAMMABLE LIQUID		None	201	243	0.5 L	2.5 L	C	12, 21, 25, 40, 48
	2,2-Dichlorodiethyl ether	6.1	UN1916	II	POISON, FLAMMABLE LIQUID.	N33, N34, T8	None	202	243	5 L	60 L	A	
	Dichlorodifluoromethane and difluoroethane azeotropic mixture *with approximately 74 per cent dichlorodifluoromethane, R500.*	2.2	UN2602		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A	
	Dichlorodifluoromethane and ethylene oxide mixture, *with not more than 12% ethylene oxide.*	2.2	UN3070		NONFLAMMABLE GAS.		None	304	314, 315	Forbidden	25 kg	D	40
	Dichlorodifluoromethane, *R12*	2.2	UN1028		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A	
	Dichlorodimethyl ether, symmetrical	6.1	UN2249	I	POISON	T25	None	201	243	Forbidden	Forbidden	D	40, 105
	1,1-Dichloroethane	3	UN2362	II	FLAMMABLE LIQUID	T7	150	202	242	5 L	60 L	B	40
	1,2-Dichloroethane, see Ethylene dichloride												
	Dichloroethyl sulfide	Forbidden											
	Dichloroethylene	3	UN1150	II	FLAMMABLE LIQUID	T14	150	202	242	5 L	60 L	B	

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Dichlorofluoromethane, *R21*	2.2	UN1029		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A	
	Dichloroisocyanuric acid, dry *or* Dichloroisocyanuric acid salts.	5.1	UN2465	II	OXIDIZER	28	152	212	240	5 kg	25 kg	A	13
	Dichloroisopropyl ether	6.1	UN2490	II	POISON	T8	None	202	243	5 L	60 L	B	
	Dichloromethane	6.1	UN1593	III	KEEP AWAY FROM FOOD.	N36, T13	153	203	241	60 L	220 L	A	
	Dichloropentanes	3	UN1152	III	FLAMMABLE LIQUID	B1, T1	150	202	241	60 L	220 L	A	
	Dichlorophenyl isocyanates	6.1	UN2250	II	POISON		None	212	242	25 kg	100 kg	A	25, 40, 48
	Dichlorophenyltrichlorosilane	8	UN1766	II	CORROSIVE	A7, B2, B6, N34, T8, T26.	None	202	242	Forbidden	30 L	C	40
	Dichloropropane, see Propylene dichloride												
	1,3-Dichloropropanol-2	6.1	UN2750	II	POISON	T8	None	202	243	5 L	60 L	A	12, 40, 48
	Dichloropropene	3	UN2047	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	A	
	Dichloropropene and propylene dichloride mixture, see Propylene dichloride.												
	Dichlorosilane	2.3	UN2189		POISON GAS, FLAMMABLE GAS.	2, B9, B14	None	304	314, 315	Forbidden	Forbidden	D	40
	Dichlorotetrafluoroethane, *R114*	2.2	UN1958		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A	
	Dichlorovinylchloroarsine	Forbidden											
	Dicycloheptadiene, *see* Norbornadiene												
	Dicyclohexylamine	8	UN2565	III	CORROSIVE	T8	154	203	241	5 L	60 L	A	
	Dicyclohexylammonium nitrite	4.1	UN2687	III	FLAMMABLE SOLID		153	213	240	25 kg	100 kg	A	48
	Dicyclopentadiene	3	UN2048	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Didymium nitrate	5.1	UN1465	III	OXIDIZER	A1	152	213	240	25 kg	100 kg	A	
D	Dieldrin	6.1	NA2761	II	POISON		None	212	242	0.5 kg	5 kg	A	40
D	Diesel fuel	3	NA1993	III	None	B1	150	203	241	60 L	220 L	A	
	Diethanol nitrosamine dinitrate (dry)	Forbidden											
	2,5-Diethoxy-4-morpholinobenzenediazonium zinc chloride.	4.1	UN3036	II	FLAMMABLE SOLID		None	224	None	15 kg	50 kg	C	2
	Diethoxymethane	3	UN2373	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	3,3-Diethoxypropene	3	UN2374	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	N,N-Diethyl aniline	6.1	UN2432	III	KEEP AWAY FROM FOOD.	T2	153	203	241	60 L	220 L	A	
	Diethyl carbonate	3	UN2366	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Diethyl cellosolve, see Ethylene glycol diethyl ether												
	Diethyl ether *or* Ethyl ether	3	UN1155	I	FLAMMABLE LIQUID	T21	150	201	243	1 L	30 L	E	40
	Diethyl ketone	3	UN1156	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	Diethyl peroxydicarbonate, more than 27 per cent in solution.	Forbidden											
	Diethyl sulfate	6.1	UN1594	II	POISON	T14	None	202	243	5 L	60 L	C	
	Diethyl sulfide	3	UN2375	II	FLAMMABLE LIQUID	T14	None	202	243	1 L	60 L	E	
	Diethylamine	3	UN1154	II	FLAMMABLE LIQUID	N34, T8	150	202	242	5 L	60 L	E	
	Diethylaminoethanol	3	UN2686	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
AW	Diethylaminopropylamine	8	UN2684	III	CORROSIVE, FLAMMABLE LIQUID.	B1, B2, T8	154	203	243	5 L	60 L	A	12, 21, 48
	Diethylbenzene	3	UN2049	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Diethyldichlorosilane	8	UN1767	II	CORROSIVE, FLAMMABLE LIQUID.	A7, B6, N34, T8, T26.	None	202	243	Forbidden	30 L	C	21, 40
	Diethylene glycol dinitrate	Forbidden											
	Diethyleneglycol dinitrate, desensitized *with not less than 25 percent non-volatile water-insoluble phlegmatizer, by mass.*	1.1D	UN0075	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 4E, 21E
	Diethylenetriamine	8	UN2079	II	CORROSIVE	B2, T8	154	202	242	1 L	30 L	A	40

	N,N-Diethylethylenediamine	8	UN2685	II	CORROSIVE, FLAMMABLE LIQUID.	T8	None	202	243	1 L	30 L	A	12, 21, 48
	Diethylgold bromide	Forbidden											
	Diethylthiophosphoryl chloride	8	UN2751	II	CORROSIVE	B2, T8	None	202	242	15 kg	50 kg	D	12, 40
	Diethylzinc	4.2	UN1366	I	SPONTANEOUSLY COMBUSTIBLE.	B11, T28, T40	None	181	244	Forbidden	Forbidden	D	18
	Difluorochloroethanes, *see* Chlorodifluoroethanes												
	Difluoroethane, *R152a*	2.1	UN1030		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	B	40
	1,1-Difluoroethylene, *R1132a*	2.1	UN1959		FLAMMABLE GAS		306	304	None	Forbidden	150 kg	E	40
	Difluorophosphoric acid, anhydrous	8	UN1768	II	CORROSIVE	A6, A7, B2, N5, N34, T9, T27.	None	202	242	1 L	30 L	A	40
	2,3-Dihydropyran	3	UN2376	II	FLAMMABLE LIQUID	T7	150	202	242	5 L	60 L	B	
	1,8-Dihydroxy-2,4,5,7-tetranitroanthraquinone (chrysamminic acid).	Forbidden											
	Diiodoacetylene	Forbidden											
	Diisobutyl ketone	3	UN1157	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Diisobutylamine	3	UN2361	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Diisobutylene, isomeric compounds	3	UN2050	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	Diisooctyl acid phosphate	8	UN1902	III	CORROSIVE	T7	154	203	241	5 L	60 L	A	
	Diisopropyl ether	3	UN1159	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	E	40
	Diisopropylamine	3	UN1158	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Diisopropylbenzene hydroperoxide, more than 72 percent in solution.	Forbidden											
+	Diketene, inhibited	3	UN2521	III	FLAMMABLE LIQUID, POISON.	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	60 L	220 L	A	49
	1,1-Dimethoxyethane	3	UN2377	II	FLAMMABLE LIQUID	T13	150	202	242	5 L	60 L	B	
	1,2-Dimethoxyethane	3	UN2252	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	Dimethyl carbonate	3	UN1161	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Dimethyl chlorothiophosphate, see Dimethyl thiophosphoryl chloride.												
	2,5-Dimethyl-2,5-dihydroperoxy hexane, more than 82 per cent with water.	Forbidden											
	Dimethyl disulfide	3	UN2381	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	40
	Dimethyl ether	2.1	UN1033		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	B	40
	Dimethyl-N-propylamine	3	UN2266	II	FLAMMABLE LIQUID, CORROSIVE.	T14, T26	None	202	243	1 L	5 L	B	40
	Dimethyl sulfate	6.1	UN1595	I	POISON, CORROSIVE.	2, B9, B14, B32, B74, B77, T38, T43, T45.	None	227	244	Forbidden	2.5 L	D	40
	Dimethyl sulfide	3	UN1164	II	FLAMMABLE LIQUID	T14	None	201	243	1 L	30 L	E	40
	Dimethyl thiophosphoryl chloride	8	UN2267	III	CORROSIVE	T7	None	203	241	5 L	60 L	B	8
	Dimethylamine, anhydrous	2.1	UN1032		FLAMMABLE GAS		None	304	314, 315	Forbidden	Forbidden	D	40
	Dimethylamine solution	3	UN1160	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	4-Dimethylamino-6-(2-dimethylaminoethoxy) toluene-2-diazonium zinc chloride.	4.1	UN3039	II	FLAMMABLE SOLID		None	224	None	Forbidden	Forbidden	D	2
	2-Dimethylaminoacetonitrile	3	UN2378	II	FLAMMABLE LIQUID, POISON.	T8	None	202	243	1 L	60 L	A	26, 40
	Dimethylaminoethyl methacrylate	6.1	UN2522	II	POISON	T8	None	202	243	5 L	60 L	B	40
	N,N-Dimethylaniline	6.1	UN2253	II	POISON	T8	None	202	243	5 L	60 L	A	
	2,3-Dimethylbutane	3	UN2457	II	FLAMMABLE LIQUID	T13	150	202	242	5 L	60 L	E	
	1,3-Dimethylbutylamine	3	UN2379	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Dimethylcarbamoyl chloride	8	UN2262	II	CORROSIVE	B2, T8	154	202	242	1 L	30 L	A	40
	Dimethylcyclohexanes	3	UN2263	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	Dimethylcyclohexylamine	8	UN2264	II	CORROSIVE	B2, T8	154	202	242	1 L	30 L	A	12, 21, 40, 48
	Dimethyldichlorosilane	3	UN1162	I	FLAMMABLE LIQUID, CORROSIVE.	B77, T15, T26	None	201	243	Forbidden	Forbidden	B	40
	Dimethyldiethoxysilane	3	UN2380	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Dimethyldioxanes	3	UN2707	II	FLAMMABLE LIQUID	T8, T31	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Dimethylethanolamine	3	UN2051	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	N,N-Dimethylformamide	3	UN2265	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Dimethylhexane dihydroperoxide (dry)	Forbidden											
+	Dimethylhydrazine, symmetrical	3	UN2382	I	FLAMMABLE LIQUID, POISON.	2, A7, B9, B14, B32, B74, B77, T38, T43, T45.	None	227	244	Forbidden	30 L	E	40
	Dimethylhydrazine, unsymmetrical	6.1	UN1163	I	POISON, FLAMMABLE LIQUID, CORROSIVE.	2, A7, B9, B14, B32, B58, B79, T38, T43, T45.	None	227	244	Forbidden	Forbidden	D	21, 40, 49, 61, 100
	2,2-Dimethylpropane *other than pentane and isopentane.*	2.1	UN2044		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	E	40
	Dimethylzinc	4.2	UN1370	I	SPONTANEOUSLY COMBUSTIBLE.	B11, B16, T28, T29, T40.	None	181	244	Forbidden	Forbidden	D	18
	Dinitro-o-cresol, *solid*	6.1	UN1598	II	POISON	T14	None	212	242	25 kg	100 kg	A	
	Dinitro-o-cresol, *solution*	6.1	UN1598	II	POISON	T14	None	202	243	5 L	60 L	A	
	1,3-Dinitro-5,5-dimethyl hydantoin	Forbidden											
	Dinitro-7,8-dimethylglycoluril (dry)	Forbidden											
	1,3-Dinitro-4,5-dinitrosobenzene	Forbidden											
	1,4-Dinitro-1,1,4,4-tetramethylolbutanetetranitrate (dry).	Forbidden											
	2,4-Dinitro-1,3,5-trimethylbenzene	Forbidden											
	Dinitroanilines	6.1	UN1596	II	POISON	T14	None	212	242	25 kg	100 kg	A	91
	Dinitrobenzenes, *liquid*	6.1	UN1597	II	POISON	11, T14	None	202	243	5 L	60 L	A	91
	Dinitrobenzenes, *solid*	6.1	UN1597	II	POISON	11	None	212	242	25 kg	100 kg	A	91
	Dinitrochlorobenzene, see Chlorodinitrobenzene												
	1,2-Dinitroethane	Forbidden											
	1,1-Dinitroethane (dry)	Forbidden											
	Dinitrogen tetroxide, liquefied	2.3	UN1067		POISON GAS, OXIDIZER.	1, B7, B12, B14, B45, B46, B61, B66, B67, B77.	None	336	314	Forbidden	Forbidden	D	40, 43
	Dinitroglycoluril	Forbidden											
	Dinitroglycoluril *or* Dingu	1.1D	UN0489	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E 25E
	Dinitromethane	Forbidden											
	Dinitrophenol, *dry or wetted with less than 15 per cent water, by mass.*	1.1D	UN0076	II	EXPLOSIVE 1.1D, POISON.		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Dinitrophenol solutions	6.1	UN1599	II	POISON	T8	None	202	243	5 L	60 L	A	36
	Dinitrophenol, wetted *with not less than 15 per cent water, by mass.*	4.1	UN1320	I	FLAMMABLE SOLID, POISON.	A8, A19, A20, N41.	None	211	None	1 kg	15 kg	E	28, 36
	Dinitrophenolates *alkali metals, dry or wetted with less than 15 per cent water, by mass.*	1.3C	UN0077	II	EXPLOSIVE 1.3C, POISON.		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Dinitrophenolates, wetted *with not less than 15 per cent water, by mass.*	4.1	UN1321	I	FLAMMABLE SOLID, POISON.	A8, A19, A20, N41.	None	211	None	1 kg	15 kg	E	28, 36
	Dinitropropylene glycol	Forbidden											
	Dinitroresorcinol, *dry or wetted with less than 15 per cent water, by mass.*	1.1D	UN0078	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	4,6-Dinitroresorcinol (heavy metal salts of) (dry)	Forbidden											
	2,4-Dinitroresorcinol (heavy metal salts of) (dry)	Forbidden											
	Dinitroresorcinol, wetted *with not less than 15 per cent water, by mass.*	4.1	UN1322	I	FLAMMABLE SOLID	A8, A19, A20, N41.	None	211	None	1 kg	15 kg	E	28, 36
	3,5-Dinitrosalicylic acid (lead salt) (dry)	Forbidden											

	N,N'-Dinitroso-N,N'-dimethyl terephthalamide *not more than 72% as a paste.*	4.1	UN2973	II	FLAMMABLE SOLID, EXPLOSIVE.	41, 53	None	224	None	Forbidden	Forbidden	D	12, 61
	Dinitrosobenzene	1.3C	UN0406	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Dinitrosobenzylamidine and salts of (dry)	Forbidden											
	N,N'-Dinitrosopentamethylenetetramine *not more than 82% with phlegmatizer.*	4.1	UN2972	II	FLAMMABLE SOLID, EXPLOSIVE.	41, 53	None	224	None	Forbidden	Forbidden	D	12, 61
	2,2-Dinitrostilbene	Forbidden											
	Dinitrotoluenes, *liquid*	6.1	UN2038	II	POISON	T8	None	202	243	5 L	60 L	A	
	Dinitrotoluenes, molten	6.1	UN1600	II	POISON	T14	None	202	243	Forbidden	Forbidden	C	
	Dinitrotoluenes, *solid*	6.1	UN2038	II	POISON	T8	None	212	242	25 kg	100 kg	A	
	1,9-Dinitroxy pentamethylene-2,4, 6,8-tetramine (dry).	Forbidden											
	Dioxane	3	UN1165	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Dioxolane	3	UN1166	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Dipentene	3	UN2052	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	40
	Diphenylamine chloroarsine	6.1	UN1698	I	POISON		None	201	None	Forbidden	Forbidden	D	40
	Diphenylchloroarsine, solid *or* liquid	6.1	UN1699	I	POISON	A8, B14, B32, N33, N34.	None	211	244	Forbidden	15 kg	D	40
	Diphenyldichlorosilane	8	UN1769	II	CORROSIVE	A7, B2, N34, T8, T26.	None	202	244	Forbidden	30 L	C	40
	Diphenylmethane-4,4'diisocyanate	6.1	UN2489	III	KEEP AWAY FROM FOOD.	T8	153	203	241	60 L	220 L	A	48, 108
	Diphenylmethyl bromide	8	UN1770	II	CORROSIVE		154	212	240	15 kg	50 kg	D	40
	Diphenyloxide-4,4'disulfohydrazide	4.1	UN2951	II	FLAMMABLE SOLID		None	224	None	15 kg	50 kg	B	12, 61, 85
	Dipicryl sulfide, *dry or wetted with less than 10 per cent water, by mass.*	1.1D	UN0401	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E
	Dipicryl sulfide, wetted *with not less than 10 per cent water, by mass.*	4.1	UN2852	I	FLAMMABLE SOLID	A2, N41	None	211	None	Forbidden	0.5 kg	D	28, 36
	Dipicrylamine, *see* Hexanitrodiphenylamine												
	Dipropionyl peroxide, more than 28 per cent in solution.	Forbidden											
	Dipropyl ether	3	UN2384	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	Dipropylamine	3	UN2383	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	4-Dipropylaminobenzenediazonium zinc chloride	4.1	UN3034	II	FLAMMABLE SOLID		None	224	None	15 kg	50 kg	C	
	Dipropylketone	3	UN2710	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Disinfectants, corrosive liquid, n.o.s.	8	UN1903	II	CORROSIVE	B2	154	202	242	1 L	30 L	A	
				III	CORROSIVE		154	203	241	5 L	60 L	A	40
	Disinfectants, liquid, n.o.s *poisonous*	6.1	UN3142	I	POISON	A4, T42	None	201	243	1 L	30 L	A	40
				II	POISON	T14	None	202	243	5 L	60 L	A	40
				III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	40
	Disinfectants, solid, n.o.s. *poisonous*	6.1	UN1601	II	POISON		None	212	242	25 kg	100 kg	A	40
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	40
	Dispersant gases, n.o.s. *see* Refrigerant gases, n.o.s.												
	Dithiocarbamate pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN2772	I	FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	B	40
				II	FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	B	40
	Dithiocarbamate pesticides, liquid, toxic, flammable, n.o.s. *flashpoint not less than 23 degrees C.*	6.1	UN3005	I	POISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	B	40
				II	POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.	T14	153	203	241	60 L	220 L	A	40
	Dithiocarbamate pesticides, liquid, toxic, n.o.s.	6.1	UN3006	I	POISON	T42	None	201	243	1 L	30 L	B	40
				II	POISON	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	A	40
	Dithiocarbamate pesticides, solid, toxic, n.o.s.	6.1	UN2771	I	POISON		None	211	242	5 kg	50 kg	A	40
				II	POISON		None	212	242	25 kg	100 kg	A	40
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	40
	Divinyl ether, inhibited	3	UN1167	I	FLAMMABLE LIQUID	T14	None	202	241	5 L	60 L	E	40

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
D	Dodecylbenzenesulfonic acid	8	NA2584	II	CORROSIVE	B2	154	202	242	1 L	30 L	B	9
	Dodecyltrichlorosilane	8	UN1771	II	CORROSIVE	A7, B2, B6, N34, T8, T26.	None	202	242	Forbidden	30 L	C	40
	Dry ice, *see* Carbon dioxide, solid												
	Dyes, liquid, n.o.s. *or* dye intermediates, liquid, n.o.s. *corrosive.*	8	UN2801	II	CORROSIVE	11, B2, T14	154	202	242	1 L	30 L	A	23
				III	CORROSIVE	11, T7	154	203	241	5 L	60 L	A	23
	Dyes,liquid, n.o.s *or* dye intermediates, liquid, n.o.s. *poisonous.*	6.1	UN1602	II	POISON		None	202	243	5 L	60 L	A	
				III	KEEP AWAY FROM FOOD.		153	203	241	60 L	220	A	
	Dyes, solid, n.o.s. *or* Dye intermediates, solid, n.o.s. *corrosive.*	8	UN3147	II	CORROSIVE		154	212	240	15 kg	50 kg	A	
				III	CORROSIVE		154	213	240	25 kg	100 kg	A	
	Dyes, solid, n.o.s. *or* dye intermediates, solid, n.o.s. *poisonous.*	6.1	UN3143	I	POISON	A5	None	211	242	5kg	50kg	A	
				II	POISON		None	212	242	25 kg	100 kg	A	
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Dynamite, see Explosive, blasting, type A												
	Electrolyte (acid or alkali) for batteries, see Battery fluid, acid *or* Battery fluid, alkali.												
	Engine starting fluid, *with flammable gas*	2.1	UN1960		FLAMMABLE GAS		None	304	None	Forbidden	150 kg	D	40
	Engines, internal combustion, *see* Vehicle, self-propelled.												
	Environmentally hazardous substances, liquid, n.o.s.	9	UN3082	III	CLASS 9	8, T1	155	203	241	None	None	A	
	Environmentally hazardous substances, solid, n.o.s.	9	UN3077	III	CLASS 9	8, B54	155	213	240	None	None	A	
	Epibromohydrin	6.1	UN2558	I	POISON	T18, T26	None	201	243	Forbidden	Forbidden	D	40
	Epichlorohydrin	6.1	UN2023	II	POISON	T14	None	202	243	5 L	60 L	A	40
	1,2-Epoxy-3-ethoxypropane	3	UN2752	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Etching acid, liquid, n.o.s., see Hydrofluoric acid, solution *etc.*												
	Ethane, compressed	2.1	UN1035		FLAMMABLE GAS		306	304	302	Forbidden	150 kg	E	40
D	Ethane-Propane mixture, refrigerated liquid	2.1	NA1961		FLAMMABLE GAS		None	316	314, 315	Forbidden	Forbidden	D	40
	Ethane, refrigerated liquid	2.1	UN1961		FLAMMABLE GAS		None	None	315	Forbidden	Forbidden	D	40
	Ethanol amine dinitrate	Forbidden											
	Ethanol *or* Ethyl alcohol *or* Ethanol solutions *or* Ethyl alcohol solutions.	3	UN1170	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	A	
				III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Ethanolamine *or* Ethanolamine solutions	8	UN2491	III	CORROSIVE	T7	154	203	241	5 L	60 L	A	
	Ether, see Diethyl ether												
	Ethyl acetate	3	UN1173	II	FLAMMABLE LIQUID	T2	150	202	242	5 L	60 L	B	
	Ethyl acrylate, inhibited	3	UN1917	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	40
	Ethyl alcohol, *see* Ethanol												
	Ethyl aldehyde, see Acetaldehyde												
	Ethyl amyl ketone	3	UN2271	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	N-Ethyl-N-benzylaniline	6.1	UN2274	III	KEEP AWAY FROM FOOD.	T2	153	203	241	60 L	220 L	A	
	Ethyl borate	3	UN1176	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Ethyl bromide	6.1	UN1891	II	POISON	T17	None	202	243	5 L	60 L	B	40
	Ethyl bromoacetate	6.1	UN1603	II	POISON	T14	None	202	243	Forbidden	Forbidden	D	40
	Ethyl butyl ether	3	UN1179	II	FLAMMABLE LIQUID	B1, T1	150	202	242	5 L	60 L	B	
	Ethyl butyrate	3	UN1180	III	FLAMMABLE LIQUID	B1, T1	150	202	242	5 L	60 L	A	

	Ethyl chloride	2.1	UN1037		FLAMMABLE GAS	B63, B77	None	322	314, 315	Forbidden	150 kg	B	40
	Ethyl chloracetate	6.1	UN1181	II	POISON	T14	None	202	243	5 L	60 L	A	
	Ethyl chloroformate	6.1	UN1182	I	POISON, FLAMMABLE LIQUID, CORROSIVE.	2, A3, A6, A7, B9, B14, B32, B74, N34, T38, T43, T45.	None	227	244	Forbidden	Forbidden	D	21, 40, 100
	Ethyl-2-chloropropionate	3	UN2935	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
+	Ethyl chlorothioformate	8	UN2826	II	CORROSIVE, POISON.	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	1 L	30 L	A	12, 21, 40, 48
	Ethyl crotonate	3	UN1862	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	Ethyl cyanoacetate	6.1	UN2666	III	KEEP AWAY FROM FOOD.	T8	153	203	241	60 L	220 L	A	26
	Ethyl ether, *see* Diethyl ether												
	Ethyl fluoride	2.1	UN2453		FLAMMABLE GAS		306	304	314, 315	75 kg	150 kg	E	40
	Ethyl formate	3	UN1190	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	E	
	Ethyl hydroperoxide	Forbidden											
	Ethyl isobutyrate	3	UN2385	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
+	Ethyl isocyanate	3	UN2481	I	FLAMMABLE LIQUID, POISON.	1, A7, B9, B14, B30, B72, T38, T43, T44.	None	226	244	Forbidden	30 L	D	40
	Ethyl lactate	3	UN1192	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Ethyl mercaptan	3	UN2363	I	FLAMMABLE LIQUID	T21	None	201	243	Forbidden	30 L	E	95, 102
	Ethyl methacrylate	3	UN2277	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	Ethyl methyl ether	2.1	UN1039		FLAMMABLE GAS	B63	None	324	314, 315	Forbidden	150 kg	B	40
	Ethyl methyl ketone *or* Methyl ethyl ketone	3	UN1193	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Ethyl nitrite solutions	3	UN1194	I	FLAMMABLE LIQUID, POISON.		None	201	None	Forbidden	Forbidden	E	40, 105
	Ethyl orthoformate	3	UN2524	III	FLAMMABLE LIQUID	B1, T7	150	203	242	60 L	220 L	A	
	Ethyl oxalate	6.1	UN2525	III	KEEP AWAY FROM FOOD.	T1	153	203	241	60 L	220 L	A	
	Ethyl perchlorate	Forbidden											
D	Ethyl phosphonothioic dichloride, anhydrous	6.1	NA2927	I	POISON, CORROSIVE.	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	Forbidden	Forbidden	D	20, 40, 95
D	Ethyl phosphonous dichloride, anhydrous *pyrophoric liquid.*	6.1	NA2845	I	POISON, SPONTANEOUSLY COMBUSTIBLE.	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	Forbidden	Forbidden	D	18
D	Ethyl phosphorodichloridate	6.1	NA2927	I	POISON, CORROSIVE.	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	Forbidden	Forbidden	D	20, 40, 95
	Ethyl propionate	3	UN1195	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	Ethyl propyl ether	3	UN2615	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	E	
	Ethyl silicate, see Tetraethyl silicate												
	Ethylacetylene, inhibited	2.1	UN2452		FLAMMABLE GAS		None	304	314, 315	Forbidden	150 kg	B	40
	Ethylamine	2.1	UN1036		FLAMMABLE GAS	B77	None	321	314, 315	Forbidden	Forbidden	D	40
	Ethylamine, aqueous solution *with not less than 50 per cent but not more than 70 per cent ethylamine.*	3	UN2270	II	FLAMMABLE LIQUID	T14	150	202	242	5 L	60 L	B	40
	N-Ethylaniline	6.1	UN2272	III	KEEP AWAY FROM FOOD.	T2	153	203	241	60 L	220 L	A	
	2-Ethylaniline	6.1	UN2273	III	KEEP AWAY FROM FOOD.	T2	153	203	241	60 L	220 L	A	
	Ethylbenzene	3	UN1175	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	N-Ethylbenzyltoluidines solid *or* liquid	6.1	UN2753	III	KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	A	
	2-Ethylbutanol	3	UN2275	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	2-Ethylbutyl acetate	3	UN1177	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	2-Ethylbutyraldehyde	3	UN1178	II	FLAMMABLE LIQUID	B1, T1	150	202	242	5 L	60 L	B	
	Ethyldichloroarsine	6.1	UN1892	I	POISON	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	Forbidden	Forbidden	D	40

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Ethyldichlorosilane	4.3	UN1183	I	DANGEROUS WHEN WET, CORROSIVE, FLAMMABLE LIQUID.	A2, A3, A7, N34, T18, T26.	None	201	244	Forbidden	1 L	D	21, 28, 40, 49, 100
	Ethylene, acetylene and propylene in mixtures, refrigerated liquid containing at least 71.5 per cent ethylene with not more than 22.5 per cent acetylene and not more than 6 per cent propylene.	2.1	UN3138		FLAMMABLE GAS		None	304	314, 315	Forbidden	Forbidden	D	40
+	Ethylene chlorohydrin	6.1	UN1135	II	POISON	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	Forbidden	60 L	A	40
	Ethylene, compressed	2.1	UN1962		FLAMMABLE GAS		306	304	302	Forbidden	150 kg	E	40
	Ethylene diamine diperchlorate	Forbidden											
+	Ethylene dibromide	6.1	UN1605	II	POISON	2, B9, B14, B32, B74, B77, T38, T43, T45.	None	227	244	5 L	60 L	A	40
	Ethylene dibromide and methyl bromide liquid mixtures, see Methyl bromide and ethylene dibromide, liquid mixtures.												
	Ethylene dichloride	3	UN1184	II	FLAMMABLE LIQUID, POISON.	T14	None	202	243	1 L	60 L	B	40
	Ethylene glycol diethyl ether	3	UN1153	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Ethylene glycol dinitrate	Forbidden											
	Ethylene glycol monobutyl ether	6.1	UN2369	III	KEEP AWAY FROM FOOD.	T1	153	203	241	60 L	220 L	A	
	Ethylene glycol monoethyl ether	3	UN1171	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Ethylene glycol monoethyl ether acetate	3	UN1172	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Ethylene glycol monomethyl ether	3	UN1188	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Ethylene glycol monomethyl ether acetate	3	UN1189	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Ethylene oxide and carbon dioxide mixtures, see Carbon dioxide and ethylene oxide mixtures, *etc.*.												
	Ethylene oxide and propylene oxide mixtures, *not more than 30 per cent ethylene oxide.*	3	UN2983	I	FLAMMABLE LIQUID, POISON.	5, A11, N4, N34, T24, T29.	None	201	243	Forbidden	30 L	E	40
	Ethylene oxide, *pure or with nitrogen*	2.3	UN1040		POISON GAS, FLAMMABLE GAS.	3	None	323	323	Forbidden	25 kg	D	40
	Ethylene, refrigerated liquid (*cryogenic liquid*)	2.1	UN1038		FLAMMABLE GAS		None	316	318, 319	Forbidden	Forbidden	D	40
	Ethylenediamine	8	UN1604	II	CORROSIVE, FLAMMABLE LIQUID.	T14	154	202	243	1 L	30 L	A	12, 21, 40, 48
	Ethyleneimine, inhibited	6.1	UN1185	I	POISON, FLAMMABLE LIQUID.	1, B9, B14, B30, B72, B77, N25, N32, T38, T43, T44.	None	226	244	Forbidden	Forbidden	D	40
	Ethylhexaldehyde, see Octyl aldehydes *etc*												
	2-Ethylhexylamine	8	UN2276	III	CORROSIVE	T2	154	203	241	5 L	60 L	A	12, 21, 40, 48
	2-Ethylhexylchloroformate	6.1	UN2748	II	POISON, CORROSIVE.	T42	None	202	243	1 L	30 L	A	12, 13, 25, 40, 48, 95
	Ethylphenyldichlorosilane	8	UN2435	II	CORROSIVE	A7, B2, N34, T8, T26.	None	202	242	Forbidden	30 L	C	
	1-Ethylpiperidine	3	UN2386	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Ethylsulfuric acid	8	UN2571	II	CORROSIVE	B2, T9, T27	154	202	242	1 L	30 L	C	14
	N-Ethyltoluidines	6.1	UN2754	II	POISON	T14	None	202	243	5 L	60 L	A	48

	Ethyltrichlorosilane	3	UN1196	II	FLAMMABLE LIQUID, CORROSIVE.	A7, N34, T15, T26.	None	201	243	Forbidden	2.5 L	B	40
	Etiologic agent, see Infectious substances, *etc.*)												
	Explosive articles, see Articles, explosive n.o.s. *etc.*.												
	Explosive, blasting, type A	1.1D	UN0081	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E, 21E
	Explosive, blasting, type B	1.1D	UN0082	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E
	Explosive, blasting, type B *or* Agent blasting, Type B.	1.5D	UN0331	II	EXPLOSIVE 1.5D	105, 106	None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E
	Explosive, blasting, type C	1.1D	UN0083	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E, 22E
	Explosive, blasting, type D	1.1D	UN0084	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Explosive, blasting, type E	1.1D	UN0241	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E
	Explosive, blasting, type E *or* Agent blasting, Type E.	1.5D	UN0332	II	EXPLOSIVE 1.5D	105, 106	None	62	None	Forbidden	Forbidden	B	1E, 5E
	Explosive, forbidden. See Sec. 173.51	Forbidden											
D	Explosive pest control devices	1.1E	NA0006	II	EXPLOSIVE 1.1E		None	62	None	Forbidden	Forbidden	E	
D	Explosive pest control devices	1.4E	NA0412	II	EXPLOSIVE 1.4E		None	62	None	Forbidden	75 kg	A	24E
	Explosive substances, see Substances, explosive, n.o.s. *etc.*.												
	Explosives, slurry, see Explosive, blasting, type E												
	Explosives, water gels, see Explosive, blasting, type E												
	Extracts, aromatic, liquid	3	UN1169	II	FLAMMABLE LIQUID	T7, T30	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	
	Extracts, flavoring, liquid	3	UN1197	II	FLAMMABLE LIQUID	T7, T30	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	
	Fabric with animal or vegetable oil, see Fibers *or* fabrics, *etc.*												
	Ferric arsenate	6.1	UN1606	II	POISON		None	212	242	25 kg	100 kg	A	
	Ferric arsenite	6.1	UN1607	II	POISON		None	212	242	25 kg	100 kg	A	
	Ferric chloride	8	UN1773	III	CORROSIVE		154	213	240	25 kg	100 kg	A	
	Ferric chloride, solution	8	UN2582	III	CORROSIVE	B15, T8	154	203	241	5 L	60 L	A	
	Ferric nitrate	5.1	UN1466	III	OXIDIZER	A1, A29	152	213	240	25 kg	100 kg	A	
	Ferrocerium	4.1	UN1323	II	FLAMMABLE SOLID	A19	151	212	240	15 kg	50 kg	A	
	Ferrosilicon, *with 30 percent or more but less than 90 percent silicon.*	4.3	UN1408	III	DANGEROUS WHEN WET.	A1, A19	None	213	240	25 kg	100 kg	A	13, 40, 85, 103
	Ferrous arsenate	6.1	UN1608	II	POISON		None	212	242	25 kg	100 kg	A	
D	Ferrous chloride, solid	8	NA1759	II	CORROSIVE		154	212	240	15 kg	50 kg	A	
D	Ferrous chloride, solution	8	NA1760	II	CORROSIVE	B3	154	202	242	1 L	30 L	B	40
	Ferrous metal borings, shavings, turnings *or* cuttings *in a form liable to self-heating.*	4.2	UN2793	III	SPONTANEOUSLY COMBUSTIBLE.	A1, A19	None	213	241	25 kg	100 kg	A	
	Fertilizer ammoniating solution *with free ammonia*	2.2	UN1043		NONFLAMMABLE GAS.		306	304	314, 315	Forbidden	150 kg	E	40
AIW	Fibers *or* Fabrics, animal *or* vegetable, n.o.s. *with animal or vegetable oil.*	4.2	UN1373	III	SPONTANEOUSLY COMBUSTIBLE.		None	213	241	Forbidden	Forbidden	A	
	Films, nitrocellulose base, from which gelatine has been removed; film scrap, see Celluloid scrap.												
	Films, nitrocellulose base, *gelatine coated (except scrap).*	4.1	UN1324	III	FLAMMABLE SOLID		None	183	None	25 kg	100 kg	D	91
	Fire extinguisher charges, *corrosive liquid*	8	UN1774	II	CORROSIVE	N41	154	202	None	1 L	30 L	A	
	Fire extinguisher charges, expelling, explosive, see Cartridges, power device.												
	Fire extinguishers *containing compressed or liquefied gas.*	2.2	UN1044		NONFLAMMABLE GAS.		306	306	None	75 kg	150 kg	A	
	Firelighters, solid *with flammable liquid*	4.1	UN2623	II	FLAMMABLE SOLID	A19	None	212	None	15 kg	50 kg	A	119
				III	FLAMMABLE SOLID	A1, A19	None	213	None	25 kg	100 kg	A	119
	Fireworks	1.1G	UN0333	II	EXPLOSIVE 1.1G	108	None	62	None	Forbidden	Forbidden	B	
	Fireworks	1.2G	UN0334	II	EXPLOSIVE 1.2G	108	None	62	None	Forbidden	Forbidden	B	
	Fireworks	1.3G	UN0335	II	EXPLOSIVE 1.3G	108	None	62	None	Forbidden	Forbidden	B	
	Fireworks	1.4G	UN0336	II	EXPLOSIVE 1.4G	108	None	62	None	Forbidden	75 kg	A	24E
	Fireworks	1.4S	UN0337	II	EXPLOSIVE 1.4S	108	None	62	None	25 kg	100 kg	A	9E

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
W	Fish meal *or* Fish scrap stabilized	9	UN2216	III	None	A1	155	218	218	No limit	No limit	A	88, 120
	Fish meal, unstabilized *or* Fish scrap, unstabilized	4.2	UN1374	II	SPONTANEOUSLY COMBUSTIBLE.	A1, A19	None	212	241	15 kg	50 kg	A	119, 120
	Fissile radioactive materials, see Radioactive material, fissile, n.o.s.												
	Flammable compressed gas, see Compressed *or* Liquefied gas, flammable, *etc.*.												
	Flammable compressed gas (small receptacles not fitted with a dispersion device, not refillable), see Receptacles, *etc.*.												
	Flammable gas in lighters, *see* Lighters for cigars *or* cigarettes, *with flammable gas.*												
	Flammable liquids, corrosive, n.o.s.	3	UN2924	I	FLAMMABLE LIQUID, CORROSIVE.	T42	None	201	243	0.5 L	2.5 L	E	40
				II	FLAMMABLE LIQUID, CORROSIVE.	T15, T26	None	202	243	1 L	5 L	B	40
				III	FLAMMABLE LIQUID, CORROSIVE.	B1, T15, T26	150	203	242	5 L	60 L	A	40
	Flammable liquids, n.o.s.	3	UN1993	I	FLAMMABLE LIQUID	T42	150	201	243	1 L	30 L	E	
				II	FLAMMABLE LIQUID	T8, T31	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, B52, T7, T30.	150	203	242	60 L	220 L	A	
	Flammable liquids, poisonous, n.o.s.	3	UN1992	I	FLAMMABLE LIQUID, POISON.	T42	None	201	243	Forbidden	30 L	E	40
				II	FLAMMABLE LIQUID, POISON.	T18	None	202	243	1 L	60 L	B	40
	Flammable solids, corrosive, n.o.s.	4.1	UN2925	II	FLAMMABLE SOLID, CORROSIVE.		None	212	242	15 kg	50 kg	D	40
				III	FLAMMABLE SOLID, CORROSIVE.	A1	151	213	242	25 kg	100 kg	D	40
	Flammable solids, n.o.s.	4.1	UN1325	II	FLAMMABLE SOLID		151	212	240	15 kg	50 kg	B	
				III	FLAMMABLE SOLID		151	213	240	25 kg	100 kg	B	
	Flammable solids, poisonous, n.o.s.	4.1	UN2926	II	FLAMMABLE SOLID, POISON.		None	212	242	15 kg	50 kg	B	40
				III	FLAMMABLE SOLID, KEEP AWAY FROM FOOD.	A1	151	213	242	25 kg	100 kg	B	40
	Flares, aerial	1.3G	UN0093	II	EXPLOSIVE 1.3G		None	62	None	Forbidden	75 kg	B	
	Flares, aerial	1.4G	UN0403	II	EXPLOSIVE 1.4G		None	62	None	Forbidden	75 kg	A	24E
	Flares, aerial	1.4S	UN0404	II	EXPLOSIVE 1.4S		None	62	None	25 kg	100 kg	A	9E
	Flares, aerial	1.1G	UN0420	II	EXPLOSIVE 1.1G		None	62	None	Forbidden	Forbidden	B	
	Flares, aerial	1.2G	UN0421	II	EXPLOSIVE 1.2G		None	62	None	Forbidden	Forbidden	B	
	Flares, airplane, see Flares, aerial												
	Flares, signal, see Cartridges, signal												
	Flares surface	1.1G	UN0418	II	EXPLOSIVE 1.1G		None	62	None	Forbidden	Forbidden	B	
	Flares, surface	1.2G	UN0419	II	EXPLOSIVE 1.2G		None	62	None	Forbidden	Forbidden	B	
	Flares, surface	1.3G	UN0092	II	EXPLOSIVE 1.3G		None	62	None	Forbidden	75 kg	B	
	Flares, water-activated, see Contrivances, water-activated, *etc.*.												
	Flash powder	1.1G	UN0094	II	EXPLOSIVE 1.1G		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Flash powder	1.3G	UN0305	II	EXPLOSIVE 1.3G		None	62	None	Forbidden	Forbidden	B	1E, 5E

	Flue dusts, poisonous, see Arsenical dust													
	Fluoboric acid	8	UN1775	II	CORROSIVE	A6, A7, B2, B15, N3, N34, T15, T27.	154	202	242	1 L	30 L	A		
	Fluoric acid, see Hydrofluoric acid, solution, *etc.*													
	Fluorine, compressed	2.3	UN1045		POISON GAS, OXIDIZER.	1	None	302	None	Forbidden	Forbidden	D	40	
	Fluoroacetic acid	6.1	UN2642	I	POISON		None	211	242	1 kg	15 kg	E		
	Fluoroanilines	6.1	UN2941	III	KEEP AWAY FROM FOOD.	T8	153	203	241	60 L	220 L	A		
	Fluorobenzene	3	UN2387	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B		
	Fluorophosphoric acid anhydrous	8	UN1776	II	CORROSIVE	A6, A7, B2, N3, N34, T9, T27.	None	202	242	1 L	30 L	A		
	Fluorosilicates, n.o.s.	6.1	UN2856	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	26	
	Fluorosilicic acid	8	UN1778	II	CORROSIVE	A6, A7, B2, B15, N3, N34, T12, T27.	None	202	242	1 L	30 L	A		
	Fluorosulfonic acid	8	UN1777	I	CORROSIVE	A3, A6, A7, A10, B6, B10, B41, N3, T9, T27.	None	201	242	0.5 L	2.5 L	D	40	
	Fluorotoluenes	3	UN2388	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	40	
	Forbidden materials. See 173.21	Forbidden												
	Formaldehyde, solutions	9	UN2209	III	None	T1	155	204	240	100 L	220 L	A		
	Formaldehyde, solutions, *flammable*	3	UN1198	III	FLAMMABLE LIQUID	B1, T8	150	203	242	60 L	220 L	A	40	
	Formalin, see Formaldehyde, solutions													
	Formic acid	8	UN1779	II	CORROSIVE	B2, B12, B28, T8.	154	202	242	1 L	30 L	A	40	
	Fracturing devices, explosive, *without detonators for oil wells.*	1.1D	UN0099	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B		
D	Fusee (*railway or highway*)	4.1	NA1325	II	FLAMMABLE SOLID		None	184	None	15 kg	50 kg	B		
	Fuel, aviation, turbine engine	3	UN1863	I	FLAMMABLE LIQUID	T7	150	201	243	1 L	30 L	E		
				II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B		
				III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A		
D	Fuel oil (*No. 1, 2, 4, 5, or 6*)	3	NA1993	III	FLAMMABLE LIQUID	B1	150	203	241	60 L	220 L	A		
	Fulminate of mercury (dry)	Forbidden												
	Fulminate of mercury, wet, see Mercury fulminate, *etc.*													
	Fulminating gold	Forbidden												
	Fulminating mercury	Forbidden												
	Fulminating platinum	Forbidden												
	Fulminating silver	Forbidden												
	Fulminic acid	Forbidden												
	Fumaryl chloride	8	UN1780	II	CORROSIVE	B2, T8, T26	154	202	242	1 L	30 L	C	8, 40	
	Furan	3	UN2389	I	FLAMMABLE LIQUID	T18	None	201	242	1 L	30 L	E	40	
	Furfural	3	UN1199	III	FLAMMABLE LIQUID	B1, T1	150	203	241	60 L	220 L	A		
	Furfuryl alcohol	6.1	UN2874	III	KEEP AWAY FROM FOOD.	T2	153	203	240	60 L	220 L	A	26, 74	
	Furfurylamine	3	UN2526	III	FLAMMABLE LIQUID	B1, T1	150	203	241	60 L	220 L	A	40	
	Fuse, detonating, *metal clad, see* Cord, detonating, *metal clad.*													
	Fuse, detonating, mild effect, *metal clad, see* Cord, detonating, mild effect, *metal clad.*													
	Fuse, igniter *tubular metal clad*	1.4G	UN0103	II	EXPLOSIVE 1.4G		None	62	None	Forbidden	75 kg	A	24E	
	Fuse, instantaneous, non-detonating *or* Quickmatch	1.3G	UN0101	II	EXPLOSIVE 1.3G		None	62	None	Forbidden	Forbidden	B		
	Fuse, safety	1.4S	UN0105	II	EXPLOSIVE 1.4S		None	62	None	25 kg	100 kg	A	9E	
	Fusel oil	3	UN1201	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B		
				III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A		
	Fuses, tracer, see Tracers for ammunition													
	Fuzes, combination, percussion and time, see Fuzes, detonating (*UN 0257, UN 0367*); Fuzes, igniting (UN 0317, UN 0368).													
	Fuzes, detonating	1.1B	UN0106	II	EXPLOSIVE 1.1B		None	62	None	Forbidden	Forbidden	B	2E, 6E	
	Fuzes, detonating	1.2B	UN0107	II	EXPLOSIVE 1.2B		None	62	None	Forbidden	Forbidden	B	2E, 6E	
	Fuzes, detonating	1.4B	UN0257	II	EXPLOSIVE 1.4B	116	None	62	None	Forbidden	75 kg	A	24E	

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Fuzes, detonating	1.4S	UN0367	II	EXPLOSIVE 1.4S	116	None	62	None	25 kg	100 kg	A	9E
	Fuzes, detonating, *with protective features*	1.1D	UN0408	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	
	Fuzes, detonating, *with protective features*	1.2D	UN0409	II	EXPLOSIVE 1.2D		None	62	None	Forbidden	Forbidden	B	
	Fuzes, detonating, *with protective features*	1.4D	UN0410	II	EXPLOSIVE 1.4D	116	None	62	None	Forbidden	75 kg	A	24E
	Fuzes, igniting	1.3G	UN0316	II	EXPLOSIVE 1.3G		None	62	None	Forbidden	Forbidden	B	
	Fuzes, igniting	1.4G	UN0317	II	EXPLOSIVE 1.4G		None	62	None	Forbidden	75 kg	B	
	Fuzes, igniting	1.4S	UN0368	II	EXPLOSIVE 1.4S		None	62	None	25 kg	100 kg	A	9E
	Galactsan trinitrate	Forbidden											
	Gallium	8	UN2803	III	CORROSIVE		None	162	240	20 kg	20 kg	B	48
	Gas drips, *hydrocarbon*	3	UN1864	II	FLAMMABLE LIQUID	T7, T30	150	202	242	5 L	60 L	B	
	Gas generator assemblies (aircraft), *containing a non-flammable non-toxic gas and a propellant cartridge.*	2.2			NONFLAMMABLE GAS.		None	335	None	75 kg	150 kg	A	
D	Gas identification set	2.3	NA9035		POISON GAS	6	None	194	None	Forbidden	Forbidden	D	
	Gas oil	3	UN1202	III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	
D	Gasohol (*gasoline mixed with ethyl alcohol, max. 20% alcohol*)	3	NA1203	II	FLAMMABLE LIQUID		150	202	242	5 L	60 L	F	
	Gasoline	3	UN1203	II	FLAMMABLE LIQUID	B33, T8	150	202	242	5 L	60 L	E	
	Gasoline, casinghead, see Natural gasoline												
	Gelatine, blasting, see Explosive, blasting, type A												
	Gelatine dynamites, see Explosive, blasting, type A												
	Germane	2.3	UN2192		POISON GAS, FLAMMABLE GAS.	1	None	192	245	Forbidden	Forbidden	D	40
	Glycerol-1,3-dinitrate	Forbidden											
	Glycerol gluconate trinitrate	Forbidden											
	Glycerol lactate trinitrate	Forbidden											
	Glycerol alpha-monochlorohydrin	6.1	UN2689	III	KEEP AWAY FROM FOOD.	T2	153	203	241	60 L	220 L	A	
	Glyceryl trinitrate, see Nitroglycerin, *etc.*												
	Glycidaldehyde	3	UN2622	II	FLAMMABLE LIQUID, POISON.	T8	150	202	243	1 L	60 L	A	40
D	Grenades, empty primed	1.4S	NA0349	II	None	None	None	62	None	25 kg	100 kg	A	9E
	Grenades, *hand or rifle, with bursting charge*	1.1D	UN0284	II	EXPLOSIVE 1.1D		63(b)	62	None	Forbidden	Forbidden	B	
	Grenades, *hand or rifle, with bursting charge*	1.2D	UN0285	II	EXPLOSIVE 1.2D		63(b)	62	None	Forbidden	Forbidden	B	
	Grenades, *hand or rifle, with bursting charge*	1.1F	UN0292	II	EXPLOSIVE 1.1F		63(b)	62	None	Forbidden	Forbidden	E	
	Grenades, *hand or rifle, with bursting charge*	1.2F	UN0293	II	EXPLOSIVE 1.2F		63(b)	62	None	Forbidden	Forbidden	E	
	Grenades, illuminating, see Ammunition, illuminating, *etc.*.												
	Grenades practice *Hand or rifle*	1.4G	UN0452	II	EXPLOSIVE 1.4G		63(b)	62	None	Forbidden	75 kg	B	
	Grenades, practice, *hand or rifle*	1.4S	UN0110	II	EXPLOSIVE 1.4S		63(b)	62	None	25 kg	100 kg	A	9E
	Grenades, practice, *hand or rifle*	1.3G	UN0318	II	EXPLOSIVE 1.3G		63(b)	62	None	Forbidden	Forbidden	B	
	Grenades, practice, *hand or rifle*	1.2G	UN0372	II	EXPLOSIVE 1.2G		63(b)	62	None	Forbidden	Forbidden	B	
	Grenades, smoke, see Ammunition, smoke, *etc.*												
	Guanidine nitrate	5.1	UN1467	III	OXIDIZER	A1	152	213	240	25 kg	100 kg	A	73
	Guanyl nitrosaminoguanylidene hydrazine (dry)	Forbidden											
	Guanyl nitrosaminoguanylidene hydrazine, wetted *with not less than 30 per cent water, by mass.*	1.1A	UN0113	II	EXPLOSIVE 1.1A	111, 117	None	62	None	Forbidden	Forbidden	E	2E, 6E
	Guanyl nitrosaminoguanyltetrazene (dry)	Forbidden											
	Guanyl nitrosaminoguanyltetrazene, wetted *or* Tetrazene, wetted *with not less than 30 per cent water or mixture of alcohol and water, by mass.*	1.1A	UN0114	II	EXPLOSIVE 1.1A	111, 117	None	62	None	Forbidden	Forbidden	E	2E, 6E
	Gunpowder, compressed *or* Gunpowder in pellets, *see* Black powder (*UN 0028*).												
	Gunpowder, *granular or as a meal, see* Black powder (*UN 0027*).												

	Hafnium powder, dry	4.2	UN2545	I	SPONTANEOUSLY COMBUSTIBLE.		None	211	242	Forbidden	Forbidden	D		
				II	SPONTANEOUSLY COMBUSTIBLE.	A19, A20, N34	None	212	241	15 kg	50 kg	D		
				III	SPONTANEOUSLY COMBUSTIBLE.		None	213	241	25 kg	100 kg	D		
	Hafnium powder, wetted *with not less than 25 per cent water (a visible excess of water must be present) (a) mechanically produced, particle size less than 53 microns; (b) chemically produced, particle size less than 840 microns.*	4.1	UN1326	II	FLAMMABLE SOLID	A6, A19, A20, N34.	None	212	241	15 kg	50 kg	E		
	Halogenated irritating liquids, n.o.s.	6.1	UN1610	I	POISON	T42	None	201	243	Forbidden	Forbidden	D	40	
				II	POISON	T14	None	202	243	5 L	60 L	D	40	
				III	KEEP AWAY FROM FOOD.	T14	153	202	241	60 L	220 L	D	40	
	Hand signal device, see Signal devices, hand													
	Hazardous substances, liquid or solid, n.o.s., see Environmentally hazardous substances, *etc.*.													
D	Hazardous waste, liquid, n.o.s.	9	NA3082	III	CLASS 9		155	203	241	No limit	No limit	A		
D	Hazardous waste, solid, n.o.s.	9	NA3077	III	CLASS 9	B54	155	213	240	No limit	No limit	A		
	Helium, compressed	2.2	UN1046		NONFLAMMABLE GAS.		306	302	302, 314	75 kg	150 kg	A	85	
	Helium-oxygen mixture, see Rare gases and oxygen mixtures.													
	Helium, refrigerated liquid (*cryogenic liquid*)	2.2	UN1963		NONFLAMMABLE GAS.		320	316	318	50 kg	500 kg	B		
	n-Heptaldehyde	3	UN3056	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A		
	Heptanes	3	UN1206	II	FLAMMABLE LIQUID	T2	150	202	242	5 L	60 L	B		
	n-Heptene	3	UN2278	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B		
	Hexachloroacetone	6.1	UN2661	III	KEEP AWAY FROM FOOD.	T8	153	203	241	60 L	220 L	B	12, 40	
	Hexachlorobenzene	6.1	UN2729	III	KEEP AWAY FROM FOOD.		153	203	241	60 L	220 L	A		
	Hexachlorobutadiene	6.1	UN2279	III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A		
	Hexachlorocyclopentadiene	6.1	UN2646	I	POISON	2, B9, B14, B32, B74, B77, T38, T43, T44.	None	227	244	Forbidden	Forbidden	D	40	
	Hexachlorophene	6.1	UN2875	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A		
	Hexadecyltrichlorosilane	8	UN1781	II	CORROSIVE	A7, B2, B6, N34, T8.	None	202	242	Forbidden	30 L	C	40	
	Hexadienes	3	UN2458	II	FLAMMABLE LIQUID	T7	None	202	242	5 L	60 L	B		
	Hexaethyl tetraphosphate and compressed gas mixtures.	2.3	UN1612		POISON GAS	3	None	334	None	Forbidden	Forbidden	D	40	
	Hexaethyl tetraphosphate *liquid*	6.1	UN1611	I	POISON	A4	None	201	243	1 L	30 L	E	40	
				II	POISON	N76	None	202	243	5 L	60 L	E	40	
				III	KEEP AWAY FROM FOOD.	N77	None	203	241	60 L	220 L	E	40	
	Hexaethyl tetraphosphate, *solid*	6.1	UN1611	I	POISON		None	211	242	Forbidden	15 kg	E	95	
				II	POISON	N76	None	212	242	25 kg	100 kg	E	95	
				III	KEEP AWAY FROM FOOD.	N77	153	213	240	100 kg	200 kg	E	34	
	Hexafluoroacetone	2.3	UN2420		POISON GAS	2, B9, B14	None	304	314, 315	Forbidden	25 kg	D	40	
	Hexafluoroacetone hydrate	6.1	UN2552	II	POISON	T14	None	202	243	5 L	60 L	B	40	
	Hexafluoroethane, *R116*	2.2	UN2193		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A		
	Hexafluorophosphoric acid	8	UN1782	II	CORROSIVE	A6, A7, B2, N3, N34, T9, T27.	None	202	242	1 L	30 L	A		
D	Hexafluoropropylene oxide	2.2	NA1956		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A		
	Hexafluoropropylene, *R1216*	2.2	UN1858		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A		
	Hexaldehyde	3	UN1207	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A		
	Hexamethylene diisocyanate	6.1	UN2281	II	POISON	T14	None	202	243	5 L	60 L	B	13, 40	

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Hexamethylene triperoxide diamine (dry)	Forbidden											
	Hexamethylenediamine, solid	8	UN2280	III	CORROSIVE		154	213	240	25 kg	100 kg	A	12, 48
	Hexamethylenediamine solution	8	UN1783	II	CORROSIVE	T8	None	202	243	1 L	30 L	A	
	Hexamethyleneimine	3	UN2493	II	FLAMMABLE LIQUID, CORROSIVE.	T8	None	202	243	1 L	5 L	B	40
	Hexamethylol benzene hexanitrate	Forbidden											
	Hexamine	4.1	UN1328	III	FLAMMABLE SOLID	A1	151	213	240	25 kg	100 kg	A	
	Hexanes	3	UN1208	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	E	
	2,2',4,4',6,6'-Hexanitro-3,3'-dihydroxyazobenzene (dry).	Forbidden											
	Hexanitroazoxy benzene	Forbidden											
	N,N'-(hexanitrodiphenyl) ethylene dinitramine (dry)	Forbidden											
	Hexanitrodiphenyl urea	Forbidden											
	2,2',3',4,4',6-Hexanitrodiphenylamine	Forbidden											
	Hexanitrodiphenylamine (Dipicrylamine; Hexyl)	1.1D	UN0079	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	2,3',4,4',6,6'-Hexanitrodiphenylether	Forbidden											
	Hexanitroethane	Forbidden											
	Hexanitrooxanilide	Forbidden											
	Hexanitrostilbene	1.1D	UN0392	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Hexanoic acid, see Corrosive liquids, n.o.s.												
	Hexanols	3	UN2282	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Hexatonal, cast	1.1D	UN0393	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	1-Hexene	3	UN2370	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	E	
	Hexogen and cyclotetramethylenetetranitramine mixtures, wetted *or* desensitized *see* RDX and HMX mixtures, wetted *or* desensitized *etc.*.												
	Hexogen and HMX mixtures, wetted *or* desensitized *see* RDX and HMX mixtures, wetted *or* desensitized *etc.*.												
	Hexogen and octogen mixtures, wetted *or* desensitized *see* RDX and HMX mixtures, wetted *or* desensitized *etc.*.												
	Hexogen, *see* Cyclotrimethylenetrinitramine, *etc.*												
	Hexolite, *dry or wetted with less than 15 per cent water, by mass.*	1.1D	UN0118	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Hexyl, *see* Hexanitrodiphenylamine												
	Hexyltrichlorosilane	8	UN1784	II	CORROSIVE	A7, B2, B6, N34, T8, T26.	None	202	242	Forbidden	30 L	C	40
	High explosives, see individual explosives' entries												
	HMX, *see* Cyclotetramethylene-tetranitramine, *etc.*												
	Hydrazine, anhydrous *or* Hydrazine aqueous solutions *with more than 64 per cent hydrazine, by mass.*	3	UN2029	I	FLAMMABLE LIQUID, POISON, CORROSIVE.	A3, A6, A7, A10, B16, B53, T25.	None	201	243	Forbidden	2.5 L	D	21, 40, 42, 100
	Hydrazine azide	Forbidden											
	Hydrazine chlorate	Forbidden											
	Hydrazine dicarbonic acid diazide	Forbidden											
	Hydrazine hydrate *or* Hydrazine aqueous solutions, *with not more than 64 per cent hydrazine, by mass.*	8	UN2030	II	CORROSIVE, POISON.	B16, B53, T15	None	202	243	Forbidden	30 L	D	40, 42, 82
	Hydrazine perchlorate	Forbidden											
	Hydrazine selenate	Forbidden											
	Hydrides, metal, n.o.s.	4.3	UN1409	I	DANGEROUS WHEN WET	A19, N34, N40	None	211	242	Forbidden	15 kg	D	

	Hydriodic acid, anhydrous, see Hydrogen iodide, anhydrous.													
	Hydriodic acid, solution	8	UN1787	II	CORROSIVE	A3, A6, B2, N41, T9, T27.	154	202	242	1 L	30 L	C	8
	Hydrobromic acid, anhydrous, see Hydrogen bromide, anhydrous.													
	Hydrobromic acid solution *more than 49% hydrobromic acid.*	8	UN1788	II	CORROSIVE	B2, B15, N41, T9, T27.	154	202	242	Forbidden	Forbidden	C	8
	Hydrobromic acid solution, *not more than 49% hydrobromic acid.*	8	UN1788	II	CORROSIVE	A3, A6, B2, B15, N41, T9, T27.	154	202	242	1 L	30 L	C	8
	Hydrocarbon gases, compressed, n.o.s. *or* Hydrocarbon gases mixtures, compressed, n.o.s..	2.1	UN1964		FLAMMABLE GAS		306	302	314, 315	Forbidden	150 kg	E	40
	Hydrocarbon gases, liquefied, n.o.s. *or* Hydrocarbon gases mixtures, liquefied, n.o.s..	2.1	UN1965		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	E	40
	Hydrochloric acid, anhydrous, see Hydrogen chloride, anhydrous.													
	Hydrochloric acid, solution	8	UN1789	II	CORROSIVE	A3, A6, B2, B15, N41, T9, T27.	154	202	242	1 L	30 L	C	8
	Hydrocyanic acid, anhydrous, see Hydrogen cyanide *etc.*.													
D	Hydrocyanic acid, aqueous solutions *less than 5% HCN.*	6.1	NA1613	II	POISON	B12, T18, T26	None	195	243	Forbidden	5 L	D	40
	Hydrocyanic acid, aqueous solutions *not more than 20% hydrocyanic acid.*	6.1	UN1613	I	POISON	2, B12, B61, B65, B77, B82.	None	195	244	Forbidden	Forbidden	D	40
	Hydrocyanic acid, liquefied, see Hydrogen cyanide, *etc.*.													
	Hydrocyanic acid (prussic), unstabilized	Forbidden												
	Hydrofluoric acid and Sulfuric acid mixtures	8	UN1786	I	CORROSIVE, POISON.	A6, A7, B15, B23, N5, N34, T18, T27.	None	201	243	Forbidden	2.5 L	D	40, 95
	Hydrofluoric acid, anhydrous, see Hydrogen fluoride, anhydrous.													
	Hydrofluoric acid, solution, *more than 60 per cent strength.*	8	UN1790	I	CORROSIVE, POISON.	A6, A7, B4, B12, B15, B23, N5, N34, T18, T27.	None	201	243	0.5 L	2.5 L	D	12, 40, 48, 95
	Hydrofluoric acid, solution, *not more than 60 per cent strength.*	8	UN1790	II	CORROSIVE, POISON.	A6, A7, B12, B15, N5, N34, T18, T27.	None	202	243	1 L	30 L	D	12, 40, 48, 95
	Hydrofluoroboric acid, see Fluoboric acid													
	Hydrofluorosilicic acid, see Fluorosilicic acid													
	Hydrogen and Methane mixtures, compressed	2.1	UN2034		FLAMMABLE GAS		306	302	302, 314, 315	Forbidden	150 kg	E	40
	Hydrogen bromide, anhydrous	2.3	UN1048		POISON GAS, CORROSIVE.	3, B14	None	304	314, 315	Forbidden	25 kg	D	40
	Hydrogen chloride, anhydrous	2.3	UN1050		POISON GAS, CORROSIVE.	3	None	304	None	Forbidden	Forbidden	D	40
	Hydrogen chloride, refrigerated liquid	2.3	UN2186		POISON GAS, CORROSIVE.	3, B6, B43	None	None	314, 315	Forbidden	Forbidden	B	40
	Hydrogen, compressed	2.1	UN1049		FLAMMABLE GAS		306	302	302, 314	Forbidden	150 kg	E	40, 57
	Hydrogen cyanide, anhydrous, stabilized	6.1	UN1051	I	POISON, FLAMMABLE LIQUID.	1, B12, B61, B65, B77, B82.	None	195	244	Forbidden	Forbidden	D	40
	Hydrogen cyanide, anhydrous, stabilized, *absorbed in a porous inert material.*	6.1	UN1614	I	POISON	5	None	195	None	Forbidden	Forbidden	D	25, 40
	Hydrogen fluoride, anhydrous	8	UN1052	I	CORROSIVE, POISON.	3, B7, B12, B46, B71, B77, T24, T27.	None	163	243	Forbidden	Forbidden	D	40, 95
	Hydrogen iodide, anhydrous	2.2	UN2197		NONFLAMMABLE GAS, CORROSIVE.		306	304	314, 315	Forbidden	Forbidden	D	40
	Hydrogen iodide solution, see Hydriodic acid, solution.													

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Hydrogen peroxide and peroxyacetic acid mixtures, *with acids, water and not more than 5 per cent peroxyacetic acid, stabilized.*	5.1	UN3149	II	OXIDIZER, CORROSIVE.	A2, A3, A6, B12, B53, T14.	None	202	243	1 L	5 L	D	25, 66, 75, 106
	Hydrogen peroxide, aqueous solutions *with more than 40 per cent but not more than 60 per cent hydrogen peroxide (stabilized as necessary).*	5.1	UN2014	II	OXIDIZER, CORROSIVE.	12, A3, A6, B12, BB53, B80, B81, B85, T14, T37.	None	202	243	Forbidden	Forbidden	D	25, 66, 75, 106
	Hydrogen peroxide, aqueous solutions *with not less than 8 per cent but less than 20 per cent hydrogen peroxide (stabilized as necessary).*	5.1	UN2984	III	OXIDIZER	17, A1, T8, T37	152	203	241	2.5 L	30 L	B	25, 75, 106
	Hydrogen peroxide, aqueous solutions *with not less than 20 per cent but not more than 40 per cent hydrogen peroxide (stabilized as necessary).*	5.1	UN2014	II	OXIDIZER, CORROSIVE.	A2, A3, A6, B12, B53, T14, T37.	None	202	243	1 L	5 L	D	25, 66, 75, 106
	Hydrogen peroxide, stabilized *or* Hydrogen peroxide aqueous solutions, stabilized *with more than 60 per cent hydrogen peroxide.*	5.1	UN2015	I	OXIDIZER, CORROSIVE.	12, A3, A6, B12, B53, B80, B81, B85, T15, T37.	None	201	243	Forbidden	Forbidden	D	25, 66, 75, 106
	Hydrogen, refrigerated liquid (*cryogenic liquid*)	2.1	UN1966		FLAMMABLE GAS		None	316	318, 319	Forbidden	Forbidden	D	40
	Hydrogen selenide, anhydrous	2.3	UN2202		POISON GAS, FLAMMABLE GAS.	1	None	192	245	Forbidden	Forbidden	D	40
	Hydrogen sulfate, see Sulfuric acid												
	Hydrogen sulfide, liquefied	2.3	UN1053		POISON GAS, FLAMMABLE GAS.	2, B9, B14	None	304	314, 315	Forbidden	Forbidden	D	40
	Hydroquinone, liquid	6.1	UN2662	III	KEEP AWAY FROM FOOD.	T8	153	213	240	100 kg	200 kg	A	
	Hydroquinone, solid	6.1	UN2662	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	AA	
	Hydrosilicofluoric acid, see Fluorosilicic acid												
	3-(2-Hydroxyethoxy)-4-pyrrolidin-1-ylbenzenediazonium zinc chloride.	4.1	UN3035	II	FLAMMABLE SOLID		None	224	240	Forbidden	Forbidden	D	2
	Hydroxyl amine iodide	Forbidden											
AW	Hydroxylamine sulfate	8	UN2865	III	CORROSIVE		154	213	240	25 kg	100 kg	A	
	Hypochlorite solutions *with more than 5 per cent but less than 16 per cent available chlorine.*	8	UN1791	III	CORROSIVE	N34, T7	154	203	241	5 L	60 L	B	26
	Hypochlorite solutions *with 16 per cent or more available chlorine.*	8	UN1791	II	CORROSIVE	A7, B2, B15, N34, T7.	154	202	242	1 L	30 L	B	26
	Hyponitrous acid	Forbidden											
	Igniter fuse, metal clad, see Fuse, igniter, tubular, metal clad.												
	Igniters	1.1G	UN0121	II	EXPLOSIVE 1.1G		None	62	None	Forbidden	Forbidden	B	
	Igniters	1.2G	UN0314	II	EXPLOSIVE 1.2G		None	62	None	Forbidden	Forbidden	B	
	Igniters	1.3G	UN0315	II	EXPLOSIVE 1.3G		None	62	None	Forbidden	Forbidden	A	
	Igniters	1.4G	UN0325	II	EXPLOSIVE 1.4G		None	62	None	Forbidden	75 kg	A	24E
	Igniters	1.4S	UN0454	II	EXPLOSIVE 1.4S		None	62	None	25 kg	100 kg	A	9E
	3,3'-Iminodipropylamine	8	UN2269	III	CORROSIVE	T8	154	203	241	5 L	60 L	A	
	Infectious substances, affecting animals *only*	6.2	UN2900		INFECTIOUS SUBSTANCE.		196	196	None	50 mL or 50 g.	4 L or 4 kg.	B	
	Infectious substances, affecting humans	6.2	UN2814		INFECTIOUS SUBSTANCE.		196	196	None	50 mL or 50 g.	4 L or 4 kg.	B	
	Inflammable, see Flammable												
	Initiating explosives (dry)	Forbidden											
	Ink, *printer's, flammable*	3	UN1210	II	FLAMMABLE LIQUID	T7, T30,	150	173	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	173	242	60 L	220 L	A	

	Inositol hexanitrate (dry)	Forbidden											
	Insecticide gases *flammable* n.o.s.	2.1	UN1968		FLAMMABLE GAS		306	304	314, 315	75 kg	150 kg	D	40
	Insecticide gases, n.o.s.	2.2	UN1968		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A	105
	Insecticide gases, toxic, n.o.s.	2.3	UN1967		POISON GAS	3	None	193, 334	245	Forbidden	Forbidden	D	40
	Inulin trinitrate (dry)	Forbidden											
	Iodine azide (dry)	Forbidden											
	Iodine monochloride	8	UN1792	II	CORROSIVE	B6, N41, T8, T26.	None	202	242	Forbidden	50 kg	D	40, 66, 74, 89, 90
	Iodine pentafluoride	5.1	UN2495	I	OXIDIZER, POISON		None	205	243	Forbidden	2.5 L	D	25, 40, 66, 90
	2-Iodobutane	3	UN2390	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Iodomethylpropanes	3	UN2391	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Iodopropanes	3	UN2392	III	FLAMMABLE LIQUID	B1, T8	150	203	241	60 L	220 L	A	
	Iodoxy compounds (dry)	Forbidden											
	Iridium nitratopentamine iridium nitrate	Forbidden											
	Iron chloride, see Ferric chloride												
	Iron oxide, spent, *or* Iron sponge, spent *obtained from coal gas purification.*	4.2	UN1376	III	SPONTANEOUSLY COMBUSTIBLE.	B18	None	213	240	Forbidden	Forbidden	E	
	Iron pentacarbonyl	6.1	UN1994	I	POISON, FLAMMABLE LIQUID.	1, B9, B14, B30, B72, B77, T38, T43, T44.	None	192	244	Forbidden	Forbidden	D	40
	Iron sesquichloride, see Ferric chloride												
	Irritating material, see Tear gas substances, *etc.*												
	Isobutane *or* Isobutane mixtures	2.1	UN1969		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	E	40
	Isobutanol *or* isobutyl alcohol	3	UN1212	III	FLAMMABLE LIQUID	B1, T1	150	203	241	60 L	220 L	A	
	Isobutyl acetate	3	UN1213	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	Isobutyl acrylate	3	UN2527	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Isobutyl alcohol, *see* Isobutanol												
	Isobutyl aldehyde, *see* Isobutyraldehyde												
D	Isobutyl chloroformate	6.1	NA2742	I	POISON, FLAMMABLE LIQUID, CORROSIVE.	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	1 L	30 L	A	12, 13, 22, 25, 40, 48, 100
	Isobutyl formate	3	UN2393	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	Isobutyl isobutyrate	3	UN2528	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
+	Isobutyl isocyanate	3	UN2486	II	FLAMMABLE LIQUID, POISON.	1, B9, B14, B30, B72, T38, T43, T44.	None	226	244	1 L	60 L	D	40
	Isobutyl methacrylate	3	UN2283	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Isobutyl propionate	3	UN2394	III	FLAMMABLE LIQUID	T1	150	203	242	60 L	220 L	B	
	Isobutylamine	3	UN1214	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	40
	Isobutylene *see also* Petroleum gases, liquefied	2.1	UN1055		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	E	40
	Isobutyraldehyde *or* isobutyl aldehyde	3	UN2045	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	E	40
	Isobutyric acid	3	UN2529	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Isobutyric anhydride	3	UN2530	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Isobutyronitrile	3	UN2284	II	FLAMMABLE LIQUID, POISON.	T17	None	202	243	1 L	60 L	E	40
	Isobutyryl chloride	3	UN2395	II	FLAMMABLE LIQUID, CORROSIVE.	T9, T26	None	202	243	1 L	5 L	C	40
	Isocyanates, liquid *or* solid, n.o.s. *or* Isocyanate solutions, n.o.s. *boiling point not less than 300 degrees C.*	6.1	UN2207	III	KEEP AWAY FROM FOOD.		153	203	241	60 L	220 L	A	48
	Isocyanates, n.o.s. *or* Isocyanate solutions, n.o.s., *flash point more than 61 degrees C and boiling point less than 300 degrees C.*	6.1	UN2206	II	POISON	T15	None	202	243	5 L	60 L	D	25, 40, 48
	Isocyanates, n.o.s. *or* Isocyanate solutions, n.o.s., *flash point not less than 23 degrees C but not more than 61 degrees C and boiling point less than 300 degrees C.*	6.1	UN3080	II	POISON, FLAMMABLE LIQUID.	T15	None	202	243	5 L	60 L	D	25, 40, 48

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
.....	Isocyanates, n.o.s. *or* Isocyanate solutions, n.o.s. (flashpoint less than 23 degrees C).	3	UN2478	II	FLAMMABLE LIQUID, POISON.	5, A3, A7	None	202	243	1 L	60 L	D	40
.....	Isocyanatobenzotrifluondes	6.1	UN2285	II	POISON	5, T14	None	202	243	5 L	60 L	B	25, 40, 48
.....	Isoheptenes	3	UN2287	II	FLAMMABLE LIQUID	T7	150	202	242	5 L	60 L	B	
.....	Isohexenes	3	UN2288	II	FLAMMABLE LIQUID	T7	150	202	242	5 L	60 L	E	
.....	*Isooctane, see* Octanes												
.....	Isooctenes	3	UN1216	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
.....	Isopentane, *see* n-Pentane												
.....	*Isopentanoic acid, see* Corrosive liquids, n.o.s.												
.....	Isopentenes	3	UN2371	I	FLAMMABLE LIQUID	T20	150	201	243	1 L	30 L	E	
.....	Isophorone diisocyanate	6.1	UN2290	III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	B	40
AW	Isophoronediamine	8	UN2289	III	CORROSIVE	T8	154	203	241	5 L	60 L	A	8
.....	Isoprene, inhibited	3	UN1218	I	FLAMMABLE LIQUID	T20	150	201	243	1 L	30 L	E	
.....	Isopropanol *or* Isopropyl alcohol	3	UN1219	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
.....	Isopropenyl acetate	3	UN2403	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
.....	Isopropenylbenzene	3	UN2303	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
.....	Isopropyl acetate	3	UN1220	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
.....	Isopropyl acid phosphate	8	UN1793	III	CORROSIVE	T7	154	213	240	25 kg	100 kg	A	
.....	Isopropyl alcohol, *see* Isopropanol												
.....	Isopropyl butyrate	3	UN2405	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
.....	Isopropyl chloroacetate	3	UN2947	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
+	Isopropyl chloroformate	3	UN2407	I	FLAMMABLE LIQUID, CORROSIVE, POISON.	2, B9, B14, B32, B74, B77, T38, T43, T45.	None	227	244	Forbidden	Forbidden	B	40
.....	Isopropyl-2-chloropropionate	3	UN2934	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
.....	Isopropyl isobutyrate	3	UN2406	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
+	Isopropyl isocyanate	3	UN2483	I	FLAMMABLE LIQUID, POISON.	1, B9, B14, B30, B72, T38, T43, T44.	None	226	244	Forbidden	30 L	D	40
.....	*Isopropyl mercaptan, see* Propanethiols												
.....	Isopropyl nitrate	3	UN1222	II	FLAMMABLE LIQUID	T25	150	202	None	5 L	60 L	D	
.....	*Isopropyl phosphoric acid, see* Isopropyl acid phosphate.												
.....	Isopropyl propionate	3	UN2409	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
.....	Isopropylamine	3	UN1221	I	FLAMMABLE LIQUID	T20	None	201	243	1 L	30 L	E	
.....	Isopropylbenzene	3	UN1918	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
.....	*Isopropylcumyl hydroperoxide, more than 72 per cent in solution.*	Forbidden											
.....	Isosorbide dinitrate mixture *with not less than 60 per cent lactose, mannose, starch or calcium hydrogen phosphate.*	4.1	UN2907	II	FLAMMABLE SOLID		None	212	None	15 kg	50 kg	E	
.....	*Isothiocyanic acid*	Forbidden											
.....	*Jet fuel, see* Fuel aviation, turbine engine												
.....	Jet perforating guns, charged *oil well, without detonator.*	1.1D	UN0124	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	
D	Jet perforating guns, charged *oil well, without detonator.*	1.4D	NA0124	II	EXPLOSIVE 1.4D	114	None	62	None	Forbidden	Forbidden	A	24E
.....	*Jet perforators, see* Charges, shaped, commercial *etc.*.												
.....	*Jet tappers, without detonator, see* Charges, shaped commercial, *etc.*.												

	Jet thrust igniters, for rocket motors or Jato, see igniters.															
	Jet thrust unit (Jato), see Rocket motors															
	Kerosene	3	UN1223	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A				
	Ketones, liquid, n.o.s.	3	UN1224	I	FLAMMABLE LIQUID	T8, T31	None	201	243	1 L	30 L	E				
				II	FLAMMABLE LIQUID	T8, T31	150	202	242	5 L	60 L	B				
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A				
	Krypton, compressed	2.2	UN1056		NONFLAMMABLE GAS.		306	302	None	75 kg	150 kg	A				
	Krypton, refrigerated liquid (*cryogenic liquid*)	2.2	UN1970		NONFLAMMABLE GAS.		320	None	None	50 kg	500 kg	B				
	Lacquer base or lacquer chips, nitrocellulose, dry, see Nitrocellulose, *etc.* (*UN 2557*).															
	Lacquer base or lacquer chips, plastic, wet with alcohol or solvent, see Nitrocellulose (*UN 2059, UN 2060, UN 2555, UN2556*) *or* Paint *etc.* (*UN1263*).															
	Lead acetate	6.1	UN1616	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A				
	Lead arsenates	6.1	UN1617	II	POISON		None	212	242	25 kg	100 kg	A				
	Lead arsenites	6.1	UN1618	II	POISON		None	212	242	25 kg	100 kg	A				
	Lead azide (*dry*)	Forbidden														
	Lead azide, wetted *with not less than 20 per cent water or mixture of alcohol and water, by mass.*	1.1A	UN0129	II	EXPLOSIVE 1.1A	111, 117	None	62	None	Forbidden	Forbidden	E	2E, 6E			
	Lead compounds, soluble, n.o.s.	6.1	UN2291	II	POISON		153	213	240	100 kg	200 kg	A				
	Lead cyanide	6.1	UN1620	II	POISON		None	212	242	25 kg	100 kg	A	26			
	Lead dioxide	5.1	UN1872	III	OXIDIZER	A1	152	213	240	25 kg	100 kg	A	34			
	Lead dross, see Lead sulphate, *with more than 3% free acid.*															
D	Lead mononitroresorcinate	1.1A	NA0473	II	EXPLOSIVE 1.1A	111, 117	None	62	None	Forbidden	Forbidden	E	2E, 6E			
	Lead nitrate	5.1	UN1469	II	OXIDIZER, POISON		None	212	242	5 kg	25 kg	A				
	Lead nitroresorcinate (*dry*)	Forbidden														
	Lead perchlorate, solid *or* solution	5.1	UN1470	II	OXIDIZER, POISON	T8	None	212	242	5 kg	25 kg	A	56, 58, 106			
	Lead peroxide, see Lead dioxide															
	Lead phosphite, dibasic	4.1	UN2989	II	FLAMMABLE SOLID		None	212	240	5 kg	25 kg	B	34			
				III	FLAMMABLE SOLID		151	213	240	15 kg	50 kg	B	34			
	Lead picrate (*dry*)	Forbidden														
	Lead styphnate (*dry*)	Forbidden														
	Lead styphnate, wetted *or* Lead trinitroresorcinate, wetted *with not less than 20 per cent water or mixture of alcohol and water, by mass.*	1.1A	UN0130	II	EXPLOSIVE 1.1A	111, 117	None	62	None	Forbidden	Forbidden	E	2E, 6E			
	Lead sulfate *with more than 3 per cent free acid*	8	UN1794	II	CORROSIVE		154	212	240	15 kg	50 kg	A				
	Lead trinitroresorcinate, *see* Lead styphnate, *etc.*															
	Life-saving appliances, not self inflating *containing dangerous goods as equipment.*	9	UN3072		None		None	219	None	No limit	No limit	A	120			
	Life-saving appliances, self inflating	9	UN2990		None		None	219	None	No limit	No limit	A	120			
	Lighter replacement cartridges containing liquefied petroleum gases (*and similar devices, each not exceeding 65 grams*), *see* Lighters for cigars, cigarettes, *etc. with flammable gas.*															
D	Lighters for cigars, cigarettes, *etc., with lighter fluids.*	3	NA1226	II	FLAMMABLE LIQUID	N10	None	21	None	Forbidden	Forbidden	B				
	Lighters, fuse	1.4S	UN0131	II	EXPLOSIVE 1.4S		None	62	None	25 kg	100 kg	A	9E			
	Lighters *or* Lighter refills (cigarettes) containing flammable gas.	2.1	UN1057		FLAMMABLE GAS	N10	None	21, 308	None	1 kg	15 kg	B	40			
	Lime, unslaked, see Calcium oxide															
	Liquefied gases, *non-flammable charged with nitrogen, carbon dioxide or air.*	2.2	UN1058		NONFLAMMABLE GAS.		306	304	None	75 kg	150 kg	A				
	Liquefied hydrocarbon gas, see Hydrocarbon gases, liquefied, n.o.s., *etc.*.															
	Liquefied natural gas, see Methane, *etc.* (*UN 1972*)															
	Liquefied petroleum gas *see* Petroleum gases, liquefied.															
	Lithium	4.3	UN1415	II	DANGEROUS WHEN WET	A7, A19, N45	None	212	244	Forbidden	50 kg	E				

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Lithium acetylide ethylenediamine complex, see Substances which in contact with water emit flammable gases.												
	Lithium alkyls	4.2	UN2445	I	SPONTANEOUSLY COMBUSTIBLE.	B11, T28, T40	None	181	244	Forbidden	Forbidden	D	
	Lithium aluminum hydride	4.3	UN1410	I	DANGEROUS WHEN WET.	A19, N40	None	211	242	Forbidden	15 kg	E	
	Lithium aluminum hydride, ethereal	4.3	UN1411	I	DANGEROUS WHEN WET, FLAMMABLE LIQUID.	A2, A3, A11, N34.	None	201	244	Forbidden	1 L	D	40
	Lithium batteries, contained in equipment	9	UN3091	II	CLASS 9	18, A12	None	185	None	See A12	See A12	A	
	Lithium battery, liquid cathode	9	UN3090	II	CLASS 9	A12	None	185	None	See A12	0.5 kg	A	
	Lithium battery, solid cathode	9	UN3090	II	CLASS 9	A12	None	185	None	See A12	0.5 kg	A	
	Lithium borohydride	4.3	UN1413	I	DANGEROUS WHEN WET.	A19, N40	None	211	242	Forbidden	15 kg	E	
	Lithium ferrosilicon	4.3	UN2830	II	DANGEROUS WHEN WET.	A19	None	212	241	15 kg	50 kg	E	40, 85, 103
	Lithium hydride	4.3	UN1414	I	DANGEROUS WHEN WET.	A19, N40	None	211	242	Forbidden	15 kg	E	
	Lithium hydride, fused solid	4.3	UN2805	II	DANGEROUS WHEN WET.	A8, A19, A20	None	212	241	15 kg	50 kg	E	
	Lithium hydroxide, monohydrate *or* Lithium hydroxide, solid.	8	UN2680	II	CORROSIVE		154	212	240	15 kg	50 kg	A	
	Lithium hydroxide, solution	8	UN2679	II	CORROSIVE	B2, T8	154	202	242	1 L	30 L	A	96
	Lithium hypochlorite, dry *or* Lithium hypochlorite mixtures, dry.	5.1	UN1471	II	OXIDIZER	A9, N34	152	212	240	5 kg	25 kg	A	13, 48, 56, 58, 69, 106, 116
	Lithium in cartridges, see Lithium												
	Lithium nitrate	5.1	UN2722	III	OXIDIZER	A1	152	213	240	25 kg	100 kg	A	
	Lithium nitride	4.3	UN2806	I	DANGEROUS WHEN WET.	A19, N40	None	211	242	Forbidden	15 kg	E	
	Lithium peroxide	5.1	UN1472	II	OXIDIZER	A9, N34	152	212	None	5 kg	25 kg	A	13, 75, 106
	Lithium silicon	4.3	UN1417	II	DANGEROUS WHEN WET.	A19, A20	None	212	241	15 kg	50 kg	A	85, 103
	LNG, see Methane *etc. (UN 1972)*												
	London Purple	6.1	UN1621	II	POISON		None	212	242	25 kg	100 kg	A	
	LPG, see Petroleum gases, liquefied												
	Lye, see Sodium hydroxide, solutions												
	Magnesium alkyls	4.2	UN3053	I	SPONTANEOUSLY COMBUSTIBLE.	B11, T28, T29, T40.	None	181	244	Forbidden	Forbidden	D	18
	Magnesium aluminum phosphide	4.3	UN1419	I	DANGEROUS WHEN WET, POISON.	A19, N34, N40	None	211	242	Forbidden	15 kg	E	40, 85
+	Magnesium arsenate	6.1	UN1622	II	POISON		None	212	242	25 kg	100 kg	A	
	Magnesium bisulfite solution, *see* Bisulfites, inorganic aqueous solutions, n.o.s..												
	Magnesium bromate	5.1	UN1473	II	OXIDIZER	A1	152	212	242	5 kg	25 kg	A	56, 58, 106
	Magnesium chlorate	5.1	UN2723	II	OXIDIZER		152	212	242	5 kg	25 kg	A	56, 58, 106
	Magnesium diamide	4.2	UN2004	II	SPONTANEOUSLY COMBUSTIBLE.	A8, A19, A20	None	212	241	15 kg	50 kg	C	

	Magnesium diphenyl	4.2	UN2005	I	SPONTANEOUSLY COMBUSTIBLE.		None	187	244	Forbidden	Forbidden	C	
	Magnesium dross, wet or hot	Forbidden											
	Magnesium fluorosilicate	6.1	UN2853	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	26
	Magnesium granules, coated *particle size not less than 149 microns.*	4.3	UN2950	III	DANGEROUS WHEN WET.	A1, A19	None	213	240	25 kg	100 kg	A	
	Magnesium hydride	4.3	UN2010	I	DANGEROUS WHEN WET.	A19, N40	None	211	242	Forbidden	15 kg	E	
	Magnesium *or* Magnesium alloys *with more than 50 per cent magnesium in pellets, turnings or ribbons.*	4.1	UN1869	III	FLAMMABLE SOLID	A1	151	213	240	25 kg	100 kg	A	39
	Magnesium nitrate	5.1	UN1474	III	OXIDIZER	A1, T2	152	213	240	25 kg	100 kg	A	
	Magnesium perchlorate	5.1	UN1475	II	OXIDIZER	T8	152	212	242	5 kg	25 kg	A	56, 58, 106
	Magnesium peroxide	5.1	UN1476	II	OXIDIZER		152	212	242	5 kg	25 kg	A	13, 75, 106
	Magnesium phosphide	4.3	UN2011	I	DANGEROUS WHEN WET, POISON.	A19, N40	None	211	None	Forbidden	15 kg	E	40, 85
	Magnesium, powder *or* Magnesium alloys, powder	4.3	UN1418	II	DANGEROUS WHEN WET, SPONTANEOUSLY COMBUSTIBLE.	A19, B56	None	212	241	15 kg	50 kg	A	39
	Magnesium scrap, see Magnesium, *etc. (UN 1869)*												
	Magnesium silicide	4.3	UN2624	II	DANGEROUS WHEN WET.	A19, A20	None	212	241	15 kg	50 kg	B	85, 103
	Magnetized material, see section 173.21												
D	Maleic acid	8	NA2215	III	CORROSIVE		154	213	240	25 kg	100 kg	A	
	Maleic anhydride	8	UN2215	III	CORROSIVE	T7	154	213	240	25 kg	100 kg	A	
	Malononitrile	6.1	UN2647	II	POISON		None	212	242	25 kg	100 kg	A	12
	Maneb *or* Maneb preparations *with not less than 60 per cent maneb.*	4.2	UN2210	III	SPONTANEOUSLY COMBUSTIBLE, DANGEROUS WHEN WET.	A1, A19	None	213	242	25 kg	100 kg	A	34
	Maneb stabilized *or* Maneb preparations, stabilized *against self-heating.*	4.3	UN2968	III	DANGEROUS WHEN WET.	A1, A19	None	213	242	25 kg	100 kg	B	34
	Manganese nitrate	5.1	UN2724	III	OXIDIZER	A1	152	213	240	25 kg	100 kg	A	
	Manganese resinate	4.1	UN1330	III	FLAMMABLE SOLID	A1	151	213	240	25 kg	100 kg	A	
	Mannitan tetranitrate	Forbidden											
	Mannitol hexanitrate (dry)	Forbidden											
D	Mannitol hexanitrate (Nitromannite), wetted *with not less than 40 percent water, by mass or mixture of alcohol and water*	1.1A	NA0133	II	EXPLOSIVE 1.1A	111	None	62	None	Forbidden	Forbidden	E	1E, 5E
	Matches, block, see Matches, 'strike anywhere'												
	Matches, fusee	4.1	UN2254	III	FLAMMABLE SOLID		186	186	None	Forbidden	Forbidden	A	
	Matches, safety (*book, card or strike on box*)	4.1	UN1944	III	FLAMMABLE SOLID		186	186	None	25 kg	100 kg	A	
	Matches, strike anywhere	4.1	UN1331	III	FLAMMABLE SOLID		186	186	None	Forbidden	Forbidden	B	
	Matches, wax, Vesta	4.1	UN1945	III	FLAMMABLE SOLID		186	186	None	25 kg	100 kg	B	
	Matting acid, see Sulfuric acid												
D	Medicines, *corrosive, liquid,* n.o.s.	8	NA1760	II	CORROSIVE	B3	154	202	242	1 L	30 L	B	40
				III	CORROSIVE		154	203	241	5 L	60 L	A	40
D	Medicines, *corrosive, solid,* n.o.s.	8	NA1759	II	CORROSIVE		154	212	240	15 kg	50 kg	A	
				III	CORROSIVE		154	213	240	25 kg	100 kg	A	
D	Medicines, *flammable, liquid,* n.o.s.	3	NA1993	I	FLAMMABLE LIQUID		150	201	243	1 L	30 L	E	
				II	FLAMMABLE LIQUID		150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1	150	203	242	60 L	220 L	A	
D	Medicines, *flammable, solid,* n.o.s.	4.1	NA1325	II	FLAMMABLE SOLID		151	212	240	15 kg	50 kg	B	
D	Medicines, *oxidizing substance, solid,* n.o.s.	5.1	NA1479	II	OXIDIZER		152	212	242	5 kg	25 kg	B	56, 58, 69, 106
D	Medicines, *poisonous, liquid,* n.o.s.	6.1	NA2810	I	POISON		153	201	243	1 L	30 L	B	40
				II	POISON		153	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.		153	203	241	60 L	220 L	A	40
D	Medicines, *poisonous, solid,* n.o.s.	6.1	NA2811	I	POISON		153	211	242	5 kg	50 kg	B	
				II	POISON		153	212	242	25 kg	100 kg	B	

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173 ***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Memtetrahydrophthalic anhydride, see Corrosive liquids, n.o.s..												
	Mercaptans, liquid, n.o.s. *or* Mercaptan mixtures, liquid, n.o.s..	3	UN1228	II	FLAMMABLE LIQUID, POISON.	T14	None	202	243	Forbidden	60 L	B	40, 95, 102
	Mercaptans, liquid n.o.s. *or* Mercaptan mixtures, liquid, n.o.s., *flash point not less than 23 degrees C.*	6.1	UN3071	II	POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	C	40, 121
	5-Mercaptotetrazol-1-acetic acidd	1.4C	UN0448	II	EXPLOSIVE 1.4C		None	62	None	Forbidden	75 kg	E	1E, 5E
	Mercuric arsenate	6.1	UN1623	II	POISON		None	212	242	25 kg	100 kg	A	
	Mercuric chloride	6.1	UN1624	II	POISON		None	212	242	25 kg	100 kg	A	
	Mercuric compounds, see Mercury compounds, *etc.*												
	Mercuric nitrate	6.1	UN1625	II	POISON	N73	None	212	242	25 kg	100 kg	A	
+	Mercuric potassium cyanide	6.1	UN1626	I	POISON	N74, N75	None	211	242	5 kg	50 kg	A	26
	Mercuric sulfocyanate, see Mercury thiocyanate												
	Mercurol, see Mercury nucleate												
	Mercurous azide	Forbidden											
	Mercurous compounds, see Mercury compounds, *etc.*.												
	Mercurous nitrate	6.1	UN1627	II	POISON		None	212	242	25 kg	100 kg	A	
A, W	Mercury	8	UN2809	III	CORROSIVE		164	164	240	35 kg	35 kg	B	40, 97
	Mercury acetate	6.1	UN1629	II	POISON		None	212	242	25 kg	100 kg	A	
	Mercury acetylide	Forbidden											
	Mercury ammonium chloride	6.1	UN1630	II	POISON		None	212	242	25 kg	100 kg	A	
	Mercury based pesticides, liquid, flammable, toxic, n.o.s. *flash point less than 23deg C.*	3	UN2778	I	FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	B	40
				II	FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	B	40
	Mercury based pesticides, liquid, toxic, flammable, n.o.s. *flashpoint not less than 23 degrees C.*	6.1	UN3011	I	POISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	B	40
				II	POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.	T14	153	202	241	60 L	220 L	A	40
	Mercury based pesticides, liquid, toxic, n.o.s.	6.1	UN3012	I	POISON	T42	None	201	243	1 L	30 L	B	40
				II	POISON	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	A	40
	Mercury based pesticides, solid, toxic, n.o.s.	6.1	UN2777	I	POISON		None	211	242	5 kg	50 kg	A	40
				II	POSION		None	212	242	25 kg	100 kg	A	40
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	40
	Mercury benzoate	6.1	UN1631	II	POISON		None	212	242	25 kg	100 kg	A	
	Mercury bromides	6.1	UN1634	II	POISON		None	212	242	25 kg	100 kg	A	
	Mercury compounds, liquid, n.o.s.	6.1	UN2024	I	POISON		None	201	243	1 L	30 L	B	40
				II	POISON		None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.		153	203	241	60 L	220 L	B	40
	Mercury compounds, solid, n.o.s.	6.1	UN2025	I	POISON		None	211	242	5 kg	50 kg	A	
				II	POISON		None	212	242	25 kg	100 kg	A	
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
A	Mercury *contained in manufactured articles*	8	UN2809	I	CORROSIVE		None	164	None	No limit	No limit	B	40
	Mercury cyanide	6.1	UN1636	II	POISON	N74, N75	None	212	242	25 kg	100 kg	A	26

	Mercury fulminate, wetted *with not less than 20 per cent water, or mixture of alcohol and water, by mass.*	1.1A	UN0135	II	EXPLOSIVE 1.1A	111, 117	None	62	None	Forbidden	Forbidden	E	2E, 6E
	Mercury gluconate	6.1	UN1637	II	POISON		None	212	242	25 kg	100 kg	A	
	Mercury iodide	6.1	UN1638	II	POISON		None	212	242	25 kg	100 kg	A	
	Mercury iodide aquabasic ammonobasic (Iodide of Millon's base).	Forbidden											
	Mercury iodide, *solution*	6.1	UN1638	II	POISON		None	202	243	5 L	60 L	A	
	Mercury nitride	Forbidden											
	Mercury nucleate	6.1	UN1639	II	POISON		None	212	242	25 kg	100 kg	A	
	Mercury oleate	6.1	UN1640	II	POISON		None	212	242	25 kg	100 kg	A	
	Mercury oxide	6.1	UN1641	II	POISON		None	212	242	25 kg	100 kg	A	
	Mercury oxycyanide	Forbidden											
	Mercury oxycyanide, desensitized	6.1	UN1642	II	POISON		None	212	242	25 kg	100 kg	A	26, 91
	Mercury potassium iodide	6.1	UN1643	II	POISON		None	212	242	25 kg	100 kg	A	
	Mercury salicylate	6.1	UN1644	II	POISON		None	212	242	25 kg	100 kg	A	
+	Mercury sulfates	6.1	UN1645	II	POISON		None	212	242	25 kg	100 kg	A	
	Mercury thiocyanate	6.1	UN1646	II	POISON		None	212	242	25 kg	100 kg	A	
	Mesityl oxide	3	UN1229	III	FLAMMABLE LIQUID	B1, T1	None	203	242	60 L	220 L	A	
	Metal alkyl halides, n.o.s.	4.2	UN3049	I	SPONTANEOUSLY COMBUSTIBLE.	B9, B11, T28, T29, T40.	None	181	244	Forbidden	Forbidden	D	
	Metal alkyl hydrides, n.o.s.	4.2	UN3050	I	SPONTANEOUSLY COMBUSTIBLE.	B9, B11, T28, T29, T40.	None	181	244	Forbidden	Forbidden	D	
D	Metal alkyl, solution, n.o.s.	3	NA9195	II	FLAMMABLE LIQUID		150	202	242	1 L	4 L	B	
	Metal alkyls, n.o.s.	4.2	UN2003	I	SPONTANEOUSLY COMBUSTIBLE.	B11, T42	None	181	244	Forbidden	Forbidden	D	
	Metal catalyst, dry	4.2	UN2881	I	SPONTANEOUSLY COMBUSTIBLE.	N34	None	187	None	Forbidden	Forbidden	B	
	Metal catalyst, wetted *with not less than 40 per cent water or other suitable liquid, by mass, finely divided, activated or spent.*	4.2	UN1378	II	SPONTANEOUSLY COMBUSTIBLE.	A2, A8, N34	None	212	None	Forbidden	50 kg	C	
	Metal powders, flammable, n.o.s.	4.1	UN3089	II	FLAMMABLE SOLID		151	212	240	15 kg	50 kg	B	
				III	FLAMMABLE SOLID		151	212	140	25 kg	100 kg	B	
	Metal salts of methyl nitramine (dry)	Forbidden											
	Metaldehyde	4.1	UN1332	III	FLAMMABLE SOLID	A1	151	213	240	25 kg	100 kg	A	
	Methacrylaldehyde	3	UN2396	II	FLAMMABLE LIQUID, POISON.	T8	None	202	243	1 L	60 L	E	40
	Methacrylic acid, inhibited	8	UN2531	III	CORROSIVE	T8	154	203	241	5 L	60 L	A	8, 12, 48
	Methacrylonitrile, inhibited	3	UN3079	I	FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	D	12, 40, 48
	Methallyl alcohol	3	UN2614	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Methane and hydrogen, mixtures, see Hydrogen and methane, mixtures, *etc.*.												
	Methane, compressed *or* Natural gas, compressed (*with high methane content*).	2.1	UN1971		FLAMMABLE GAS		306	302	302	Forbidden	150 kg	E	40
	Methane, refrigerated liquid (*cryogenic liquid*) *or* Natural gas, refrigerated liquid (*cryogenic liquid*) (*with high methane content*).	2.1	UN1972		FLAMMABLE GAS		None	None	318	Forbidden	Forbidden	D	40
	Methanol, *or* Methyl alcohol	3	UN1230	II	FLAMMABLE LIQUID, POISON.	T8	None	202	243	1 L	60 L	B	40
	Methazoic acid	Forbidden											
	4-Methoxy-4-methylpentan-2-one	3	UN2293	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	1-Methoxy-2-proponal	3	UN3092	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	44
+	Methoxymethyl isocyanate	3	UN2605	I	FLAMMABLE LIQUID, POISON.	1, B9, B14, B30, B72, T38, T43, T44.	None	226	244	Forbidden	30 L	D	40
	Methyl acetate	3	UN1231	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Methyl acrylate, inhibited	3	UN1919	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Methyl alcohol, *see* Methanol												
	Methyl allyl chloride	3	UN2554	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	E	
	Methyl amyl ketone, see Amyl methyl ketone												
	Methyl benzoate	6.1	UN2938	III	KEEP AWAY FROM FOOD.	T1	153	203	240	60 L	220 L	A	
	Methyl bromide	2.3	UN1062		POISON GAS	3, B14	None	193	314, 315	Forbidden	25 kg	D	40

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Methyl bromide and chloropicrin mixtures with more than 2 per cent chloropicrin, see Chloropicrin and methyl bromide mixtures.												
	Methyl bromide and chloropicrin mixtures with not more than 2 per cent chloropicrin, see Methyl bromide.												
	Methyl bromide and ethylene dibromide mixtures, liquid.	6.1	UN1647	I	POISON	2, B9, B14, B32, B74, N65, T38, T43, T45.	None	227	244	Forbidden	30 L	C	40
	Methyl bromoacetate	6.1	UN2643	II	POISON	T8	None	202	243	5 L	60 L	D	40
	3-Methyl-1-butene	3	UN2561	I	FLAMMABLE LIQUID	T20	None	201	243	1 L	30 L	E	
	2-Methyl-1-butene	3	UN2459	I	FLAMMABLE LIQUID	T14	None	201	243	1 L	30 L	E	
	2-Methyl-2-butene	3	UN2460	II	FLAMMABLE LIQUID	T14	None	202	242	5 L	60 L	E	
	Methyl tert butyl ether	3	UN2398	II	FLAMMABLE LIQUID	T14	150	202	242	5 L	60 L	E	
	Methyl butyrate	3	UN1237	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	Methyl chloride	2.1	UN1063		FLAMMABLE GAS		306	304	314, 315	Forbidden	25 kg	D	40
	Methyl chloride and chloropicrin mixtures, see Chloropicrin and methyl chloride mixtures.												
	Methyl chloride and methylene chloride mixtures	2.1	UN1912		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	D	40
	Methyl chloroacetate	6.1	UN2295	II	POISON	T11	None	202	243	5 L	60 L	C	
	Methyl chlorocarbonate, see Methyl chloroformate												
	Methyl chloroform, see 1,1,1-Trichloroethane												
	Methyl chloroformate	6.1	UN1238	I	POISON, FLAMMABLE LIQUID, CORROSIVE.	1, A3, A6, A7, B9, B14, B30, B72, N34, T38, T43, T44.	None	226	244	Forbidden	Forbidden	D	21, 40 100
	Methyl-2-chloropropionate	3	UN2933	III	FLAMMABLE LIQUID	B1, T7	150	203	242	60 L	220 L	A	
	Methyl cyanide	3	UN1648	II	FLAMMABLE LIQUID, POISON.	T14	None	202	243	1 L	60 L	B	40
	Methyl cyclohexane	3	UN2296	II	FLAMMABLE LIQUID	B1, T1	150	202	242	5 L	60 L	B	
	Methyl cyclohexanols, *flash point not more than 60.5 degrees C.*	3	UN2617	III	FLAMMABLE LIQUID	B1, T2	150	203	242	60 L	220 L	A	
	Methyl cyclohexanone	3	UN2297	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Methyl cyclopentane	3	UN2298	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Methyl dichloroacetate	6.1	UN2299	III	KEEP AWAY FROM FOOD.	T1	153	203	241	60 L	220 L	A	
	Methyl ethyl ether, see Ethyl methyl ether												
	Methyl ethyl ketone, *see* Ethyl methyl ketone												
	Methyl ethyl ketone peroxide, in solution with more than 9 per cent by mass active oxygen.	Forbidden											
	2-Methyl-5-ethylpyridine	6.1	UN2300	III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	
	Methyl fluoride	2.1	UN2454		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	E	40
	Methyl formate	3	UN1243	I	FLAMMABLE LIQUID	T20	150	201	243	1 L	30 L	E	
+	Methyl iodide	6.1	UN2644	II	POISON	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	5 L	60 L	A	12, 40, 48
	Methyl isobutyl carbinol	3	UN2053	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Methyl isobutyl ketone	3	UN1245	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	Methyl isobutyl ketone peroxide, in solution with more than 9 per cent by mass active oxygen.	Forbidden											

	Methyl isocyanate	6.1	UN2480	I	POISON, FLAMMABLE LIQUID.	1, A7, B9, B14, B30, B72, T38, T43, T44.	None	226	244	Forbidden.	Forbidden.	D	26, 40
	Methyl isopropenyl ketone, inhibited	3	UN1246	II	FLAMMABLE LIQUID.	T7	150	202	242	5 L	60 L	B	
+	Methyl isothiocyanate	3	UN2477	II	FLAMMABLE LIQUID. POISON.	1, B9, B14, B30, B72, T38, T43, T44.	None	226	244	Forbidden.	60 L	A	
	Methyl isovalerate	3	UN2400	II	FLAMMABLE LIQUID.	T1	150	202	242	5 L	60 L	B	
	Methyl magnesium bromide, in ethyl ether	4.3	UN1928	I	DANGEROUS WHEN WET, FLAMMABLE LIQUID.		None	201	243	Forbidden.	1 L	D	
	Methyl mercaptan	2.3	UN1064		POISON GAS, FLAMMABLE GAS.	2, B7, B9, B14	None	304	314, 315	Forbidden.	25 kg	D	40
	Methyl mercaptopropionaldehyde, see Thia-4-pentanal.												
	Methyl methacrylate monomer, inhibited	3	UN1247	II	FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	B	40
	Methyl nitramine (dry)	Forbidden											
	Methyl nitrate	Forbidden											
	Methyl nitrite	Forbidden											
	Methyl norbornene dicarboxylic anhydride, see Corrosive liquids, n.o.s..												
+	Methyl orthosilicate	3	UN2606	I	FLAMMABLE LIQUID. POISON.	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	Forbidden.	30L	E	40
D	Methyl parathion *liquid*	6.1	NA3018	II	POISON	N76, T14	None	202	243	Forbidden.	1 L	A	40
D	Methyl parathion *solid*	6.1	NA2783	II	POISON	N77	None	212	242	25 kg	100 kg	A	40
D	Methyl phosphonic dichloride	6.1	NA9206	I	POISON, CORROSIVE.	2, A3, B9, B14, B32, B74, N34, N43, T38, T43, T45.	None	227	244	Forbidden.	Forbidden.	C	
	Methyl phosphonothioic dichloride, anhydrous, see Corrosive liquid, n.o.s..												
D	Methyl phosphonous dichloride, *pyrophoric liquid*	6.1	NA2845	I	POISON, SPONTANEOUSLY COMBUSTIBLE.	2, B9, B14, B16, B32, B74, T38, T43, T45.	None	227	244	Forbidden.	Forbidden.	D	18
	Methyl picric acid (heavy metal salts of)	Forbidden											
	Methyl propionate	3	UN1248	II	FLAMMABLE LIQUID.	T2	150	202	242	5 L	60 L	B	
	Methyl propyl ether	3	UN2612	II	FLAMMABLE LIQUID.	T14	150	202	242	5 L	60 L	E	40
	Methyl propyl ketone	3	UN1249	II	FLAMMABLE LIQUID.	T1	150	202	242	5 L	60 L	B	
	Methyl sulfate, see Dimethyl sulfate												
	Methyl sulfide, see Dimethyl sulfide												
	Methyl trichloroacetate	6.1	UN2533	III	KEEP AWAY FROM FOOD.	T1	153	203	241	60 L	220 L	A	
	Methyl trimethylol methane trinitrate	Forbidden											
	Methyl vinyl ketone	3	UN1251	II	FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	B	
	Methylacetylene and propadiene mixtures, stabilized.	2.1	UN1060		FLAMMABLE GAS		306	304	314, 315	Forbidden.	150 kg	B	40
	Methylal	3	UN1234	II	FLAMMABLE LIQUID.	T14	None	202	242	5L	60 L	E	
	Methylamine, anhydrous	2.3	UN1061		POISON GAS, FLAMMABLE GAS.	3, B14	None	304	314, 315	Forbidden.	150 kg	B	40
	Methylamine, aqueous solution	3	UN1235	II	FLAMMABLE LIQUID, CORROSIVE.	B1, T8	150	202	242	5 L	60 L	E	41
	Methylamine dinitramine and dry salts thereof	Forbidden											
	Methylamine nitroform	Forbidden											
	Methylamine perchlorate (dry)	Forbidden											
	Methylamyl acetate	3	UN1233	III	FLAMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	A	
	N-Methylaniline	6.1	UN2294	III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	
	alpha-Methylbenzyl alcohol	6.1	UN2937	III	KEEP AWAY FROM FOOD.	T1	153	203	241	60 L	220 L	A	
	3-Methylbutan-2-one	3	UN2397	II	FLAMMABLE LIQUID.	T1	150	202	242	5 L	60 L	B	
	N-Methylbutylamine	3	UN2945	II	FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	B	40
	Methylchloromethyl ether	6.1	UN1239	I	POISON, FLAMMABLE LIQUID.	1, B9, B14, B30, B72, T38, T43, T44.	None	226	244	Forbidden.	Forbidden.	D	40

§ 172.101 Hazardous Materials Table—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Methylchlorosilane	2.3	UN2534		POISON GAS, FLAMMABLE GAS.	2, A2, A3, A7, B9, B14, N34.	None	226	314, 315	Forbidden	25 kg	D	40
D	Methyldichloroarsine	6.1	NA1556	I	POISON	2	None	192	None	Forbidden	Forbidden	D	40, 95
	Methyldichlorosilane	4.3	UN1242	I	DANGEROUS WHEN WET, CORROSIVE, FLAMMABLE LIQUID.	A2, A3, A7, B6, B77, N34, T16, T26.	None	201	243	Forbidden	1 L	D	21, 28, 40, 49, 100
	Methylene chloride, see Dichloromethane												
	Methylene glycol dinitrate	Forbidden											
	2-Methylfuran	3	UN2301	II	FLAMMABLE LIQUID	T7	150	202	242	5 L	60 L	E	
	a-Methylglucoside tetranitrate	Forbidden											
	a-Methylglycerol trinitrate	Forbidden											
	5-Methylhexan-2-one	3	UN2302	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Methylhydrazine	6.1	UN1244	I	POISON, FLAMMABLE LIQUID, CORROSIVE.	1, B9, B14, B30, B72, B77, N34, T38, T43, T44.	None	227	244	Forbidden	Forbidden	D	21, 49, 100
	Methylmorpholine	3	UN2535	II	FLAMMABLE LIQUID, CORROSIVE.	B6, T8	None	202	243	1 L	5 L	B	40
	Methylpentadienes	3	UN2461	II	FLAMMABLE LIQUID	T7	150	202	241	5 L	60 L	E	
	2-Methylpentan-2-ol	3	UN2560	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Methylpentanes, see Hexanes												
	Methylphenyldichlorosilane	8	UN2437	II	CORROSIVE	T8, T26	154	202	242	1 L	30 L	C	40
	1-Methylpiperidine	3	UN2399	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Methyltetrahydrofuran	3	UN2536	II	FLAMMABLE LIQUID	T7	150	202	242	5 L	60 L	B	
	Methyltrichlorosilane	3	UN1250	I	FLAMMABLE LIQUID, CORROSIVE.	A7, B6, B77, N34, T14, T26.	None	201	243	Forbidden	2.5 L	B	40
	alpha-Methylvaleraldehyde	3	UN2367	II	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	B	
	Mine rescue equipment containing carbon dioxide, see Carbon dioxide.												
	Mines *with bursting charge*	1.1F	UN0136	II	EXPLOSIVE 1.1F		63(b)	62	None	Forbidden	Forbidden	E	
	Mines *with bursting charge*	1.1D	UN0137	II	EXPLOSIVE 1.1D		63(b)	62	None	Forbidden	Forbidden	B	3E, 7E
	Mines *with bursting charge*	1.2D	UN0138	II	EXPLOSIVE 1.2D		63(b)	62	None	Forbidden	Forbidden	B	3E, 7E
	Mines *with bursting charge*	1.2F	UN0294	II	EXPLOSIVE 1.2F		63(b)	62	None	Forbidden	Forbidden	E	
	Mixed acid, see Nitrating acid, mixtures *etc.*												
	Molybdenum pentachloride	8	UN2508	III	CORROSIVE	T8, T26	154	213	240	25 kg	100 kg	C	40
	Monochloroacetone (unstabilized)	Forbidden											
	Monochloroethylene, see Vinyl chloride, inhibited												
	Monoethanolamine, see Ethanolamine, solutions												
	Monoethylamine, see Ethylamine												
	Morpholine	3	UN2054	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Morpholine, aqueous, mixture, see Corrosive liquids, n.o.s..												
	Motor fuel anti-knock compounds *see* Motor fuel anti-knock mixtures.												
+	Motor fuel anti-knock mixtures	6.1	UN1649	I	POISON, FLAMMABLE LIQUID.	14, B9, B12, B90, T26, T39.	None	201	244	Forbidden	30 L	E	40
	Motor spirit, *see* Gasoline												
	Motor vehicle, see Vehicles, self-propelled												
	Motorcycles, see Vehicles, self-propelled												
	Muriatic acid, see Hydrochloric acid solution												
	Musk xylene, *see* 5-tert-Butyl2,4,6-trinitro-m-xylene												
	Naphtha	3	UN2553	II	FLAMMABLE LIQUID	T8, T31	150	202	242	5 L	60 L	B	

				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	
	Naphtha, *petroleum*	3	UN1255	I	FLAMMABLE LIQUID	T8	150	201	243	1 L	30 L	E	
				II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Naphtha, *solvent*	3	UN1256	II	FLAMMABLE LIQUID	T8, T31	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	
	Naphthalene, crude *or* refined	4.1	UN1334	III	FLAMMABLE SOLID	A1	151	213	240	25 kg	100 kg	A	
	Naphthalene diozonide	Forbidden											
	Naphthalene, molten	4.1	UN2304	III	FLAMMABLE SOLID	A1, T8	151	213	241	25 kg	100 kg	C	
	Naphthyl amineperchlorate	Forbidden											
	alpha-Naphthylamine	6.1	UN2077	III	KEEP AWAY FROM FOOD.	T7	153	213	240	100 kg	200 kg	A	
	beta-Naphthylamine	6.1	UN1650	II	POISON	T12, T26	None	212	242	25 kg	100 kg	A	
	Naphthylthiourea	6.1	UN1651	II	POISON		None	212	242	25 kg	100 kg	A	
	Naphthylurea	6.1	UN1652	II	POISON		None	212	242	25 kg	100 kg	A	
	Natural gases (with high methane content), see Methane, *etc. (UN 1971, UN 1972).*												
	Natural gasoline	3	UN1257	I	FLAMMABLE LIQUID	T8	150	201	243	1L	30L	E	
				II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	E	
	Neohexane, see Hexanes												
	Neon, compressed	2.2	UN1065		NONFLAMMABLE GAS.		306	302	302	75 kg	150 kg	A	
	Neon, refrigerated liquid (*cryogenic liquid*)	2.2	UN1913		NONFLAMMABLE GAS.		320	316	None	50 kg	500 kg	B	
	New explosive or explosive device, see sections 173.51 and 173.56.												
	Nickel carbonyl	6.1	UN1259	I	POISON, FLAMMABLE LIQUID.	1	None	198	None	Forbidden	Forbidden	D	18, 40
	Nickel cyanide	6.1	UN1653	II	POISON	N74, N75	None	212	242	25 kg	100 kg	A	26
	Nickel nitrate	5.1	UN2725	III	OXIDIZER	A1	152	213	240	25 kg	100 kg	A	
	Nickel nitrite	5.1	UN2726	III	OXIDIZER	A1	152	213	240	25 kg	100 kg	A	56, 58
	Nickel picrate	Forbidden											
	Nicotine	6.1	UN1654	II	POISON		None	202	243	5 L	60 L	A	
	Nicotine compounds, liquid, n.o.s. *or* Nicotine preparations, liquid, n.o.s.	6.1	UN3144	I	POISON	A4, T42	None	201	243	1 L	30 L	B	40
				II	POISON	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	B	40
	Nicotine compounds, solid, n.o.s. *or* Nicotine preparations, solid, n.o.s.	6.1	UN1655	I	POISON		None	211	242	5 kg	50 kg	B	
				II	POISON		None	212	242	25 kg	100 kg	A	
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Nicotine hydrochloride *or* Nicotine hydrochloride solution.	6.1	UN1656	II	POISON		None	202	243	5 L	60 L	A	
	Nicotine salicylate	6.1	UN1657	II	POISON		None	212	242	25 kg	100 kg	A	
	Nicotine sulfate, *solid*	6.1	UN1658	II	POISON		None	212	242	25 kg	100 kg	A	
	Nicotine sulfate, *solution*	6.1	UN1658	II	POISON	T14	None	202	243	5 L	60 L	A	
	Nicotine tartrate	6.1	UN1659	II	POISON		None	212	242	25 kg	100 kg	A	
	Nitrated paper (unstable)	Forbidden											
	Nitrates, inorganic, n.o.s.	5.1	UN1477	II	OXIDIZER		152	212	240	5 kg	25 kg	A	46
	Nitrates of diazonium compounds	Forbidden											
	Nitrating acid mixtures spent *with not more than 50 per cent nitric acid.*	8	UN1826	II	CORROSIVE	B2, T12, T27	None	158	242	Forbidden	30 L	D	40
	Nitrating acid mixtures, spent *with 50 per cent or more nitric acid.*	8	UN1826	I	CORROSIVE, OXIDIZER.	T12, T27	None	158	243	Forbidden	2.5 L	D	40, 66, 89
	Nitrating acid mixtures *with not more than 50 per cent nitnc acid.*	8	UN1796	II	CORROSIVE	B2, T12, T27	None	158	242	Forbidden	30 L	D	40
	Nitrating acid mixtures *with 50 per cent or more nitric acid.*	8	UN1796	I	CORROSIVE, OXIDIZER.	T12, T27	None	158	243	Forbidden	2.5 L	D	40, 66, 89
	Nitric acid *other than red fuming with more than 70 percent nitric acid.*	8	UN2031	I	CORROSIVE	B12, B53, T9, T27.	None	158	243	Forbidden	2.5 L	D	110, 111
	Nitric acid *other than red fuming, with not more than 70 percent nitric acid.*	8	UN2031	II	CORROSIVE	B2, B12, B53, T9, T27.	None	158	242	Forbidden	30 L	D	110, 111
	Nitric acid, red fuming	8	UN2032	I	CORROSIVE, OXIDIZER, POISON.	2, B9, B32, B74, T38, T43, T45.	None	227	244	Forbidden	Forbidden	D	40, 66, 74, 89, 90, 95

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Nitric oxide	2.3	UN1660		POISON GAS	2, B12, B37, B46, B50, B60, B77.	None	337	None	Forbidden	Forbidden	D	40
	Nitric oxide and dinitrogen tetroxide mixtures (Nitric oxide and nitrogen dioxide mixtures).	2.3	UN1975		POISON GAS, OXIDIZER.	2, B7, B9, B12, B14, B45, B46, B61, B66, B67, B77.	None	337	None	Forbidden	Forbidden	D	40
	Nitrites, inorganic, n.o.s.	5.1	UN2627	II	OXIDIZER	A33	152	212	None	5 kg	25 kg	A	46, 56, 58
	3-Nitro-4-chlorobenzotrifluoride	6.1	UN2307	II	POISON	T8	None	202	243	5 L	60 L	A	40
	6-Nitro-4-diazotoluene-3-sulfonic acid (dry)	Forbidden											
	Nitro isobutane triol trinitrate	Forbidden											
	N-Nitro-N-methylglycolamide nitrate	Forbidden											
	2-Nitro-2-methylpropanol nitrate	Forbidden											
	Nitro urea	1.1D	UN0147	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	N-Nitroaniline	Forbidden											
	Nitroanilines (*o-; m-; p-;*)	6.1	UN1661	II	POISON	T14	None	212	242	25 kg	100 kg	A	
	Nitroanisole	6.1	UN2730	III	KEEP AWAY FROM FOOD.	T8	153	213	240	100 kg	200 kg	A	
	Nitrobenzene	6.1	UN1662	II	POISON	T14	None	202	243	5 L	60 L	A	40
	m-Nitrobenzene diazonium perchlorate	Forbidden											
	Nitrobenzenesulfonic acid	8	UN2305	II	CORROSIVE		154	212	240	1 L	30 L	A	
	Nitrobenzol, see Nitrobenzene												
	5-Nitrobenzotriazol	1.1D	UN0385	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E
	Nitrobenzotrifluorides	6.1	UN2306	II	POISON	T8	None	202	243	5 L	60 L	A	40
	Nitrobromobenzenes *liquid*	6.1	UN2732	III	KEEP AWAY FROM FOOD.	T8, T38	153	203	241	60 L	220 L	A	48
	Nitrobromobenzenes *solid*	6.1	UN2732	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	48
	Nitrocellulose, *dry or wetted with less than 25 per cent water (or alcohol), by mass.*	1.1D	UN0340	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	4E, 27E
	Nitrocellulose, plasticized *with not less than 18 per cent plasticizing substance, by mass.*	1.3C	UN0343	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Nitrocellulose, solution, flammable *with not more than 12.6 per cent nitrogen, by mass, and not more than 55 per cent nitrocellulose.*	3	UN2059	II	FLAMMABLE LIQUID	T8, T31	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	
	Nitrocellulose, *unmodified or plasticized with less than 18 per cent plasticizing substance, by mass.*	1.1D	UN0341	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	4E, 27E
	Nitrocellulose, wetted *with not less than 25 per cent alcohol, by mass.*	1.3C	UN0342	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Nitrocellulose with alcohol *not less than 25 per cent alcohol by mass, and not more than 12.6 per cent nitrogen, by dry mass.*	4.1	UN2556	II	FLAMMABLE SOLID		151	212	None	1 kg	15 kg	D	28
	Nitrocellulose with plasticizing *not less than 18 per cent, plasticizing substance, by mass, and not more than 12.6 per cent nitrogen, by dry mass.*	4.1	UN2557	II	FLAMMABLE SOLID		151	212	None	1 kg	15 kg	D	28
	Nitrocellulose with water *not less than 25 per cent water, by mass.*	4.1	UN2555	II	FLAMMABLE SOLID		151	212	None	15 kg	50 kg	E	28
	Nitrochlorobenzene, see Chloronitrobenzenes *etc.*												
	Nitrocresols	6.1	UN2446	III	KEEP AWAY FROM FOODS.		153	213	240	100 kg	200 kg	A	
	Nitroethane	3	UN2842	III	FLAMMABLE LIQUID	B1, T8	150	203	242	60 L	220 L	A	
	Nitroethyl nitrate	Forbidden											

	Nitroethylene polymer	Forbidden												
	Nitrogen, compressed	2.2	UN1066		NONFLAMMABLE GAS.		306	302	314, 315	75 kg	150 kg	A		
	Nitrogen dioxide, liquefied *see* Dinitrogen tetroxide, liquefied.													
	Nitrogen fertilizer solution, see Fertilizer ammoniating solution *etc.*.													
	Nitrogen, mixtures with rare gases, see Rare gases and nitrogen mixtures.													
	Nitrogen peroxide, see Dinitrogen tetroxide, liquefied.													
	Nitrogen, refrigerated liquid (*cryogenic liquid*)	2.2	UN1977		NONFLAMMABLE GAS.		320	316	318	50 kg	500 kg	A		
	Nitrogen tetroxide and nitric oxide mixtures, see Nitric oxide and nitrogen tetroxide mixtures.													
	Nitrogen tetroxide, see Dinitrogen tetroxide, liquefied.													
	Nitrogen trichloride	Forbidden												
	Nitrogen trifluoride	2.2	UN2451		NONFLAMMABLE GAS, OXIDIZER.		None	302	None	Forbidden	25 kg	D		40
	Nitrogen triiodide	Forbidden												
	Nitrogen triiodide monoamine	Forbidden												
	Nitrogen trioxide	2.3	UN2421		POISON GAS, OXIDIZER.	1	None	336	245	Forbidden	Forbidden	D		40
	Nitroglycerin, desensitized *with not less than 40 per cent non-volatile water insoluble phlegmatizer, by mass.*	1.1D	UN0143	II	EXPLOSIVE 1.1D, POISON.		None	62	None	Forbidden	Forbidden	B		1E, 4E, 21E
	Nitroglycerin, liquid, not desensitized	Forbidden												
	Nitroglycerin, solution in alcohol, *with more than 1% but not more than 5% nitroglycerin.*	3	UN3064	II	FLAMMABLE LIQUID	N8	None	202	None	Forbidden	5 L	E		
	Nitroglycerin, solution in alcohol, *with more than 1 percent but not more than 10 percent nitroglycerin.*	1.1D	UN0144	II	EXPLOSIVE 1.1D	20	None	62	None	Forbidden	Forbidden	B		1E, 4E, 21E
	Nitroglycerin solution in alcohol *with not more than 1 per cent nitroglycerin.*	3	UN1204	II	FLAMMABLE LIQUID	N34, T25	None	202	None	5 L	60 L	B		
	Nitroguanidine nitrate	Forbidden												
	Nitroguanidine *or* Picrite, *dry or wetted with less than 20 per cent water, by mass.*	1.1D	UN0282	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B		1E, 5E
	Nitroguanidine, wetted *or* Picrite, wetted *with not less than 20 per cent water, by mass.*	4.1	UN1336	I	FLAMMABLE SOLID	A8, A19, A20, N41.	None	211	None	1 kg	15 kg	E		28
	1-Nitrohydantoin	Forbidden												
	Nitrohydrochloric acid	8	UN1798	I	CORROSIVE	A3, B10, N41, T18, T27.	None	201	242	Forbidden	2.5 L	D		40, 66, 74, 89, 90
	Nitromannite (dry)	Forbidden												
	Nitromannite, wetted, *see* Mannitol hexanitrate, *etc.*													
	Nitromethane	3	UN1261	II	FLAMMABLE LIQUID	T25	150	202	None	Forbidden	60 L	A		
	Nitromuriatic acid, see Nitrohydrochloric acid													
	Nitronaphthalene	4.1	UN2538	III	FLAMMABLE SOLID	A1	151	213	240	25 kg	100 kg	A		
	Nitrophenols (*o-; m-; p-;*)	6.1	UN1663	III	KEEP AWAY FROM FOOD.	T8, T38	153	213	240	100 kg	200 kg	A		
	m-Nitrophenyldinitro methane	Forbidden												
	Nitropropanes	3	UN2608	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A		
	p-Nitrosodimethylaniline	4.2	UN1369	II	SPONTANEOUSLY COMBUSTIBLE.	A19, A20, N34	None	212	241	15 kg	50 kg	D		34
D	Nitrosoguanidine	1.1A	NA0473	II	EXPLOSIVE 1.1A	111, 117	None	62	None	Forbidden	Forbidden	E		2E, 6E
	Nitrostarch, *dry or wetted with less than 20 per cent water, by mass.*	1.1D	UN0146	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B		1E, 5E
	Nitrostarch, wetted *with not less than 20 per cent water, by mass.*	4.1	UN1337	I	FLAMMABLE SOLID	A8, A19, A20, N41.	None	211	None	1 kg	15 kg	D		28
	Nitrosugars (dry)	Forbidden												
	Nitrosyl chloride	2.3	UN1069		POISON GAS, CORROSIVE.	3, B14	None	304	314, 315	Forbidden	Forbidden	D		40
	Nitrosylsulfuric acid	8	UN2308	II	CORROSIVE	A3, A6, A7, B2, N34, T9, T27.	154	202	242	1 L	30 L	D		40, 66, 74, 89, 90
	Nitrotoluenes, *liquid o-; m-; p-;*	6.1	UN1664	II	POISON	T14	None	202	243	5 L	60 L	A		
	Nitrotoluenes, *solid m-, or p-*	6.1	UN1664	II	POISON	T14	None	212	242	25 kg	100 kg	A		

§ 172.101 Hazardous Materials Table—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Nitrotoluidines (mono)	6.1	UN2660	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Nitrotriazolone *or* NTO	1.1D	UN0490	II	EXPLOSIVE 1.1D		None	62		Forbidden	Forbidden	B	1E, 5E, 25E
	Nitrous oxide and carbon dioxide mixtures, see Carbon dioxide and nitrous oxide mixtures.												
	Nitrous oxide, compressed	2.2	UN1070		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A	40
	Nitrous oxide, refrigerated liquid	2.2	UN2201		NONFLAMMABLE GAS.	B6	None	None	314, 315	75 kg	150 kg	B	40
	Nitroxylenes, (o-; m-; p-)	6.1	UN1665	II	POISON	T14	None	202	243	5 L	60 L	A	
	Nitroxylol, see Nitroxylenes												
	Nonanes	3	UN1920	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Nonflammable gas, n.o.s., see Compressed *or* Liquefied gases, *etc.* (*UN 1955, UN 1956*).												
	Nonliquefied gases, see Compressed gases, *etc.*												
	Nonliquefied hydrocarbon gas, see Hydrocarbon gases, compressed, n.o.s..												
	Nonyltrichlorosilane	8	UN1799	II	CORROSIVE	A7, B2, B6, N34, T8, T26.	None	202	242	Forbidden	30 L	C	40
	2,5 Norbornadiene (Dicycloheptadiene)	3	UN2251	II	FLAMMABLE LIQUID		150	202	241	5 L	60 L	D	
	Nordhausen acid, see Sulfuric acid, fuming *etc.*												
	Octadecyltrichlorosilane	8	UN1800	II	CORROSIVE	A7, B2, B6 N34, T8.	None	202	242	Forbidden	30 L	C	40
	Octadiene	3	UN2309	II	FLAMMABLE LIQUID	B1, T1	150	202	242	5 L	60 L	B	
	1,7-Octadine-3,5-diyne-1,8-dimethoxy-9-octadecynoic acid.	Forbidden											
	Octafluorobut-2-ene	2.2	UN2422		NONFLAMMABLE GAS.		None	304	314, 315	75 kg	150 kg	A	
	Octafluorocyclobutane, *RC318*	2.2	UN1976		NONFLAMMABLE GAS.		None	304	314, 315	75 kg	150 kg	A	
	Octafluoropropane, *R218*	2.2	UN2424		NONFLAMMABLE GAS.		None	304	314, 315	75 kg	150 kg	A	
	Octanes	3	UN1262	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	Octogen, *see* Cyclotetramethylene tetranitramine, etc..												
	Octolite *or* Octol, *dry or wetted with less than 15 per cent water, by mass.*	1.1D	UN0266	II	EXPLOSIVE 1.1D		None	62		Forbidden	Forbidden	B	1E, 5E
	Octyl aldehydes, *flammable*	3	UN1191	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
+	tert-Octylmercaptan	6.1	UN3023	II	POISON, FLAMMABLE LIQUID.	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	Forbidden	60 L	B	40
	Octyltrichlorosilane	8	UN1801	II	CORROSIVE	A7, B2, B6, N34, T8, T26.	None	202	242	Forbidden	30 L	C	40
	Oil gas	2.1	UN1071		FLAMMABLE GAS		None	304	314, 315	Forbidden	150 kg	D	40
	Oleum, see Sulfuric acid, fuming												
	Organic peroxide type A, liquid or solid	Forbidden											
	Organic peroxide type B, liquid	5.2	UN3101	II	ORGANIC PEROXIDE EXPLOSIVE.	53	None	225	None	Forbidden	Forbidden	D	12, 40
	Organic peroxide type B, liquid, temperature controlled.	5.2	UN3111	II	ORGANIC PEROXIDE EXPLOSIVE.	53	None	225	None	Forbidden	Forbidden	D	2, 40

	Organic peroxide type B, solid	5.2	UN3102	II	ORGANIC PEROXIDE EXPLOSIVE.	53	None	225	None	Forbidden	Forbidden	D	12, 40
	Organic peroxide type B, solid, temperature controlled.	5.2	UN3112	II	ORGANIC PEROXIDE EXPLOSIVE.	53	None	225	None	Forbidden	Forbidden	D	2, 40
	Organic peroxide type C, liquid	5.2	UN3103	II	ORGANIC PEROXIDE.		152	225	None	5 L	10 L	D	12, 40
	Organic peroxide type C, liquid, temperature controlled.	5.2	UN3113	II	ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	D	2, 40
	Organic peroxide type C, solid	5.2	UN3104	II	ORGANIC PEROXIDE.		152	225	None	5 kg	10 kg	D	12, 40
	Organic peroxide type C, solid, temperature controlled.	5.2	UN3114	II	ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	D	2, 40
	Organic peroxide type D, liquid	5.2	UN3105	II	ORGANIC PEROXIDE.		152	225	None	5 L	10 L	D	12, 40
	Organic peroxide type D, liquid, temperature controlled.	5.2	UN3115	II	ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	D	2, 40
	Organic peroxide type D, solid	5.2	UN3106	II	ORGANIC PEROXIDE.		152	225	None	5 kg	10 kg	D	12, 40
	Organic peroxide type D, solid, temperature controlled.	5.2	UN3116	II	ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	D	2, 40
	Organic peroxide type E, liquid	5.2	UN3107	II	ORGANIC PEROXIDE.		152	225	None	10 L	25 L	D	12, 40
	Organic peroxide type E, liquid, temperature controlled.	5.2	UN3117	II	ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	D	2, 40
	Organic peroxide type E, solid	5.2	UN3108	II	ORGANIC PEROXIDE.		152	225	None	10 kg	25 kg	D	12, 40
	Organic peroxide type E, solid, temperature controlled.	5.2	UN3118	II	ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	D	2, 40
	Organic peroxide type F, liquid	5.2	UN3109	II	ORGANIC PEROXIDE.		152	225	225	10 L	25 L	D	12, 40
	Organic peroxide type F, liquid, temperature controlled.	5.2	UN3119	II	ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	D	2, 40
	Organic peroxide type F, solid	5.2	UN3110	II	ORGANIC PEROXIDE.	T42	152	225	None	10 kg	25 kg	D	12, 40
	Organic peroxide type F, solid, temperature controlled.	5.2	UN3120	II	ORGANIC PEROXIDE.		None	225	None	Forbidden	Forbidden	D	2, 40
D	Organic phosphate, Organic phosphate compound, *or* Organic phosphorus compound; mixed with compressed gas.	2.3	NA1955		POISON GAS	3	None	334	None	Forbidden	Forbidden	D	40
	Organochlorine pesticides liquid, flammable, toxic, n.o.s. *flash point less than 23 degrees C.*	3	UN2762	I	FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	B	
				II	FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	B	
	Organochlorine pesticides, liquid, toxic, flammable, n.o.s. *flashpoint not less than 23 degrees C.*	6.1	UN2995	I	POISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	B	40
				II	POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.	B1, T14	153	203	242	60 L	220 L	A	40
	Organochlorine pesticides, liquid, toxic, n.o.s.	6.1	UN2996	I	POISON	T42	None	201	243	1 L	30 L	B	40
				II	POISON	T14	None	202	242	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	A	40
	Organochlorine pesticides, solid toxic n.o.s.	6.1	UN2761	I	POISON		None	211	242	5 kg	50 kg	A	40
				II	POISON		None	212	242	25 kg	100 kg	A	40
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	40
	Organophosphorus pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN2784	I	FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	B	
				II	FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	B	
	Organophosphorus pesticides, liquid, toxic, flammable, n.o.s. *flashpoint not less than 23 degrees C.*	6.1	UN3017	I	POISON, FLAMMABLE LIQUID.	N76, T42	None	201	243	1 L	30 L	B	40

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
				II	POISON, FLAMMABLE LIQUID.	N76, T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.	B1, N76, T14	153	203	242	60 L	220 L	A	40
	Organophosphorus pesticides, liquid, toxic, n.o.s.	6.1	UN3018	I	POISON	N76, T42	None	201	243	1 L	30 L	B	40
				II	POISON	N76, T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.	N76, T14	153	203	241	60 L	220 L	A	40
	Organophosphorus pesticides, solid, toxic, n.o.s.	6.1	UN2783	I	POISON	N77	None	211	242	5 kg	50 kg	A	40
				II	POISON	N77	None	212	242	25 kg	100 kg	A	40
				III	KEEP AWAY FROM FOOD.	N77	153	213	240	100 kg	200 kg	A	40
	Organotin compounds, liquid, n.o.s.	6.1	UN2788	I	POISON	A3, N33, N34, T42.	None	201	243	1 L	30 L	B	40
				II	POISON	A3, N33, N34, T14.	None	202	243	5 L	60 L	A	40
				III	KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	A	40
	Organotin compounds, solid, n.o.s.	6.1	UN3146	I	POISON	A5	None	211	242	5 kg	50 kg	B	40
				II	POISON		None	212	242	25 kg	100 kg	A	40
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	40
	Organotin pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23deg C.*	3	UN2787	I	FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	B	
				II	FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	B	
	Organotin pesticides, liquid, toxic, flammable, n.o.s. *flashpoint not less than 23 degrees C.*	6.1	UN3019	I	POISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	B	40
				II	POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.	B1, T14	153	203	242	60 L	220 L	A	40
	Organotin pesticides, liquid, toxic, n.o.s.	6.1	UN3020	I	POISON	T42	None	201	243	1 L	30 L	B	40
				II	POISON	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	A	40
	Organotin pesticides, solid, toxic, n.o.s.	6.1	UN2786	I	POISON		None	211	242	5 kg	50 kg	A	40
				II	POISON		None	212	242	25 kg	100 kg	A	40
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	40
	Orthonitroaniline, see Nitroanilines *etc.*												
	Osmium tetroxide	6.1	UN2471	I	POISON	A8, N33, N34	None	211	242	5 kg	50 kg	B	40
AD	Other regulated substances, liquid, n.o.s.	9	NA3082	III	CLASS 9		155	203	241	No limit	No limit	A	
AD	Other regulated substances, solid, n.o.s.	9	NA3077	III	CLASS 9		155	213	240	No limit	No limit	A	
	Oxalates, *water soluble*	6.1	UN2449	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Oxidizing substances, liquid, corrosive, n.o.s.	5.1	UN3098	I	OXIDIZER, CORROSIVE.		None	201	244	Forbidden	2.5 L	B	34, 56, 58, 69, 106
				II	OXIDIZER, CORROSIVE.		None	202	243	1 L	5 L	D	34, 56, 58, 69, 106
				III	OXIDIZER, CORROSIVE.		152	203	242	2.5 L	30 L	B	34, 56, 58, 69, 106

	Oxidizing substances liquid, n.o.s.	5.1	UN3139	II	OXIDIZER	A2	152	202	242	1 L	5 L	B	56, 58, 69, 106
	Oxidizing substances, liquid, poisonous, n.o.s.	5.1	UN3099	I	OXIDIZER, POISON		None	201	244	Forbidden	2.5 L	D	56, 58, 95, 106
				II	OXIDIZER, POISON		None	202	243	1 L	5 L	B	56, 58, 95, 106
				III	OXIDIZER, KEEP AWAY FROM FOOD.		152	203	242	2.5L	30L	B	56, 58, 95, 106
	Oxidizing substances, solid, corrosive, n.o.s.	5.1	UN3085	I	OXIDIZER, CORROSIVE.		None	211	242	1 kg	15 kg	D	13, 34, 56, 58, 69, 106
				II	OXIDIZER, CORROSIVE.		None	212	242	5 kg	25 kg	B	13, 34, 56, 58, 69, 106
				III	OXIDIZER, CORROSIVE.		152	213	240	25 kg	100 kg	B	13, 34, 56, 58, 69, 106
	Oxidizing substances, solid, flammable, n.o.s.	5.1	UN3137		OXIDIZER, FLAMMABLE SOLID.		None	214	214	Forbidden	Forbidden		
	Oxidizing substances, solid, n.o.s.	5.1	UN1479	I	OXIDIZER		152	211	242	1 kg	15 kg	B	56, 58, 69, 106
				II	OXIDIZER		152	212	240	5 kg	25 kg	D	56, 58, 69, 106
				III	OXIDIZER		152	213	240	25 kg	100 kg	B	56, 58, 69, 106
	Oxidizing substances, solid, poisonous, n.o.s.	5.1	UN3087	I	OXIDIZER, POISON		None	211	242	1 kg	15 kg	D	56, 58, 69, 95, 106
				II	OXIDIZER, POISON		None	212	242	5 kg	25 kg	B	56, 58, 69, 95, 106
				III	OXIDIZER, KEEP AWAY FROM FOOD.		152	213	240	25 kg	100 kg	B	56, 58, 69, 95, 106
	Oxidizing substances, solid, self heating, n.o.s.	5.1	UN3100		OXIDIZER, SPONTANEOUSLY COMBUSTIBLE.		None	214	214	Forbidden	Forbidden		
	Oxidizing substances, solid, which in contact with water emit flammable gases, n.o.s..	5.1	UN3121		OXIDIZER, DANGEROUS WHEN WET.		None	214	214	Forbidden	Forbidden		
	Oxygen and carbon dioxide mixtures, see Carbon dioxide and oxygen mixtures.												
	Oxygen, compressed	2.2	UN1072		NONFLAMMABLE GAS, OXIDIZER.		306	302	314, 315	75 kg	150 kg	A	
	Oxygen difluoride	2.3	UN2190		POISON GAS, OXIDIZER.	1	None	304	None	Forbidden	Forbidden	D	13, 40
	Oxygen, mixtures with rare gases, see Rare gases and oxygen mixtures.												
	Oxygen, refrigerated liquid (*cryogenic liquid*)	2.2	UN1073		NONFLAMMABLE GAS, OXIDIZER.		320	316	318	Forbidden	Forbidden	D	
	Paint *including paint, lacquer, enamel, stain, shellac solutions, varnish, polish, liquid filler, and liquid lacquer base.*	3	UN1263	II	FLAMMABLE LIQUID	B52, T7, T30	150	173	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, B52, T7, T30.	150	173	242	60 L	220 L	A	
	Paint *or* Paint related material	8	UN3066	II	CORROSIVE	B2, N71, T7	154	202	242	1 L	30 L	A	
	Paint related material *including paint thinning, drying, removing, or reducing compound.*	3	UN1263	III	CORROSIVE	B52, N71, T7	154	203	241	5 L	60 L	A	
				II	FLAMMABLE LIQUID	B52, T7, T30	150	173	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, B52, T7, T30.	150	173	242	60 L	220 L	A	
	Paper, unsaturated oil treated *incompletely dried (including carbon paper).*	4.2	UN1379	III	SPONTANEOUSLY COMBUSTIBLE.		None	213	241	Forbidden	Forbidden	A	
	Paraformaldehyde	4.1	UN2213	III	NONE	A1	151	213	240	25 kg	100 kg	A	
	Paraldehyde	3	UN1264	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Paranitroaniline, solid, see Nitroanilines *etc.*												
D	Parathion	6.1	NA2783	I	POISON	T42	None	201	243	Forbidden	1 L	A	40
				II	POISON	T14	None	202	243	Forbidden	5 L	A	40
D	Parathion and compressed gas mixture	2.3	NA1967		POISON GAS	3	None	334	245	Forbidden	Forbidden	E	40

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authonzations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Paris green, solid, see Copper acetoarsenite												
D	PCB, *see* Polychlorinated biphenyls												
+	Pentaborane	4.2	UN1380	I	SPONTANEOUSLY COMBUSTIBLE, POISON.	1	None	205	245	Forbidden	Forbidden	D	
	Pentachloroethane	6.1	UN1669	II	POISON	T14	None	202	243	5 L	60 L	A	40
	Pentaerythrite tetranitrate (dry)	Forbidden											
D	Pentaerythrite tetranitrate *or* Pentaerythritol tetranitrate *or* PETN, wetted *with not less than 25 per cent water, by mass, or* Pentaerythrite tetranitrate *or* Pentaerythritol tetranitrate *or* PETN, desensitized *with not less than 15 per cent phlegmatizer by mass.*	1.1A	NA0150	II	EXPLOSIVE 1.1A	111, 117	None	62	None	Forbidden	Forbidden	B	1E, 5E
	Pentaerythrite tetranitrate *or* Pentaerythritol tetranitrate *or* PETN, *with not less than 7 per cent wax by mass.*	1.1D	UN0411	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Pentaerythritol tetranitrate, *see* Pentaerythrite tetranitrate, *etc.*.												
	Pentamethylheptane	3	UN2286	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Pentan-2,4-Dione	3	UN2310	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	n-Pentanes *or* isopentane	3	UN1265	I	FLAMMABLE LIQUID	T20	150	201	243	1 L	30 L	E	
	Pentanitroaniline (dry)	Forbidden											
	1-Pentol	8	UN2705	II	CORROSIVE	B2, T8	154	202	242	1 L	30 L	B	38
	Pentolite, *dry or wetted with less than 15 per cent water, by mass.*	1.1D	UN0151	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Perchlorates, inorganic, n.o.s.	5.1	UN1481	II	OXIDIZER		152	212	242	5 kg	25 kg	A	46, 56
	Perchloric acid, more than 72 per cent acid by mass.	Forbidden											
	Perchloric acid *more than 50 per cent but not more than 72 per cent acid, by mass.*	5.1	UN1873	I	OXIDIZER, CORROSIVE.	A2, A3, N41, T9, T27.	None	201	243	Forbidden	2.5 L	D	66
	Perchloric acid *not more than 50 per cent acid by mass.*	8	UN1802	II	CORROSIVE, OXIDIZER.	N41, T9	None	202	243	Forbidden	30 L	C	66, 89
	Perchloroethylene, see Tetrachloroethylene												
	Perchloromethylmercaptan	6.1	UN1670	I	POISON	2, A3, A7, B9, B14, B32, B74, N34, T38, T43, T45.	None	227	244	Forbidden	30 L	D	40
	Perchloryl fluoride	2.3	UN3083		POISON GAS, OXIDIZER.	3, B12, B14	None	302	314, 315	Forbidden	Forbidden	D	40, 43, 95
	Percussion caps, see Primers, cap type												
	Perfluoro-2-butene, see Octafluorobut-2-ene												
	Perfluoroethylvinyl ether	2.1	UN3154		FLAMMABLE GAS		306	302, 304, 305	314, 315	Forbidden	150 kg	E	40
	Perfluoromethylvinyl ether	2.1	UN3153		FLAMMABLE GAS		306	302, 304, 305	314, 315	Forbidden	150 kg	E	40
	Perfumery products *with flammable solvents*	3	UN1266	II	FLAMMABLE LIQUID	T7, T30	150	202	242	15 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	
	Permanganates, inorganic, n.o.s. (*except ammonium permanganate, the transport of which is prohibited except when approved by the Associate Administrator for Hazardous Materials Safety.y the competent authonties*).	5.1	UN1482	II	OXIDIZER	A30	152	212	242	5 kg	25 kg	D	56, 58, 69, 106, 107

	Peroxides, inorganic, n.o.s.	5.1	UN1483	II	OXIDIZER	A7, A20, N34	None	212	242	5 kg	25 kg	A	13, 75, 106
	Peroxyacetic acid, more than 43 per cent and with more than 6 per cent hydrogen peroxide.	Forbidden											
	Pesticides, liquid, flammable, toxic, n.o.s. (flashpoint less than 23 degrees C).	3	UN3021	I	FLAMMABLE LIQUID, POISON.	B5	None	201	243	Forbidden	30 L	B	
				II	FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	B	
	Pesticides, liquid, toxic, flammable, n.o.s. *flashpoint not less than 23 degrees C.*	6.1	UN2903	I	POISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	B	40
				II	POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.	B1, T14	153	203	242	60 L	220 L	A	40
	Pesticides, liquid, toxic, n.o.s.	6.1	UN2902	I	POISON	T42	None	201	243	1 L	30 L	B	40
				II	POISON	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	A	40
	Pesticides, solid, toxic, n.o.s.	6.1	UN2588	I	POISON		None	211	242	5 kg	50 kg	A	40
				II	POISON		None	212	242	25 kg	100 kg	A	40
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	40
	PETN, *see* Pentaerythrite tetranitrate												
	PETN/TNT, *see* Pentolite, *etc.*												
	Petrol, *see* Gasoline												
	Petroleum crude oil	3	UN1267	I	FLAMMABLE LIQUID	T8, T31	None	201	243	1 L	30 L	E	
				II	FLAMMABLE LIQUID	T8, T31	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	
	Petroleum distillates, n.o.s.	3	UN1268	I	FLAMMABLE LIQUID	T8, T31	150	201	243	1 L	30 L	E	
				II	FLAMMABLE LIQUID	T8, T31	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	
	Petroleum ether, see Petroleum spirit												
	Petroleum gases, liquefied *or* Liquefied petroleum gas.	2.1	UN1075		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	E	40
	Petroleum naphtha, see Naphtha, *petroleum*												
	Petroleum oil	3	UN1270	I	FLAMMABLE LIQUID	T8, T31	None	201	243	1 L	30 L	E	
				II	FLAMMABLE LIQUID	T8, T31	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	
	Petroleum spirit	3	UN1271	I	FLAMMABLE LIQUID	T8	150	201	243	1 L	30 L	E	
				II	FLAMMABLE LIQUID	B1, T8	150	202	242	5 L	60 L	B	
	Phenacyl bromide	6.1	UN2645	II	POISON		None	212	242	25 kg	100 kg	B	40, 48
	Phenetidines	6.1	UN2311	III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	
	Phenol, molten	6.1	UN2312	II	POISON	B14, T8	None	202	243	Forbidden	Forbidden	B	40
+	Phenol, solid	6.1	UN1671	II	POISON	N78, T14	None	212	240	25 kg	100 kg	A	
	Phenol solutions	6.1	UN2821	II	POISON	T14	None	202	243	5 L	60 L	A	
	Phenolsulfonic acid, liquid	8	UN1803	II	CORROSIVE	B2, N41, T8	154	202	242	1 L	30 L	C	14
	Phenoxy pesticides, liquid, flammable, toxic n.o.s., *flash point less than 23 degrees C.*	3	UN2766	I	FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	B	
				II	FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	B	
	Phenoxy pesticides, liquid, toxic, flammable, n.o.s. *flashpoint not less than 23 degrees C.*	6.1	UN2999	I	POISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	B	40
				II	POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.	B1, T14	153	203	242	60 L	220 L	A	40
	Phenoxy pesticides, liquid, toxic, n.o.s.	6.1	UN3000	I	POISON	T42	None	201	243	1 L	30 L	B	40
				II	POISON	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	A	40
	Phenoxy pesticides, solid, toxic, n.o.s.	6.1	UN2765	I	POISON		None	211	242	5 kg	50 kg	A	40
				II	POISON		None	212	242	25 kg	100 kg	A	40

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	40
+	Phenyl isocyanate	6.1	UN2487	II	POISON	2, A3, B9, B14, B32, B74, B77, N33, N34, T38, T43, T45.	None	227	244	5 L	60 L	D	40
+	Phenyl mercaptan	6.1	UN2337	II	POISON, FLAMMABLE LIQUID.	2, B9, B14, B32, B74, B77, T38, T43, T45.	None	227	244	5 L	60 L	B	26, 40
	Phenyl phosphorus dichloride	8	UN2798	II	CORROSIVE	B2, B15, T8, T26.	154	202	242	Forbidden	30 L	B	40
	Phenyl phosphorus thiodichloride	8	UN2799	II	CORROSIVE	B2, B15, T8, T26.	154	202	242	Forbidden	30 L	B	40
	Phenyl urea pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN2768	I	FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	B	
				II	FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	B	
	Phenyl urea pesticides, liquid, toxic, flammable, n.o.s., *flash point not less than 23 degrees C.*	6.1	UN3001	I	POISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	B	40
				II	POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.	B1, T14	153	203	242	60 L	220 L	A	40
	Phenyl urea pesticides, liquid, toxic, n.o.s.	6.1	UN3002	I	POISON	T42	None	201	243	1 L	30 L	B	40
				II	POISON	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	A	40
	Phenyl urea pesticides, solid, toxic, n.o.s.	6.1	UN2767	I	POISON		None	211	242	5 kg	50 kg	A	40
				II	POISON		None	212	242	25 kg	100 kg	A	40
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	40
	Phenylacetonitrile, liquid	6.1	UN2470	III	KEEP AWAY FROM FOOD.	T8	153	203	241	60 L	220 L	A	26
	Phenylacetyl chloride	8	UN2577	II	CORROSIVE	B2, T8, T26	154	202	242	1 L	30 L	C	40
	Phenylcarbylamine chloride	6.1	UN1672	I	POISON	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	Forbidden	Forbidden	D	40
	Phenylchloroformate	6.1	UN2746	II	POISON, CORROSIVE.	T12	None	202	243	1 L	30 L	A	12, 13, 25, 40, 48
	m-Phenylene diaminediperchlorate (dry)	Forbidden											
	Phenylenediamines (*o-, m-, p-,*)	6.1	UN1673	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	108
	Phenylhydrazine	6.1	UN2572	II	POISON	T8	None	202	243	5 L	60 L	A	40
	Phenylmercuric acetate	6.1	UN1674	II	POISON		None	212	242	25 kg	100 kg	A	
	Phenylmercuric compounds, n.o.s.	6.1	UN2026	I	POISON		None	211	242	5 kg	50 kg	A	
				II	POISON		None	212	242	25 kg	100 kg	A	
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Phenylmercuric hydroxide	6.1	UN1894	II	POISON		None	212	242	25 kg	100 kg	A	
	Phenylmercuric nitrate	6.1	UN1895	II	POISON		None	212	242	25 kg	100 kg	A	
	Phenyltrichlorosilane	8	UN1804	II	CORROSIVE	A7, B6, N34, T8.	None	202	242	Forbidden	30 L	C	40

	Phosgene	2.3	UN1076		POISON GAS, CORROSIVE.	1, B7, B46	None	192	314	Forbidden	Forbidden	D	40
	9-Phosphabicyclononanes *or* Cyclooctadiene phosphines.	4.2	UN2940	II	SPONTANEOUSLY COMBUSTIBLE.	A19	None	212	241	15 kg	50 kg	A	
	Phosphine	2.3	UN2199		POISON GAS, FLAMMABLE GAS.	1	None	192	245	Forbidden	Forbidden	D	40
	Phosphoric acid	8	UN1805	III	CORROSIVE	A7, N34, T7	154	203	241	5 L	60 L	A	
	Phosphoric acid triethyleneimine, see Tri-(1-aziridiyl) phosphine oxide, solution.												
	Phosphoric anhydride, see Phosphorus pentoxide												
	Phosphorous acid, ortho	8	UN2834	III	CORROSIVE	T7	154	213	240	25 kg	100 kg	A	48
	Phosphorus, amorphous	4.1	UN1338	III	FLAMMABLE SOLID	A1, A19, B1, B9, B12, B26.	None	213	243	25 kg	100 kg	A	74
	Phosphorus bromide, see Phosphorus tribromide												
	Phosphorus chloride, see Phosphorus trichloride												
	Phosphorus heptasulfide, *free from yellow or white phosphorus.*	4.1	UN1339	II	FLAMMABLE SOLID	A20, N34	None	212	240	15 kg	50 kg	B	74
	Phosphorus oxybromide	8	UN1939	II	CORROSIVE	B8, N41, N43	None	212	240	Forbidden	50 kg	C	12, 40, 48
	Phosphorus oxybromide, molten	8	UN2576	II	CORROSIVE	B2, B8, N41, N43, T8, T27.	None	202	242	Forbidden	Forbidden	C	40
+	Phosphorus oxychloride	8	UN1810	II	CORROSIVE, POISON.	2, A7, B9, B14, B32, B74, B77, N34, T38, T43, T45.	None	227	244	Forbidden	30 L	C	8, 40
	Phosphorus pentabromide	8	UN2691	II	CORROSIVE	A7, N34	154	202	240	Forbidden	50 kg	B	12, 40, 48
	Phosphorus pentachloride	8	UN1806	II	CORROSIVE	A7, N34	None	202	240	Forbidden	50 kg	C	40
	Phosphorus pentafluoride	2.3	UN2198		POISON GAS	1	None	302	None	Forbidden	Forbidden	D	40
	Phosphorus pentasulfide, *free from yellow or white phosphorus.*	4.3	UN1340	II	DANGEROUS WHEN WET.	A20, B59	None	212	243	15 kg	50 kg	B	74
	Phosphorus pentoxide	8	UN1807	II	CORROSIVE	A7, N34	154	212	240	15 kg	50 kg	A	10
	Phosphorus sesquisulfide, *free from yellow or white phosphorous.*	4.1	UN1341	II	FLAMMABLE SOLID	A20, N34	None	212	240	15 kg	50 kg	B	74
	Phosphorus tribromide	8	UN1808	II	CORROSIVE	A3, A6, A7, B2, B25, N34, N43, T8.	None	202	242	Forbidden	30 L	C	8, 40
+	Phosphorus trichloride	8	UN1809	II	CORROSIVE, POISON.	2, A3, A7, B9, B14, B15, B32, B74, B77, N34, T38, T43, T45.	None	227	244	Forbidden	30L	C	8, 40
	Phosphorus trioxide	8	UN2578	III	CORROSIVE		154	213	241	25 kg	100 kg	A	12, 48
	Phosphorus trisulfide, *free from yellow or white phosphorus.*	4.1	UN1343	II	FLAMMABLE SOLID	A20, N34	None	212	240	15 kg	50 kg	B	74
	Phosphorus white, molten	4.2	UN2447	I	SPONTANEOUSLY COMBUSTIBLE, POISON.	B9, B12, B26, N34, T15, T26, T29.	None	188	243	Forbidden	Forbidden	D	
	Phosphorus (white or red) and a chlorate, mixtures of.	Forbidden											
	Phosphorus, white *or* yellow dry *or* under water *or* in solution.	4.2	UN1381	I	SPONTANEOUSLY COMBUSTIBLE, POISON.	B9, B12, B26, N34, T15, T26, T33.	None	188	243	Forbidden	Forbidden	E	
	Phosphoryl chloride, see Phosphorus oxychloride												
	Phthalic anhydride *with more than .05 per cent maleic anhydride.*	8	UN2214	III	CORROSIVE	T7	154	213	240	25 kg	100 kg	A	
	Phthalimide derivative pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN2774	I	FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	B	
				II	FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	B	
	Phthalimide derivative pesticides, liquid, toxic, flammable, n.o.s. *flashpoint not less than 23 degrees C.*	6.1	UN3007	I	POISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	B	40
				II	POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.	T14	153	203	242	60 L	220 L	A	40
	Phthalimide derivative pesticides, liquid, toxic, n.o.s.	6.1	UN3008	I	POISON	T42	None	201	243	1 L	30 L	B	40
				II	POISON	T14	None	202	243	5 L	60 L	B	40

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
				III	KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	A	40
	Phthalimide derivative pesticides, solid, toxic, n.o.s.	6.1	UN2773	I	POISON		None	211	242	5 kg	50 kg	A	40
				II	POISON		None	212	242	25 kg	100 kg	A	40
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	40
	Picolines	3	UN2313	III	FLAMMABLE LIQUID	B1, T8	150	202	242	5 L	60 L	A	40
	Picric acid, *see* Trinitrophenol, *etc.*												
D	Picric acid, wet, with not less than 10% water	4.1	NA1344	I	FLAMMABLE SOLID	A19, A20, N41	None	211	None	Forbidden	Forbidden	D	
	Picrite, *see* Nitroguanidine, *etc.*												
	Picryl chloride, *see* Trinitrochlorobenzene												
	Pine oil	3	UN1272	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	alpha-Pinene	3	UN2368	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Piperazine	8	UN2579	III	CORROSIVE	T7	154	213	240	25 kg	100 kg	A	12, 48
	Piperidine	3	UN2401	II	FLAMMABLE LIQUID	T2	150	202	242	5 L	60 L	B	
	Pivaloyl chloride, see Trimethyl acetyl chloride												
A	Plastic molding material *in dough, sheet or extruded rope form.*	9		III	CLASS 9		155	213	None	100 kg	200 kg	A	
	Plastic solvent, n.o.s., see Flammable liquids, n.o.s.												
	Plastics, nitrocellulose based, spontaneously combustible, n.o.s.	4.2	UN2006	III	SPONTANEOUSLY COMBUSTIBLE.		None	213	None	Forbidden	Forbidden	C	
	Poisonous gases, n.o.s., see Compressed *or* liquefied gases, flammable *or* toxic, n.o.s.												
	Poisonous liquids, corrosive, n.o.s.	6.1	UN2927	I	POISON, CORROSIVE.	T42	None	201	243	0.5 L	2.5 L	B	40
				II	POISON, CORROSIVE.		None	202	243	1 L	30 L	B	40
	Poisonous liquids, corrosive, n.o.s., *inhalation hazard, Packing Group I, Zone A.*	6.1	UN2927	I	POISON. CORROSIVE.	1, B9, B14, B30, B72, T38, T43, T44.	None	226	244	Forbidden	Forbidden	D	20, 40, 95
	Poisonous liquids, corrosive, n.o.s., *inhalation hazard, Packing Group I, Zone B.*	6.1	UN2927	I	POISON. CORROSIVE.	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	Forbidden	Forbidden	D	20, 40, 95
	Poisonous liquids, flammable, n.o.s.	6.1	UN2929	I	POISON. FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	B	40
				II	POISON. FLAMMABLE LIQUID.	T15	None	202	243	5 L	60 L	B	40
	Poisonous liquids, flammable, n.o.s., *inhalation hazard, Packing Group I, Zone A.*	6.1	UN2929	I	POISON, FLAMMABLE LIQUID.	1, B9, B14, B30, B72, T38, T43, T44.	None	226	244	Forbidden	Forbidden	D	20, 40 95
	Poisonous liquids, flammable, n.o.s., *inhalation hazard, Packing Group I, Zone B.*	6.1	UN2929	I	POISON, FLAMMABLE LIQUID.	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	Forbidden	Forbidden	D	20, 40, 95
	Poisonous liquids, n.o.s.	6.1	UN2810	I	POISON	T42	None	201	243	1 L	30 L	B	40
				II	POISON	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	40
	Poisonous liquids, n.o.s. *inhalation hazard, Packing Group I, Zone A.*	6.1	UN2810	I	POISON	1, B9, B14, B30, B72, T38, T43, T44.	None	226	244	Forbidden	Forbidden	D	20, 40, 95
	Poisonous liquids, n.o.s. *inhalation hazard, Packing Group I, Zone B.*	6.1	UN2810	I	POISON	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	Forbidden	Forbidden	D	20, 40, 95
	Poisonous liquids, oxidizing, n.o.s.	6.1	UN3122	I	POISON, OXIDIZER	A4	None	201	243	Forbidden	2.5 L	C	89

				II	POISON, OXIDIZER		None	202	243	1 L	5 L	C	89
	Poisonous liquids, oxidizing, n.o.s. *Inhalation hazard, packing group I, Zone A.*	6.1	UN3122	I	POISON, OXIDIZER	1, B9, B14, B30, B72, T38, T43, T44.	None	226	244	Forbidden	2.5 L	C	89
	Poisonous liquids, oxidizing, n.o.s. *Inhalation Hazard, Packing Group I, Zone B.*	6.1	UN3122	I	POISON, OXIDIZER	2, B9, B14, B32, T38, T43, T45.	None	227	244	Forbidden	Forbidden	C	89
	Poisonous liquids which in contact with water emit flammable gases, n.o.s..	6.1	UN3123	I	POISON, DANGEROUS WHEN WET.	A4	None	201	243	Forbidden	1 L	E	
				II	POISON, DANGEROUS WHEN WET.		None	202	243	1 L	5 L	E	
	Poisonous solids, corrosive, n.o.s.	6.1	UN2928	I	POISON. CORROSIVE.		None	211	242	1 kg	25 kg	B	40
				II	POISON, CORROSIVE.		None	212	242	15 kg	50 kg	B	40
	Poisonous solids, flammable, n.o.s.	6.1	UN2930	I	POISON. FLAMMABLE SOLID.		None	211	242	1 kg	15 kg	B	
				II	POISON, FLAMMABLE SOLID.		None	212	242	15 kg	50 kg	B	
	Poisonous solids, n.o.s.	6.1	UN2811	I	POISON		None	211	242	5 kg	50 kg	B	
				II	POISON		None	212	242	25 kg	100 kg	B	
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Poisonous solids, oxidizing, n.o.s.	6.1	UN3086	I	POISON, OXIDIZER		None	211	242	1 kg	15 kg	C	89
				II	POISON, OXIDIZER		None	212	242	15 kg	50 kg	C	89
	Poisonous, solids, self heating, n.o.s.	6.1	UN3124	I	POISON, SPONTANEOUSLY COMBUSTIBLE.	A5	None	211	241	5 kg	15 kg	C	
				II	POISON, SPONTANEOUSLY COMBUSTIBLE.		None	212	242	15 kg	50 kg	C	
	Poisonous, solids, which in contact with water emit flammable gases, n.o.s..	6.1	UN3125	I	POISON, DANGEROUS WHEN WET.	A5	None	211	241	5 kg	15 kg	E	
				II	POISON, DANGEROUS WHEN WET.		None	212	242	15 kg	50 kg	E	
	Polyalkylamines, n.o.s.. *see* Alkylamines, *etc.*												
AW	Polychlorinated biphenyls	9	UN2315	II	CLASS 9	9, N81	155	202	241	100 L	220 L	A	34
D	Polyester resin kits	5.2	NA2255	II	ORGANIC PEROXIDE.		None	225	246	5 kg	5 kg	D	
	Polyhalogenated biphenyls, liquid *or* Polyhalogenated terphenyls liquid.	9	UN3151	II	CLASS 9		155	204	241	100 L	220 L	A	34
	Polyhalogenated biphenyls, solid *or* Polyhalogenated terphenyls, solid.	9	UN3152	II	CLASS 9		155	204	241	100 kg	200 kg	A	34
	Polystyrene beads, expandable, *evolving flammable vapor.*	9	UN2211	III	None		221	221	240	100 kg	200 kg	A	85, 67
	Potassium	4.3	UN2257	II	DANGEROUS WHEN WET.	A19, A20, B27, N6, N34, T15, T26.	None	212	244	Forbidden	50 kg	D	
	Potassium arsenate	6.1	UN1677	II	POISON		None	212	242	25 kg	100 kg	A	
	Potassium arsenite	6.1	UN1678	II	POISON		None	212	242	25 kg	100 kg	A	
	Potassium bifluoride, *solid*	8	UN1811	II	CORROSIVE, POISON.	N3, N34, T8	154	212	242	15 kg	50 kg	A	25, 26, 40, 95
	Potassium bifluoride, *solution*	8	UN1811	II	CORROSIVE, POISON.	N3, N34, T8	154	202	242	1 L	30 L	A	26, 40, 95
	Potassium bisulfite solution, *see* Bisulfites, inorganic, aqueous solutions, n.o.s..												
	Potassium borohydride	4.3	UN1870	I	DANGEROUS WHEN WET.	A19, N40	None	211	242	Forbidden	15 kg	E	
	Potassium bromate	5.1	UN1484	II	OXIDIZER		152	212	242	5 kg	25 kg	A	56, 58, 106
	Potassium carbonyl	Forbidden											

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Potassium chlorate	5.1	UN1485	II	OXIDIZER	A9, N34	152	212	242	5 kg	25 kg	A	56, 58, 106
	Potassium chlorate mixed with mineral oil, see Explosive, blasting, type C.												
	Potassium chlorate, solution	5.1	UN2427	II	OXIDIZER	A2, T8	152	202	241	1 L	5 L	B	56, 58, 106
	Potassium cuprocyanide	6.1	UN1679	II	POISON		None	212	242	25 kg	100 kg	A	26
	Potassium cyanide	6.1	UN1680	I	POISON	B69, B77, N74, N75, T18, T26.	None	211	242	5 kg	50 kg	B	52
	Potassium dichloro isocyanurate or Potassium dichloro-s-triazinetrione, see Dichloroisocyanuric acid, dry or Dichloroisocyanuric acid salts *etc.*												
	Potassium dithionite *or* Potassium hydrosulfite	4.2	UN1929	II	SPONTANEOUSLY COMBUSTIBLE.	A8, A19, A20	None	212	241	15 kg	50 kg	E	13
	Potassium fluoride	6.1	UN1812	III	KEEP AWAY FROM FOOD.	T8	153	213	240	100 kg	200 kg	A	26
	Potassium fluoroacetate	6.1	UN2628	I	POISON		None	211	242	5 kg	50 kg	E	
	Potassium fluorosilicate	6.1	UN2655	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	26
	Potassium hydrate, see Potassium hydroxide, solid												
	Potassium hydrogen fluoride, see Potassium bifluoride.												
	Potassium hydrogen fluoride solution, see Corrosive liquid, n.o.s.												
	Potassium hydrogen sulfate	8	UN2509	II	CORROSIVE	A7, N34	154	212	240	15 kg	50 kg	A	
	Potassium hydrosulfite, *see* Potassium dithionite												
	Potassium hydroxide, liquid, see Potassium hydroxide solution.												
	Potassium hydroxide, solid	8	UN1813	II	CORROSIVE		154	212	240	15 kg	50 kg	A	
	Potassium hydroxide, solution	8	UN1814	II	CORROSIVE	B2, T8	154	202	242	1 L	30 L	A	
	Potassium hypochlorite, solution, see Hypochlorite solutions, *etc.*												
	Potassium, metal alloys	4.3	UN1420	I	DANGEROUS WHEN WET.	A19, A20, B27	None	212	244	Forbidden	50 kg	D	
	Potassium metal, liquid alloy, see Alkali metal alloys, liquid.												
	Potassium metavanadate	6.1	UN2864	II	POISON		None	212	242	25 kg	100 kg	A	
	Potassium monoxide	8	UN2033	II	CORROSIVE		154	212	240	15 kg	50 kg	A	
	Potassium nitrate	5.1	UN1486	III	OXIDIZER	A1, A29	152	212	240	25 kg	100 kg	A	
	Potassium nitrate and sodium nitrite mixtures	5.1	UN1487	II	OXIDIZER	B12, B78	152	212	240	5 kg	25 kg	A	56, 58
	Potassium nitrite	5.1	UN1488	II	OXIDIZER		152	212	242	5 kg	25 kg	A	56, 58
	Potassium perchlorate, solid *or* solution	5.1	UN1489	II	OXIDIZER	T8	152	212	242	5 kg	25 kg	A	56, 58, 106
	Potassium permanganate	5.1	UN1490	II	OXIDIZER	B12	152	212	242	5 kg	25 kg	D	56, 58, 69, 106, 107
	Potassium peroxide	5.1	UN1491	I	OXIDIZER	A20, N34	None	211	None	Forbidden	15 kg	B	13, 75, 106
	Potassium persulfate	5.1	UN1492	III	OXIDIZER	A1, A29	152	213	240	25 kg	100 kg	A	
	Potassium phosphide	4.3	UN2012	I	DANGEROUS WHEN WET, POISON.	A19, N40	None	211	None	Forbidden	15 kg	E	40, 85
	Potassium salts of aromatic nitro-derivatives, *explosive.*	1.3C	UN0158	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Potassium selenate, *see* Selenates *or* Selenites												

	Potassium selenite, *see* Selenates or Selenites													
	Potassium sodium alloys	4.3	UN1422	I	DANGEROUS WHEN WET.	A19, B27, N34, N40, T15, T26.	None	201	244	Forbidden	15 kg	D	
	Potassium sulfide, anhydrous *or* Potassium sulfide *with less than 30 per cent water of crystallization.*	4.2	UN1382	II	SPONTANEOUSLY COMBUSTIBLE.	A19, A20, B16, N34.	None	212	241	15 kg	50 kg	A	
	Potassium sulfide, hydrated *with not less than 30 per cent water of crystallization.*	8	UN1847	II	CORROSIVE		154	212	240	15 kg	50 kg	A	26
	Potassium superoxide	5.1	UN2466	I	OXIDIZER	A20	None	211	None	Forbidden	15 kg	B	13, 75, 106
	Powder cake, wetted *or* Powder paste, wetted *with not less than 25 per cent water, by mass.*	1.3C	UN0159	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Powder cake, wetted *or* Powder paste, wetted *with not less than 17 percent alcohol by mass.*	1.1C	UN0433	II	EXPLOSIVE 1.1C		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Powder paste, *see* Powder cake, *etc.*												
	Powder; smokeless	1.1C	UN0160	II	EXPLOSIVE 1.1C		None	62	None	Forbidden	Forbidden	B	10E, 26E
	Powder, smokeless	1.3C	UN0161	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	10E, 26E
	Power device, explosive, see Cartridges, power device.												
	Primers, cap type	1.4S	UN0044	II	None		None	62	None	25 kg	100 kg	A	9E
	Primers, cap type	1.1B	UN0377	II	EXPLOSIVE 1.1B		None	62	None	Forbidden	Forbidden	B	2E, 6E
	Primers, cap type	1.4B	UN0378	II	EXPLOSIVE 1.4B		None	62	None	Forbidden	75 kg	B	
	Primers, small arms, see Primers, cap type												
	Primers, tubular	1.3G	UN0319	II	EXPLOSIVE 1.3G		None	62	None	Forbidden	Forbidden	B	
	Primers, tubular	1.4G	UN0320	II	EXPLOSIVE 1.4G		None	62	None	Forbidden	75 kg	A	24E
	Primers, tubular	1.4S	UN0376	II	None		None	62	None	25 kg	100 kg	A	9E
	Projectiles, illuminating, see Ammunition, illuminating, *etc.*.												
	Projectiles, *inert with tracer*	1.4S	UN0345	II	EXPLOSIVE 1.4S		63(b)	62	None	25 kg	100 kg	A	3E, 7E, 9E
	Projectiles, *inert, with tracer*	1.3G	UN0424	II	EXPLOSIVE 1.3G		63(b)	62	None	Forbidden	Forbidden	B	3E, 7E
	Projectiles, *inert, with tracer*	1.4G	UN0425	II	EXPLOSIVE 1.4G		63(b)	62	None	Forbidden	75 kg	A	3E, 7E, 24E
	Projectiles, *with burster or expelling charge*	1.2D	UN0346	II	EXPLOSIVE 1.2D		63(b)	62	None	Forbidden	Forbidden	B	3E, 7E
	Projectiles, *with burster or expelling charge*	1.4D	UN0347	II	EXPLOSIVE 1.4D		63(b)	62	None	Forbidden	75 kg	A	3E, 7E, 24E
	Projectiles, *with burster or expelling charge*	1.2F	UN0426	II	EXPLOSIVE 1.2F		63(b)	62	None	Forbidden	Forbidden	E	
	Projectiles, *with burster or expelling charge*	1.4F	UN0427	II	EXPLOSIVE 1.4F		63(b)	62	None	Forbidden	Forbidden	E	
	Projectiles, *with burster or expelling charge*	1.2G	UN0434	II	EXPLOSIVE 1.2G		63(b)	62	None	Forbidden	Forbidden	B	3E, 7E
	Projectiles, *with burster or expelling charge*	1.4G	UN0435	II	EXPLOSIVE 1.4G		63(b)	62	None	Forbidden	75 kg	A	3E, 7E, 24E
	Projectiles, *with bursting charge*	1.1F	UN0167	II	EXPLOSIVE 1.1F		63(b)	62	None	Forbidden	Forbidden	E	
	Projectiles, *with bursting charge*	1.1D	UN0168	II	EXPLOSIVE 1.1D		63(b)	62	None	Forbidden	Forbidden	B	3E, 7E
	Projectiles, *with bursting charge*	1.2D	UN0169	II	EXPLOSIVE 1.2D		63(b)	62	None	Forbidden	Forbidden	B	3E, 7E
	Projectiles, *with bursting charge*	1.2F	UN0324	II	EXPLOSIVE 1.2F		63(b)	62	None	Forbidden	Forbidden	E	
	Projectiles, *with bursting charge*	1.4D	UN0344	II	EXPLOSIVE 1.4D		63(b)	62	None	Forbidden	75 kg	A	3E, 7E, 24E
	Propadiene, inhibited.	2.1	UN2200		FLAMMABLE GAS		None	304	314, 315	Forbidden	150 kg	B	40
	Propadiene mixed with methyl acetylene, see Methyl acetylene and propadiene mixtures, stabilized.												
	Propane *see also* Petroleum gases, liquefied	2.1	UN1978		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	E	40
	Propanethiols	3	UN2402	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	E	95, 102
	n-Propanol *or* Propyl alcohol normal	3	UN1274	II	FLAMMABLE LIQUID	B1, T1	150	202	242	5 L	60 L	B	
D	Propargyl alcohol	3	NA1986	II	FLAMMABLE LIQUID, POISON.		None	202	243	Forbidden	1 L	B	40
D	Propellant explosive, liquid	1.1C	NA0474	II	EXPLOSIVE 1.1C		None	62	None	Forbidden	Forbidden	B	1E, 5E
D	Propellant explosive, liquid	1.3C	NA0477	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	1E, 5E
D	Propellant explosive, solid	1.1C	NA0273	II	EXPLOSIVE 1.1C		None	62	None	Forbidden	5 kg	B	
D	Propellant explosive, solid	1.3C	NA0274	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	5 kg	B	
	Propionaldehyde	3	UN1275	II	FLAMMABLE LIQUID	T14	150	202	242	5 L	60 L	E	
	Propionic acid	8	UN1848	III	CORROSIVE	T7	154	203	241	5 L	60 L	A	22, 48
	Propionic anhydride	8	UN2496	III	CORROSIVE	T2	154	203	241	5 L	60 L	A	8
	Propionitrile	3	UN2404	II	FLAMMABLE LIQUID, POISON.	T14	None	201	243	Forbidden	60 L	E	40

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Propionyl chloride	3	UN1815	II	FLAMMABLE LIQUID, CORROSIVE.	T8, T26	None	202	243	1 L	5 L	B	40
	n-Propyl acetate	3	UN1276	II	FLAMMABLE LIQUID.	T1	150	202	242	5 L	60 L	B	
	Propyl alcohol, *see* Propanol												
	n-Propyl benzene	3	UN2364	III	FLAMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	A	
	Propyl chloride	3	UN1278	II	FLAMMABLE LIQUID.	N34, T14	None	202	242	Forbidden	60 L	E	
	n-Propyl chloroformate	6.1	UN2740	I	POISON, FLAMMABLE LIQUID, CORROSIVE.	2, A3, A6, A7, B9, B14, B32, B74, B77, N34, T38, T43, T45.	None	227	244	Forbidden	2.5 L	B	21, 40, 48, 100
	Propyl formates	3	UN1281	II	FLAMMABLE LIQUID.	T8	150	202	242	5 L	60 L	B	
+	n-Propyl isocyanate	3	UN2482	I	FLAMMABLE LIQUID, POISON.	1, A7, B9, B14, B30, B72, T38, T43, T44.	None	226	244	Forbidden	30 L	D	40
	Propyl mercaptan, see Propanethiols												
	n-Propyl nitrate	3	UN1865	II	FLAMMABLE LIQUID.	T25	150	202	None	5 L	60 L	D	
	Propylamine	3	UN1277	II	FLAMMABLE LIQUID, CORROSIVE.	N34, T14	None	202	242	5 L	60 L	E	40
	Propylene *see also* Petroleum gases, liquefied	2.1	UN1077		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	E	40
	Propylene chlorohydrin	6.1	UN2611	II	POISON	T9	None	202	243	5 L	60 L	A	12, 40, 48
	Propylene dichloride	3	UN1279	II	FLAMMABLE LIQUID.	N36, T1	150	202	242	5 L	60 L	B	
	Propylene oxide	3	UN1280	I	FLAMMABLE LIQUID.	A3, N34, T20, T29.	None	201	243	1 L	30 L	E	40
	Propylene tetramer	3	UN2850	III	FLAMMABLE LIQUID.	B1, T1	150	203	242	60 L	220 L	A	
	1,2-Propylenediamine	8	UN2258	III	CORROSIVE	A3, A6, N34, T8.	None	203	243	1 L	30 L	A	12, 20, 40, 48
	Propyleneimine, inhibited	3	UN1921	I	FLAMMABLE LIQUID.	A3, N34, T25	None	201	243	1 L	30 L	B	40
	Propyltrichlorosilane	8	UN1816	II	CORROSIVE	A7, B2, B6, N34, T8, T26.	None	202	242	Forbidden	30 L	C	12, 21, 40, 48
	Prussic acid, see Hydrogen cyanide												
	Pyridine	3	UN1282	II	FLAMMABLE LIQUID, POISON.	T8	None	202	243	1 L	60 L	B	21, 100
	Pyridine perchlorate	Forbidden											
	Pyrophoric liquids, n.o.s.	4.2	UN2845	I	SPONTANEOUSLY COMBUSTIBLE.	B11, T42	None	181	244	Forbidden	Forbidden	D	18
	Pyrophoric metals, n.o.s., *or* Pyrophoric alloys, n.o.s.	4.2	UN1383	I	SPONTANEOUSLY COMBUSTIBLE.	B11	None	187	242	Forbidden	Forbidden	D	
	Pyrophoric solids, n.o.s.	4.2	UN2846	I	SPONTANEOUSLY COMBUSTIBLE.		None	187	242	Forbidden	Forbidden	D	
	Pyrosulfuryl chloride	8	UN1817	II	CORROSIVE	B2, T9, T27	154	202	242	1 L	30 L	C	8, 40
	Pyroxylin solution or solvent, see Nitrocellulose												
	Pyrrolidine	3	UN1922	II	FLAMMABLE LIQUID.	T1	150	202	242	5 L	60 L	B	40
	Quebrachitol pentanitrate	Forbidden											
	Quicklime, see Calcium oxide												
	Quinoline	6.1	UN2656	III	KEEP AWAY FROM FOOD.	T8	153	203	241	60 L	220 L	A	12, 48
	R 114, see Dichlorotetrafluoroethane												
	R 115, see Chloropentafluoroethane												
	R 116, see Hexafluoroethane												
	R 124, see Chlorotetrafluoroethane												
	R 133a, see Chlorotrifluoroethane												

	R 152a, see Difluoroethane													
	R 500, see Dichlorodifluoromethane and difluoroethane, *etc.*.													
	R 502, see Chlorodifluoromethane and chloropentafluoroethane mixture, *etc.*.													
	R 503, see Chlorotrifluoromethane and trifluoromethane, *etc.*.													
	R 12, see Dichlorodifluoromethane													
	R 12B1, see Chlorodifluorobromomethane													
	R 13, see Chlorotrifluoromethane													
	R 13B1, see Bromotrifluoromethane													
	R 14, see Tetrafluoromethane													
	R 21, see Dichlorofluoromethane													
	R 22, see Chlorodifluoromethane													
	Radioactive material, excepted package-articles manufactured from natural *or* depleted uranium *or* natural thorium.	7	UN2910		None		421-1, 424	421-1, 424	421-1, 424			A		
	Radioactive material, excepted package-empty packaging.	7	UN2910		EMPTY		427	427	427			A		
	Radioactive material, excepted package-instruments *or* articles.	7	UN2910		None		421-1, 422	421-1, 422	421-1, 422			A		
	Radioactive material, excepted package-limited quantity of material.	7	UN2910		None		421, 421-1	421, 421-1	421, 421-1			A		
	Radioactive material, fissile, n.o.s.	7	UN2918		RADIOACTIVE		453	417	417			A		40, 95
	Radioactive material, low specific activity *LSA*, n.o.s..	7	UN2912		RADIOACTIVE		421, 422, 424	425	425			A		
	Radioactive material, n.o.s.	7	UN2982		RADIOACTIVE		421, 422, 424	415, 416	415, 416			A		40, 95
	Radioactive material, special form, n.o.s.	7	UN2974		RADIOACTIVE		421, 422	415, 416	415, 416			A		
	Railway torpedo, see Signals, railway track, explosive.													
	Rare gases and nitrogen mixtures	2.2	UN1981		NONFLAMMABLE GAS.		306	302	None	75 kg	150 kg	A		
	Rare gases and oxygen mixtures	2.2	UN1980		NONFLAMMABLE GAS.		306	302	None	75 kg	150 kg	A		
	Rare gases, mixtures	2.2	UN1979		NONFLAMMABLE GAS.		306	302	None	75 kg	150 kg	A		
	RC 318, see Octafluorocyclobutane													
	RDX and cyclotetramethylenetetranitramine, wetted *or* desensitized *see* RDX and HMX mixtures, wetted or desensitized.													
	RDX and HMX mixtures, wetted *with not less than 15 percent water by mass or* RDX and HMX mixtures, desensitized *with not less than 10 percent phlegmatizer by mass.*	1.1D	UN0391	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B		1E, 5E
	RDX and Octogen mixtures, wetted *or* desensitized *see* RDX and HMX mixtures, wetted *or* desensitized *etc.*.													
	RDX and Octogen mixtures, wetted *or* desensitized *see* RDX and HMX mixtures, wetted *or* desensitized *etc.*.													
	RDX, see Cyclotrimethylene trinitramine, etc.													
	Receptacles, small, containing gas *flammable, without release device, not refillable and not exceeding 1 L capacity.*	2.1	UN2037		FLAMMABLE GAS		306	304	None	1 kg	15 kg	B		40
	Receptacles, small, containing gas *nonflammable, without release device, not refillable and not exceeding 1 L capacity.*	2.2	UN2037		NONFLAMMABLE GAS.		306	304	None	1 kg	15 kg	B		40
	Red phosphorus, see Phosphorus, amorphous													
	Refrigerant gases, n.o.s.	2.2	UN1078		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A		
D	Refrigerant gases, n.o.s. *or* Dispersant gases, n.o.s.	2.1	NA1954		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	C		40

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
D	Refrigerating machine	3	NA1993	III	FLAMMABLE LIQUID		174	174	None	10 L	10 L	A	
D	Refrigerating machines, *containing flammable, non-poisonous, liquefied gas.*	2.1	NA1954		FLAMMABLE GAS		306	306	306	Forbidden	25 kg	C	40
	Refrigerating machines, *containing non-flammable, non-poisonous, liquefied gas.*	2.2	UN2857		NONFLAMMABLE GAS.		306, 307	306	306, 307	Forbidden	450 kg	A	
D	Regulated medical waste	6.2	NA9275	II	INFECTIOUS SUBSTANCE.		197	197	None	Forbidden	Forbidden	E	
	Release devices, explosive	1.4S	UN0173	II	EXPLOSIVE 1.4S		None	62	None	25 kg	100 kg	A	24E
	Resin solution, *flammable*	3	UN1866	II	FLAMMABLE LIQUID	B52, T7, T30	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, B52, T7, T30.	150	203	242	60 L	220 L	A	
	Resorcinol	6.1	UN2876	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Rifle grenade, see Grenades, *hand or rifle, etc.*												
	Rifle powder, see Powder, smokeless (*UN 0160*)												
	Rivets, explosive	1.4S	UN0174	II	EXPLOSIVE 1.4S		None	62	None	25 kg	100 kg	A	9E
	Road asphalt or tar liquid, see Tars, liquid, *etc.*												
	Rocket motors	1.3C	UN0186	II	EXPLOSIVE 1.3C	109	None	62	None	Forbidden	220 kg	B	9E
	Rocket motors	1.1C	UN0280	II	EXPLOSIVE 1.1C	109	None	62	None	Forbidden	Forbidden	B	
	Rocket motors	1.2C	UN0281	II	EXPLOSIVE 1.2C	109	None	62	None	Forbidden	Forbidden	B	
	Rocket motors, liquid fueled	1.2J	UN0395	II	EXPLOSIVE 1.2J	109	None	62	None	Forbidden	Forbidden	E	7E, 16E, 23E
	Rocket motors, liquid fueled	1.3J	UN0396	II	EXPLOSIVE 1.3J	109	None	62	None	Forbidden	Forbidden	E	7E, 16E, 23E
	Rocket motors with hypergolic liquids *with or without an expelling charge.*	1.3L	UN0250	II	EXPLOSIVE 1.3L	109	None	62	None	Forbidden	Forbidden	E	2E, 8E, 11E, 17E
	Rocket motors with hypergolic liquids *with or without an expelling charge.*	1.2L	UN0322	II	EXPLOSIVE 1.2L	109	None	62	None	Forbidden	Forbidden	E	2E, 8E, 11E, 17E
	Rockets, line throwing	1.4G	UN0453	II	EXPLOSIVE 1.4G		None	62	None	Forbidden	75 kg	B	
	Rockets, line-throwing	1.2G	UN0238	II	EXPLOSIVE 1.2G		None	62	None	Forbidden	Forbidden	B	
	Rockets, line-throwing	1.3G	UN0240	II	EXPLOSIVE 1.3G		None	62	None	Forbidden	75 kg	B	
	Rockets, liquid fueled *with bursting charge*	1.2J	UN0398	II	EXPLOSIVE 1.2J		None	62	None	Forbidden	Forbidden	E	7E, 16E, 23E
	Rockets, liquid fueled *with bursting charge*	1.1J	UN0397	II	EXPLOSIVE 1.1J		None	62	None	Forbidden	Forbidden	E	7E, 16E, 23E
	Rockets, *with bursting charge*	1.1F	UN0180	II	EXPLOSIVE 1.1F		None	62	None	Forbidden	Forbidden	E	
	Rockets, *with bursting charge*	1.1E	UN0181	II	EXPLOSIVE 1.1E		None	62	None	Forbidden	Forbidden	B	
	Rockets, *with bursting charge*	1.2E	UN0182	II	EXPLOSIVE 1.2E		None	62	None	Forbidden	Forbidden	B	
	Rockets, *with bursting charge*	1.2F	UN0295	II	EXPLOSIVE 1.2F		None	62	None	Forbidden	Forbidden	E	
	Rockets, *with expelling charge*	1.2C	UN0436	II	EXPLOSIVE 1.2C		None	62	None	Forbidden	Forbidden	B	
	Rockets, *with expelling charge*	1.3C	UN0437	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	
	Rockets, *with expelling charge*	1.4C	UN0438	II	EXPLOSIVE 1.4C		None	62	None	Forbidden	75 kg	A	24E
	Rockets, *with inert head*	1.3C	UN0183	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	
	Rosin oil	3	UN1286	II	FLAMMABLE LIQUID	T7	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Rubber solution	3	UN1287	II	FLAMMABLE LIQUID	T7, T30	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	
	Rubidium	4.3	UN1423	I	DANGEROUS WHEN WET.	22, A7, A19, N34, N40, N45.	None	211	242	Forbidden	15 kg	D	
	Rubidium hydroxide	8	UN2678	II	CORROSIVE	T8	154	212	240	15 kg	50 kg	A	
	Rubidium hydroxide solution	8	UN2677	II	CORROSIVE	B2, T8	154	202	242	1 L	30 L	A	
	Safety fuse, see Fuse, safety												
	Samples, explosive, *other than initiating explosives*		UN0190			113		62	None	Forbidden	Forbidden	E	12E
	Sand acid, see Fluorosilicic acid												

	Seed cake, *containing vegetable oil solvent extractions and expelled seeds, containing not more than 10% of oil and when the amount of moisture is higher than 11%, not more than 20% of oil and moisture combined.*	4.2	UN1386	III	None	N7	None	213	241	Forbidden	Forbidden	A	13
I	Seed cake *with more than 1.5 percent oil and not more than 11 percent moisture.*	4.2	UN1386	III	None	N7	None	213	241	Forbidden	Forbidden	E	13
I	Seed cake *with not more than 1.5 percent oil and not more than 11 percent moisture.*	4.2	UN2217	III	None	N7	None	213	241	Forbidden	Forbidden	A	13
	Selenates *or* Selenites	6.1	UN2630	I	POISON		None	211	242	5 kg	50 kg	E	
	Selenic acid	8	UN1905	I	CORROSIVE	N34	None	211	242	Forbidden	25 kg	A	
	Selenites, *see* Selenates *or* Selenites												
	Selenium disulfide	6.1	UN2657	II	POISON		None	212	242	25 kg	100 kg	A	
	Selenium hexafluoride	2.3	UN2194		POISON GAS	1	None	302	None	Forbidden	Forbidden	D	40
	Selenium nitride	Forbidden											
D	Selenium oxide	6.1	NA2811	I	POISON		None	211	242	5 kg	50 kg	B	
	Selenium oxychloride	8	UN2879	I	CORROSIVE, POISON.	A3, A6, A7, N34, T12, T27.	None	201	243	0.5 L	2.5 L	E	40, 95
	Selenium powder	6.1	UN2658	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Self-heating substances, solid, corrosive, n.o.s.	4.2	UN3126	II	SPONTANEOUSLY COMBUSTIBLE, CORROSIVE.		None	212	242	15 kg	50 kg	C	
				III	SPONTANEOUSLY COMBUSTIBLE, CORROSIVE.		None	213	242	25 kg	100 kg	C	
	Self-heating substances, solid, n.o.s.	4.2	UN3088	II	SPONTANEOUSLY COMBUSTIBLE.		None	212	241	15 kg	50 kg	C	
				III	SPONTANEOUSLY COMBUSTIBLE.		None	213	241	25 kg	100 kg	C	
	Self-heating substances, solid, oxidizing, n.o.s.	4.2	UN3127		SPONTANEOUSLY COMBUSTIBLE, OXIDIZER.		None	214	214	Forbidden	Forbidden		
	Self-heating substances, solid, poisonous, n.o.s.	4.2	UN3128	II	SPONTANEOUSLY COMBUSTIBLE, POISON.		None	212	242	15 kg	50 kg	C	
				III	SPONTANEOUSLY COMBUSTIBLE, KEEP AWAY FROM FOOD.		None	213	242	25 kg	100 kg	C	
	Self-propelled vehicle, see Vehicles, self-propelled												
	Self-reactive substances (*aliphatic azocompounds, aromatic sulphohydrazides, N-nitroso compounds, diazonium salts*) Sample, n.o.s.	4.1	UN3031	II	FLAMMABLE SOLID		None	214	None	Forbidden	Forbidden	D	
	Self-reactive substances (*aliphatic azocompounds, aromatic sulphohydrazides, N-nitroso compounds, diazonium salts*), Trial quantities, n.o.s.	4.1	UN3032	II	FLAMMABLE SOLID		None	214	None	Forbidden	Forbidden	D	
	Shale oil	3	UN1288	I	FLAMMABLE LIQUID	T7	None	201	243	1 L	30 L	B	
				II	FLAMMABLE LIQUID	T7, T30	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	
	Shaped charges, commercial, see Charges, shaped, commercial *etc.*												
	Signal devices, hand	1.4G	UN0191	II	EXPLOSIVE 1.4G		None	62	None	Forbidden	75 kg	A	24E
	Signal devices, hand	1.4S	UN0373	II	EXPLOSIVE 1.4S		None	62	None	25 kg	100 kg	A	9E
	Signals, distress, *ship*	1.1G	UN0194	II	EXPLOSIVE 1.1G		None	62	None	Forbidden	Forbidden	B	
	Signals, distress, *ship*	1.3G	UN0195	II	EXPLOSIVE 1.3G		None	62	None	Forbidden	75 kg	B	
	Signals, highway, see Signal devices, hand; Fireworks, type D.												
	Signals, railway track, explosive	1.1G	UN0192	II	EXPLOSIVE 1.1G		None	62	None	Forbidden	Forbidden	B	
	Signals, railway track, explosive	1.4S	UN0193	II	EXPLOSIVE 1.4S		None	62	None	25 kg	100 kg	A	9E
	Signals, ship distress, wateractivated, see Contrivances, water-activated, *etc.*												
	Signals, smoke	1.1G	UN0196	II	EXPLOSIVE 1.1G		None	62	None	Forbidden	Forbidden	B	
	Signals, smoke	1.2G	UN0313	II	EXPLOSIVE 1.2G		None	62	None	Forbidden	Forbidden	B	
	Signals, smoke	1.4G	UN0197	II	EXPLOSIVE 1.4G		None	62	None	Forbidden	75 kg	A	24E

§ 172.101 Hazardous Materials Table—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Signals, smoke	1.3G	UN0487	II	EXPLOSIVE 1.3G		None	62	None	Forbidden	Forbidden	B	1E, 7E, 25E
	Silane	2.1	UN2203		FLAMMABLE GAS		None	302	None	Forbidden	Forbidden	E	40, 57, 104
	Silicofluoric acid, see Fluorosilicic acid												
	Silicon chloride, see Silicon tetrachloride												
	Silicon powder, amorphous	4.1	UN1346	III	FLAMMABLE SOLID	A1	None	213	240	25 kg	100 kg	A	
	Silicon tetrachloride	8	UN1818	II	CORROSIVE	A3, A6, B2, B6, N41, T18, T26, T29.	154	202	242	1 L	30 L	C	8, 40
	Silicon tetrafluoride	2.3	UN1859		POISON GAS, CORROSIVE.	4	None	302	None	Forbidden	25 kg	D	40
	Silver acetylide (dry)	Forbidden											
	Silver arsenite	6.1	UN1683	II	POISON		None	212	242	25 kg	100 kg	A	
	Silver azide (dry)	Forbidden											
	Silver chlorite (dry)	Forbidden											
	Silver cyanide	6.1	UN1684	II	POISON		None	212	242	25 kg	100 kg	A	26, 40
	Silver fulminate (dry)	Forbidden											
	Silver nitrate	5.1	UN1493	II	OXIDIZER		152	212	242	5 kg	25 kg	A	
	Silver oxalate (dry)	Forbidden											
	Silver picrate (dry)	Forbidden											
	Silver picrate, wetted *with not less than 30 per cent water, by mass.*	4.1	UN1347	I	FLAMMABLE SOLID		None	211	None	Forbidden	Forbidden	D	28, 36
	Sludge, acid	8	UN1906	II	CORROSIVE	A3, A7, B2, N34, T9, T27.	None	202	242	Forbidden	30 L	C	14
D	Smokeless powder for small arms (*100 pounds or less*).	4.1	NA1325	I	FLAMMABLE SOLID	16	None	171	None	Forbidden	Forbidden	A	
	Soda lime *with more than 4 per cent sodium hydroxide.*	8	UN1907	III	CORROSIVE		154	213	240	25 kg	100 kg	A	
	Sodium	4.3	UN1428	II	DANGEROUS WHEN WET.	A7, A8, A19, A20, B9, B28, B68, N34, T15, T28, T29.	None	212	244	Forbidden	50 kg	D	
	Sodium aluminate, solid	8	UN2812	III	CORROSIVE		154	213	240	25 kg	100 kg	A	
	Sodium aluminate, solution	8	UN1819	II	CORROSIVE	B2, T8	154	202	242	1 L	30 L	A	
	Sodium aluminum hydride	4.3	UN2835	II	DANGEROUS WHEN WET.	A8, A19, A20	None	212	242	Forbidden	50 kg	E	
	Sodium ammonium vanadate	6.1	UN2863	II	POISON		None	212	242	25 kg	100 kg	A	
	Sodium arsanilate	6.1	UN2473	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Sodium arsenate	6.1	UN1685	II	POISON		None	212	240	25 kg	100 kg	A	
	Sodium arsenite, aqueous solutions	6.1	UN1686	II	POISON	T15	None	202	243	5 L	60 L	A	
				III	KEEP AWAY FROM FOOD.	T15	153	203	241	60 L	220 L	A	
	Sodium arsenite, solid	6.1	UN2027	II	POISON		None	212	242	25 kg	100 kg	A	
	Sodium azide	6.1	UN1687	II	POISON	B28	None	212	242	25 kg	100 kg	A	36, 52, 91
	Sodium bifluoride, see Sodium hydrogen fluoride												
	Sodium bisulfate, solid or solution, see Sodium hydrogen sulfate, solid *or* solution.												
	Sodium bisulfite, solution, see Bisulfites, inorganic, aqueous solutions, n.o.s..												
	Sodium borohydride	4.3	UN1426	I	DANGEROUS WHEN WET.	N40	None	211	242	Forbidden	15 kg	E	

	Sodium bromate	5.1	UN1494	II	OXIDIZER		152	212	242	5 kg	25 kg	A	56, 58, 106
	Sodium cacodylate	6.1	UN1688	II	POISON		None	212	242	25 kg	100 kg	A	26
	Sodium chlorate	5.1	UN1495	II	OXIDIZER	A9, N34, T8	152	212	240	5 kg	25 kg	A	56, 58, 106
	Sodium chlorate mixed with dinitrotoluene, see Explosive blasting, type C.												
	Sodium chlorate, solution	5.1	UN2428	II	OXIDIZER	A2, B6, T8	152	202	241	1 L	5 L	B	56, 58, 106
	Sodium chlorite	5.1	UN1496	II	OXIDIZER	A9, N34, T8	None	212	242	5 kg	25 kg	A	56, 58, 106
	Sodium chlorite solution *with more than 5 per cent available chlorine.*	8	UN1908	II	CORROSIVE	A3, A6, A7, B2, N34, T8.	154	202	242	1 L	30 L	B	26
	Sodium chloroacetate	6.1	UN2659	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	
	Sodium cuprocyanide, solid	6.1	UN2316	I	POISON		None	211	242	5 kg	50 kg	A	26
	Sodium cuprocyanide, solution	6.1	UN2317	I	POISON	T8, T26	None	201	243	1 L	30 L	B	26, 40
	Sodium cyanide	6.1	UN1689	I	POISON	B69, B77, N74, N75, T42.	None	211	242	5 kg	50 kg	B	52
	Sodium 2-diazo-1-naphthol-4-sulphonate	4.1	UN3040	II	FLAMMABLE SOLID		None	224	None	15 kg	50 kg	C	61
	Sodium 2-diazo-1-naphthol-5-sulphonate	4.1	UN3041	II	FLAMMABLE SOLID		None	224	None	15 kg	50 kg	C	61
	Sodium dichloroisocyanurate or Sodium dichloro-s-triazinetrione, see Dichloroisocyanuric acid *etc.*.												
	Sodium dinitro-o-cresolate, *dry or wetted with less than 15 per cent water, by mass.*	1.3C	UN0234	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Sodium dinitro-ortho-cresolate, wetted *with not less than 15 per cent water, by mass.*	4.1	UN1348	I	FLAMMABLE SOLID, POISON.	A8, A19, A20, N41.	None	211	None	1 kg	15 kg	E	28, 36
	Sodium dithionite *or* Sodium hydrosulfite	4.2	UN1384	II	SPONTANEOUSLY COMBUSTIBLE.	A19, A20	None	212	241	15 kg	50 kg	E	13
	Sodium fluoride	6.1	UN1690	III	KEEP AWAY FROM FOOD.	T8	153	213	240	100 kg	200 kg	A	26
	Sodium fluoroacetate	6.1	UN2629	I	POISON		None	211	242	5 kg	50 kg	E	
	Sodium fluorosilicate	6.1	UN2674	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	26
	Sodium hydrate, see Sodium hydroxide, solid												
	Sodium hydride	4.3	UN1427	I	DANGEROUS WHEN WET.	A19, N40	None	211	242	Forbidden	15 kg	E	
	Sodium hydrogen fluoride	8	UN2439	II	CORROSIVE	N3, N34	154	212	240	15 kg	50 kg	A	12, 25, 26, 40, 48
	Sodium hydrogen fluoride, *solution*	8	UN2439	II	CORROSIVE	N3, N34	154	202	242	1 L	30 L	A	12, 25, 26, 40
	Sodium hydrogen sulfate, solid	8	UN1821	III	CORROSIVE		154	213	240	25 kg	100 kg	A	
	Sodium hydrogen sulfate, solution	8	UN2837	II	CORROSIVE	A7, B2, N34, T8, T26.	154	202	242	1 L	30 L	A	
D	Sodium hydrosulfide, solution	8	NA2922	II	CORROSIVE, POISON.	B2	154	202	242	1 L	30 L	B	40, 95
	Sodium hydrosulfide, *with less than 25 per cent water of crystallization.*	4.2	UN2318	II	SPONTANEOUSLY COMBUSTIBLE.	A7, A19, A20	None	212	241	15 kg	50 kg	A	
	Sodium hydrosulfide *with not less than 25 per cent water of crystallization.*	8	UN2949	II	CORROSIVE	A7	154	212	240	15 kg	50 kg	A	26
	Sodium hydrosulfite, *see* Sodium dithionite												
	Sodium hydroxide, solid	8	UN1823	II	CORROSIVE		154	212	240	15 kg	50 kg	A	
	Sodium hydroxide solution	8	UN1824	II	CORROSIVE	B2, N34, T8	154	202	242	1 L	30 L	A	
	Sodium hypochlorite, solution, see Hypochlorite solutions *etc.*.												
	Sodium metal, liquid alloy, see Alkali metal alloys, liquid, n.o.s..												
	Sodium methylate	4.2	UN1431	II	SPONTANEOUSLY COMBUSTIBLE, CORROSIVE.	A19	None	211	242	15kg	50 kg	B	
	Sodium methylate solutions *in alcohol*	3	UN1289	II	FLAMMABLE LIQUID	T8, T31	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	202	242	60 L	220 L	A	
	Sodium monoxide	8	UN1825	II	CORROSIVE		154	212	240	15 kg	50 kg	A	
	Sodium nitrate	5.1	UN1498	III	OXIDIZER	A1, A29	152	213	240	25 kg	100 kg	A	
	Sodium nitrate and potassium nitrate mixtures	5.1	UN1499	III	OXIDIZER	A1, A29	152	213	240	25 kg	100 kg	A	
	Sodium nitrite	5.1	UN1500	III	OXIDIZER	A1, A29	152	213	240	25 kg	100 kg	A	56, 58

§ 172.101 Hazardous Materials Table—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Sodium pentachlorophenate	6.1	UN2567	II	POISON		None	212	242	25 kg	100 kg	A	
	Sodium percarbonate	5.1	UN2467	III	OXIDIZER	27, A1, A29	152	213	240	25 kg	100 kg	A	13
	Sodium perchlorate	5.1	UN1502	II	OXIDIZER	T8	152	212	242	5 kg	25 kg	A	56, 58, 106
	Sodium permanganate	5.1	UN1503	II	OXIDIZER		152	212	242	5 kg	25 kg	D	56, 58, 69, 106, 107
	Sodium peroxide	5.1	UN1504	I	OXIDIZER	A20, N34	None	211	None	Forbidden	15 kg	B	13, 75, 106
	Sodium persulfate	5.1	UN1505	III	OXIDIZER	A1	152	213	240	25 kg	100 kg	A	
	Sodium phenolate, solid	8	UN2497	III	CORROSIVE		154	213	240	25 kg	100 kg	A	
	Sodium phosphide	4.3	UN1432	I	DANGEROUS WHEN WET, POISON.	A19, N40	None	211	None	Forbidden	15 kg	E	40, 85
	Sodium picramate, *dry or wetted with less than 20 per cent water, by mass.*	1.3C	UN0235	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Sodium picramate, wetted *with not less than 20 per cent water, by mass.*	4.1	UN1349	II	FLAMMABLE SOLID	A8, A19, N41	None	211	None	Forbidden	15 kg	E	28, 36
	Sodium picryl peroxide	Forbidden											
	Sodium potassium alloys, see Potassium sodium alloys.												
	Sodium salts of aromatic nitro-derivatives, n.o.s.*explosive.*	1.3C	UN0203	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Sodium selenate, see Selenates *or* Selenites												
D	Sodium selenite	6.1	NA2630	II	POISON		None	212	242	25 kg	100 kg	E	
	Sodium sulfide, anhydrous *or* Sodium sulfide *with less than 30 per cent water of crystallization.*	4.2	UN1385	II	SPONTANEOUSLY COMBUSTIBLE.	A19, A20, N34	None	212	241	15 kg	50 kg	A	
	Sodium sulfide, hydrated *with at least 30 per cent water.*	8	UN1849	II	CORROSIVE	T8	154	212	240	15 kg	50 kg	A	26
	Sodium superoxide	5.1	UN2547	I	OXIDIZER	A20, N34	None	211	None	Forbidden	15 kg	E	13, 75, 106
	Sodium tetranitride	Forbidden											
	Sounding devices, explosive	1.2F	UN0204	II	EXPLOSIVE 1.2F		None	62	None	Forbidden	Forbidden	E	
	Sounding devices, explosive	1.1F	UN0296	II	EXPLOSIVE 1.1F		None	62	None	Forbidden	Forbidden	E	
	Sounding devices, explosive	1.1D	UN0374	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	
	Sounding devices, explosive	1.2D	UN0375	II	EXPLOSIVE 1.2D		None	62	None	Forbidden	Forbidden	B	
	Spirits of salt, see Hydrochloric acid												
	Squibs, see Igniters *etc.*												
	Stannic chloride, anhydrous	8	UN1827	II	CORROSIVE	B2, T8, T26	154	202	242	1 L	30 L	C	8
	Stannic chloride, pentahydrate	8	UN2440	III	CORROSIVE		154	213	240	25 kg	100 kg	A	
	Stannic phosphide	4.3	UN1433	I	DANGEROUS WHEN WET, POISON.	A19, N40	None	211	242	Forbidden	15 kg	E	40, 85
	Steel swarf, *see* Ferrous metal borings, *etc.*												
	Stibine	2.3	UN2676		POISON GAS, FLAMMABLE GAS.	1	None	304	None	Forbidden	Forbidden	D	40
	Storage batteries, wet, see Batteries, *wet etc.*												
	Strontium arsenite	6.1	UN1691	II	POISON		None	212	242	25 kg	100 kg	A	
	Strontium chlorate, solid *or* solution	5.1	UN1506	II	OXIDIZER	A1, A9, N34, T8.	152	212	242	5 kg	25 kg	A	56, 58, 106
	Strontium nitrate	5.1	UN1507	III	OXIDIZER	A1, A29	152	213	240	25 kg	100 kg	A	
	Strontium perchlorate	5.1	UN1508	II	OXIDIZER	T8	152	212	242	5 kg	25 kg	A	56, 58, 106
	Strontium peroxide	5.1	UN1509	II	OXIDIZER		152	212	242	5 kg	25 kg	A	13, 75, 106

	Strontium phosphide	4.3	UN2013	I	DANGEROUS WHEN WET, POISON.	A19, N40	None	211	None	Forbidden	15 kg	E	40, 85
	Strychnine *or* Strychnine salts	6.1	UN1692	I	POISON		None	211	242	5 kg	50 kg	A	40
	Styphnic acid, *see* Trinitroresorcinol, *etc.*												
	Styrene monomer, inhibited	3	UN2055	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Substances, explosive, n.o.s.	1.1L	UN0357	II	EXPLOSIVE 1.1L	101	None	62	None	Forbidden	Forbidden	E	2E, 8E, 11E, 17E
	Substances, explosive, n.o.s.	1.2L	UN0358	II	EXPLOSIVE 1.2L	101	None	62	None	Forbidden	Forbidden	E	2E, 8E, 11E, 17E
	Substances, explosive, n.o.s.	1.3L	UN0359	II	EXPLOSIVE 1.3L	101	None	62	None	Forbidden	Forbidden	E	2E, 8E, 11E, 17E
	Substances, explosive, n.o.s.	1.1A	UN0473	II	EXPLOSIVE 1.1A	101, 111	None	62	None	Forbidden	Forbidden	E	2E, 6E
	Substances, explosive, n.o.s.	1.1C	UN0474	II	EXPLOSIVE 1.1C	101	None	62	None	Forbidden	Forbidden	B	1E, 5E
	Substances, explosive, n.o.s.	1.1D	UN0475	II	EXPLOSIVE 1.1D	101	None	62	None	Forbidden	Forbidden	B	1E, 5E
	Substances, explosive, n.o.s.	1.1G	UN0476	II	EXPLOSIVE 1.1G	101	None	62	None	Forbidden	Forbidden	B	1E, 8E
	Substances, explosive, n.o.s.	1.3C	UN0477	II	EXPLOSIVE 1.3C	101	None	62	None	Forbidden	Forbidden	B	1E, 5E
	Substances, explosive, n.o.s.	1.3G	UN0478	II	EXPLOSIVE 1.3G	101	None	62	None	Forbidden	Forbidden	E	1E, 8E
	Substances, explosive, n.o.s.	1.4G	UN0485	II	EXPLOSIVE 1.4G	101	None	62	None	Forbidden	75 kg	E	1E, 5E
	Substances, explosive, n.o.s.	1.4S	UN0481	II	EXPLOSIVE 1.4S	101	None	62	None	25 kg	75 kg	A	1E, 5E
	Substances, explosive, very insensitive, n.o.s., *or* Substances, EVI, n.o.s.	1.5D	UN0482	II	EXPLOSIVE 1.5D	101	None	62	None	Forbidden	Forbidden	B	1E, 5E
	Substances, explosives, n.o.s.	1.4C	UN0479	II	EXPLOSIVE 1.4C	101	None	62	None	Forbidden	75 kg	A	1E, 5E
	Substances, explosives, n.o.s.	1.4D	UN0480	II	EXPLOSIVE 1.4D	101	None	62	None	Forbidden	75 kg	A	1E, 5E
	Substances which in contact with water emit flammable gases, liquid, corrosive, n.o.s.	4.3	UN3129	I	DANGEROUS WHEN WET, CORROSIVE.		None	201	243	Forbidden	1 L	E	
				II	DANGEROUS WHEN WET, CORROSIVE.		None	202	243	1 L	5 L	E	
				III	DANGEROUS WHEN WET, CORROSIVE.		None	203	242	5 L	60 L	E	
	Substances which in contact with water emit flammable gases, liquid n.o.s.	4.3	UN3148	I	DANGEROUS WHEN WET.		None	201	244	Forbidden	1 L	E	40
				II	DANGEROUS WHEN WET.		None	202	243	1 L	5 L	E	40
				III	DANGEROUS WHEN WET.		None	203	243	5 L	60 L	E	40
	Substances which in contact with water emit flammable gases, liquid, poisonous, n.o.s.	4.3	UN3130	I	DANGEROUS WHEN WET, POISON.	A4	None	201	243	Forbidden	1 L	E	
				II	DANGEROUS WHEN WET, POISON.		None	202	243	1 L	5 L	E	
				III	DANGEROUS WHEN WET, KEEP AWAY FROM FOOD.		None	203	242	5 L	60 L	E	
	Substances which in contact with water emit flammable gases, solid, corrosive, n.o.s.	4.3	UN3131	I	DANGEROUS WHEN WET, CORROSIVE.	N40	None	211	242	Forbidden	15 kg	E	
				II	DANGEROUS WHEN WET, CORROSIVE.		None	212	242	15 kg	50 kg	E	
				III	DANGEROUS WHEN WET, CORROSIVE.		None	213	241	25 kg	100 kg	E	
	Substances which in contact with water emit flammable gases, solid, flammable n.o.s.	4.3	UN3132	I	DANGEROUS WHEN WET, FLAMMABLE SOLID.	N40	None	211	242	Forbidden	15 kg	E	
				II	DANGEROUS WHEN WET, FLAMMABLE SOLID.		None	212	242	15 kg	50 kg	E	
				III	DANGEROUS WHEN WET, FLAMMABLE SOLID.		None	213	241	25 kg	100 kg	E	

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Substances which in contact with water emit flammable gases, solid n.o.s..	4.3	UN2813	I	DANGEROUS WHEN WET.	N40	None	211	242	Forbidden	15kg	E	40
				II	DANGEROUS WHEN WET.		None	212	242	15kg	50kg	E	40
				III	DANGEROUS WHEN WET.		None	213	242	25kg	100kg	E	40
	Substances which in contact with water emit flammable gases, solid, oxidizing, n.o.s..	4.3	UN3133		DANGEROUS WHEN WET, OXIDIZER.		None	214	214	Forbidden	Forbidden		
	Substances which in contact with water, emit flammable gases, solid, poisonous, n.o.s..	4.3	UN3134	I	DANGEROUS WHEN WET, POISON.	A5, N40	None	211	242	Forbidden	15kg	E	
				II	DANGEROUS WHEN WET, POISON.		None	212	242	15kg	50kg	E	
				III	DANGEROUS WHEN WET, KEEP AWAY FROM FOOD.		None	213	241	25kg	100kg	E	
	Substances which in contact with water emit flammable gases, solid, self-heating, n.o.s..	4.3	UN3135	I	DANGEROUS WHEN WET, SPONTANEOUSLY COMBUSTIBLE.	N40	None	211	242	Forbidden	15 kg	E	
				II	DANGEROUS WHEN WET, SPONTANEOUSLY COMBUSTIBLE.		None	212	242	15 kg	50 kg	E	
				III	DANGEROUS WHEN WET, SPONTANEOUSLY COMBUSTIBLE.		None	213	241	25 kg	100 kg	E	
	Substituted nitrophenol pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23 degrees C.*	3	UN2780	I	FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	B	
				II	FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	B	
	Substituted nitrophenol pesticides, liquid, toxic, flammable, n.o.s. *flashpoint not less than 23 degrees C.*	6.1	UN3013	I	POISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	B	40
				II	POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.	B1, T14	153	203	242	60 L	220 L	A	40
	Substituted nitrophenol pesticides, liquid, toxic, n.o.s..	6.1	UN3014	I	POISON	T42	None	201	243	1 L	30 L	B	40
				II	POISON	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	A	40
	Substituted nitrophenol pesticides, solid, toxic, n.o.s..	6.1	UN2779	I	POISON		None	211	242	5 kg	50 kg	A	40
				II	POISON		None	212	242	25 kg	100 kg	A	40
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	40
	Sucrose octanitrate (dry)	Forbidden											
	Sulfamic acid	8	UN2967	III	CORROSIVE		154	213	240	25 kg	100 kg	A	

I	Sulfur	4.1	UN1350	III	FLAMMABLE SOLID	A1, N20	151	213	240	25 kg	100 kg	A	19, 74
D	Sulfur	9	NA1350	III	CLASS 9	A1, N20	151	213	240	25 kg	100 kg	A	19, 74
	Sulfur and chlorate, loose mixtures of	Forbidden											
	Sulfur chlorides	8	UN1828	I	CORROSIVE	5, A3, B10, B77, N34.	None	201	243	Forbidden	2.5 L	C	8, 40
	Sulfur dichloride, see Sulfur chlorides												
	Sulfur dioxide, liquefied	2.3	UN1079		POISON GAS	3, B14	None	304	314, 315	Forbidden	25 kg	D	40
	Sulfur dioxide solution, see Sulfurous acid												
	Sulfur hexafluoride	2.2	UN1080		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A	
I	Sulfur, molten	4.1	UN2448	III	FLAMMABLE SOLID	B12, B85, T9	None	213	241	Forbidden	Forbidden	C	61
D	Sulfur, molten	9	NA2448	III	CLASS 9	B12, B85, T9	None	213	241	Forbidden	Forbidden	C	61
	Sulfur tetrafluoride	2.3	UN2418		POISON GAS	1	None	302	245	Forbidden	25 kg	D	40
+	Sulfur trioxide, inhibited	8	UN1829	I	CORROSIVE, POISON.	2, A7, B9, B12, B14, B32, B49, B74, B77, N34, T38, T43, T45.	None	227	244	Forbidden	25 kg	A	10, 40
+, D	Sulfur trioxide, uninhibited	8	NA1829	I	CORROSIVE, POISON.	2, A7, B9, B12, B14, B32, B49, B74, B77, N34, T38, T43, T45.	None	227	244	Forbidden	25 kg	A	10, 40
	Sulfuretted hydrogen, see Hydrogen sulfide, liquefied.												
	Sulfuric acid	8	UN1830	II	CORROSIVE	A3, A7, B2, B83, B84, N34, T9, T27.	154	202	242	1 L	30 L	C	14
+	Sulfuric acid, fuming *greater than or equal to 30 percent free sulfur trioxide.*	8	UN1831	I	CORROSIVE, POISON.	2, A3, A6, A7, B9, B14, B32, B74, B77, B84, N34, T38, T43, T45.	None	227	244	Forbidden	2.5 L	C	14, 40
	Sulfuric acid, fuming *less than 30 percent free sulfur trioxide.*	8	UN1831	I	CORROSIVE, POISON.	A3, A7, B84, N34, T18, T27.	None	201	243	Forbidden	2.5 L	C	14, 40
	Sulfuric acid, spent	8	UN1832	II	CORROSIVE	A3, A7, B2, B83, B84, N34, T9, T27.	None	202	242	Forbidden	30 L	C	14
	Sulfuric and hydrofluoric acid mixtures, *see* Hydrofluoric and sulfuric acid mixtures.												
	Sulfuric anhydride, see Sulfur trioxide, inhibited												
	Sulfurous acid	8	UN1833	II	CORROSIVE	B3, T8	154	202	242	1 L	30 L	B	40
+	Sulfuryl chloride	8	UN1834	I	CORROSIVE, POISON.	1, A3, B6, B9, B10, B14, B32, B74, B77, N34, T38, T43, T44.	None	226	244	0.5 L	2.5 L	C	8, 40
	Sulfuryl fluoride	2.3	UN2191		POISON GAS	4	None	304	314, 315	Forbidden	25 kg	D	40
	Tars, liquid *including road asphalt and oils, bitumen and cut backs.*	3	UN1999	II	FLAMMABLE LIQUID	T7, T30	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	
	Tear gas candles	6.1	UN1700	II	POISON, FLAMMABLE SOLID.		None	340	None	Forbidden	50 kg	D	40
	Tear gas cartridges, see Ammunition, tear-producing, *etc.*.												
D	Tear gas devices *with more than 2 per cent tear gas substances, by mass.*	6.1	NA1693	I	POISON		None	340	None	Forbidden	Forbidden	D	40, 95
				II	POISON		None	340	None	Forbidden	Forbidden	D	40, 95
	Tear gas devices, with not more than 2 per cent tear gas substances, by mass, see Aerosols, *etc.*.												
	Tear gas grenades, see Tear gas candles												
	Tear gas substances, n.o.s., liquid	6.1	UN1693	I	POISON		None	201	None	Forbidden	Forbidden	D	40
				II	POISON		None	202	None	Forbidden	5 L	D	40
	Tear gas substances, n.o.s., solid	6.1	UN1693	I	POISON		None	211	None	Forbidden	Forbidden	D	40
				II	POISON		None	212	None	Forbidden	25 kg	D	40
	Tellurium hexafluoride	2.3	UN2195		POISON GAS	1	None	302	None	Forbidden	Forbidden	D	40
	Terpene hydrocarbons, n.o.s.	3	UN2319	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Terpinolene	3	UN2541	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Tetrazido benzene quinone	Forbidden											
	Tetrabromoethane	6.1	UN2504	III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	
	Tetrachloroethane	6.1	UN1702	II	POISON	N36, T14	None	202	243	5 L	60 L	A	40
	Tetrachloroethylene	6.1	UN1897	III	KEEP AWAY FROM FOOD.	N36, T1	153	203	241	60 L	220 L	A	40
	Tetraethyl dithiopyrophosphate	6.1	UN1704	II	POISON		None	212	242	25 kg	100 kg	D	40
	Tetraethyl dithiopyrophosphate and gases in solution *or* tetraethyl dithiopyrophosphate and gas mixtures *LC50 over 200 but not greater than 5000 ppm.*	2.3	UN1703		POISON GAS	6	None	334	245	Forbidden	Forbidden	D	40
	Tetraethyl dithiopyrophosphate and gases in solution *or* Tetraethyl dithiopyrophosphate and gases mixtures *LC50 less than or equal to 200 ppm.*	2.3	UN1703		POISON GAS	1	None	334	245	Forbidden	Forbidden	D	40, 85, 95
D	Tetraethyl lead, liquid	6.1	NA1649	I	POISON, FLAMMABLE LIQUID.		None	201	None	Forbidden	Forbidden	E	40
	Tetraethyl pyrophosphate and compressed gas mixtures *LC50 less than or equal to 200 ppm.*	2.3	UN1705		POISON GAS	1	None	334	245	Forbidden	Forbidden	D	40, 85, 95
	Tetraethyl pyrophosphate and compressed gas mixtures) *LC50 over 200 ppm but not greater than 5000 ppm.*	2.3	UN1705		POISON GAS	6, B9, B14	None	334	314, 315	Forbidden	Forbidden	D	40
D	Tetraethyl pyrophosphate, *liquid*	6.1	NA3018	I	POISON		None	201	243	Forbidden	1 L	A	40
D	Tetraethyl pyrophosphate *solid*	6.1	NA2783	I	POISON	N77	None	211	242	Forbidden	50 kg	A	40
	Tetraethyl silicate	3	UN1292	III	FLAMMABLE LIQUID	B1, T1	150	203	241	60 L	220 L	A	
	Tetraethylammonium perchlorate (dry)	Forbidden											
	Tetraethylenepentamine	8	UN2320	III	CORROSIVE	T2	154	203	241	5 L	60 L	A	8
	Tetrafluoroethylene, inhibited	2.1	UN1081		FLAMMABLE GAS		306	304	None	Forbidden	150 kg	E	40
	Tetrafluoromethane, *R14*	2.2	UN1982		NONFLAMMABLE GAS.		None	302	None	75 kg	150 kg	A	
	1,2,3,6-Tetrahydrobenzaldehyde	3	UN2498	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Tetrahydrofuran	3	UN2056	II	FLAMMABLE LIQUID	T8	None	202	242	5 L	60 L	B	
	Tetrahydrofurfurylamine	3	UN2943	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Tetrahydrophthalic anhydrides *with more than 0.05 percent of maleic anhydride.*	8	UN2698	III	CORROSIVE		154	213	240	25 kg	100 kg	A	
	1,2,3,6-Tetrahydropyridine	3	UN2410	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Tetrahydrothiophene	3	UN2412	II	FLAMMABLE LIQUID	T7	150	202	242	5 L	60 L	B	
	Tetramethylammonium hydroxide	8	UN1835	II	CORROSIVE	B2, T8	154	202	242	1 L	30 L	A	
	Tetramethylene diperoxide dicarbamide	Forbidden											
	Tetramethylsilane	3	UN2749	I	FLAMMABLE LIQUID	T21, T26	None	201	243	Forbidden	30 L	D	
	Tetranitro diglycerin	Forbidden											
	Tetranitroaniline	1.1D	UN0207	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E
+	Tetranitromethane	5.1	UN1510	I	OXIDIZER, POISON	2, B9, B14, B32, B74, T38, T43, T45.	None	227	None	Forbidden	Forbidden	D	40, 66, 106
	2,3,4,6-Tetranitrophenol	Forbidden											
	2,3,4,6-Tetranitrophenyl methyl nitramine	Forbidden											
	2,3,4,6-Tetranitrophenylnitramine	Forbidden											
	Tetranitroresorcinol (dry)	Forbidden											
	2,3,5,6-Tetranitroso-1,4-dinitrobenzene	Forbidden											
	2,3,5,6-Tetranitroso nitrobenzene (dry)	Forbidden											
	Tetrapropylorthotitanate	3	UN2413	III	FLAMMABLE LIQUID	B1, T8	150	202	242	5 L	60 L	A	
	Tetrazene, *see* Guanyl nitrosaminoguanyltetrazene												

	Tetrazine (dry)	Forbidden												
	Tetrazol-1-acetic acid	1.4C	UN0407	II	EXPLOSIVE 1.4C		None	62	None	Forbidden	75 kg	A	1E, 5E
	Tetrazolyl azide (dry)	Forbidden												
	Tetryl, *see* Trinitrophenylmethylnitramine													
	Thallium chlorate	5.1	UN2573	II	OXIDIZER, POISON		None	212	242	5 kg	25 kg	A	56, 58, 106
	Thallium compounds, n.o.s.	6.1	UN1707	II	POISON		None	212	242	25 kg	100 kg	A	
	Thallium nitrate	6.1	UN2727	II	POISON, OXIDIZER		None	212	242	5 kg	25 kg	A	89
D	Thallium sulfate, solid	6.1	NA1707	II	POISON		None	211	242	5 kg	50 kg	A	
	Thia-4-pentanal	6.1	UN2785	III	KEEP AWAY FROM FOOD.	T8	153	203	241	60 L	220 L	D	25, 49
	Thioacetic acid	3	UN2436	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Thiocarbonylchloride, see Thiophosgene													
	Thioglycol	6.1	UN2966	II	POISON	T8	None	202	243	5 L	60 L	A	
	Thioglycolic acid	8	UN1940	II	CORROSIVE	A7, B2, N34, T8.	154	202	242	1 L	30 L	A	
	Thiolactic acid	6.1	UN2936	II	POISON	T8	None	212	242	25 kg	100 kg	A	
+	Thionyl chloride	8	UN1836	I	CORROSIVE, POISON.	2, A3, A10, B6, B9, B14, B32, B74, B77, N34, T38, T43, T45.	None	227	244	Forbidden	2.5 L	C	8, 40
	Thiophene	3	UN2414	II	FLAMMABLE LIQUID	T2	150	202	242	5 L	60 L	B	40
+	Thiophosgene	6.1	UN2474	II	POISON	2, A7, B9, B14, B32, B74, N33, N34, T38, T43, T45.	None	227	244	Forbidden	60 L	B	26, 40
	Thiophosphoryl chloride	8	UN1837	II	CORROSIVE	A3, A7, B2, B8, B25, N34, T12.	None	202	242	Forbidden	30 L	C	8, 40
	Thorium metal, pyrophoric	7	UN2975		RADIOACTIVE, SPONTANEOUSLY COMBUSTIBLE.		None	418	None	Forbidden	Forbidden	D	
	Thorium nitrate, solid	7	UN2976		RADIOACTIVE, OXIDIZER.		None	419	None	Forbidden	15 kg	A	
	Tin chloride, fuming, see Stannic chloride, anhydrous.													
	Tin perchloride or Tin tetrachloride, see Stannic chloride, anhydrous.													
	Tinctures, medicinal	3	UN1293	II	FLAMMABLE LIQUID	T8, T31	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	241	60 L	220 L	A	
	Tinning flux, see Zinc chloride													
	Titanium hydride	4.1	UN1871	II	FLAMMABLE SOLID	A19, A20, N34	None	212	241	15 kg	50 kg	E	
	Titanium powder, dry	4.2	UN2546	I	SPONTANEOUSLY COMBUSTIBLE.		None	211	242	Forbidden	Forbidden	D	
				II	SPONTANEOUSLY COMBUSTIBLE.	A19, A20, N5, N34.	None	212	241	15 kg	50 kg	D	
				III	SPONTANEOUSLY COMBUSTIBLE.		None	213	241	25 kg	100 kg	D	
	Titanium powder, wetted *with not less than 25 per cent water (a visible excess of water must be present) (a) mechanically produced, particle size less than 53 microns; (b) chemically produced, particle size less than 840 microns.*	4.1	UN1352	II	FLAMMABLE SOLID	A19, A20, N34	None	212	240	15 kg	50 kg	E	
	Titanium sponge granules *or* Titanium sponge powders.	4.1	UN2878	III	FLAMMABLE SOLID	A1	None	213	240	25 kg	100 kg	D	
D	Titanium sulfate solution	8	NA1760	II	CORROSIVE	B2, B15	None	213	242	1 L	30 L	B	40
+	Titanium tetrachloride	8	UN1838	II	CORROSIVE, POISON.	2, A3, A6, B7, B9, B14, B32, B41, B74, N41, T38, T43, T45.	None	227	244	Forbidden	30 L	C	8, 40
	Titanium trichloride mixtures	8	UN2869	II	CORROSIVE	A7, N34	154	212	240	15 kg	50 kg	A	40
	Titanium trichloride, pyrophoric *or* Titanium trichloride mixtures, pyrophoric.	4.2	UN2441	I	SPONTANEOUSLY COMBUSTIBLE, CORROSIVE.	A7, A8, A19, A20, N34.	None	181	244	Forbidden	Forbidden	D	40
	TNT mixed with aluminum, see *Tritonal*													
	TNT, *see* Trinitrotoluene, *etc.*													
	Toe puffs, *nitrocellulose base*	4.1	UN1353	III	FLAMMABLE SOLID	A1	None	213	240	25 kg	100 kg	D	

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Toluene	3	UN1294	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	Toluene diisocyanate	6.1	UN2078	II	POISON	T14	None	202	243	5 L	60 L	B	25, 40
	Toluene sulfonic acid, *see* Alkyl, Aryl *or* Toluene sulfonic acid *etc.*.												
	Toluidines *liquid*	6.1	UN1708	II	POISON	T14	None	202	243	5 L	60 L	A	
	Toluidines *solid*	6.1	UN1708	II	POISON		None	212	241	25 kg	100 kg	A	
	2,4-Toluylenediamine *or* 2,4-Toluenediamine	6.1	UN1709	III	KEEP AWAY FROM FOOD.	T7	153	213	240	100 kg	200 kg	A	
	Torpedoes, liquid fuelled, *with inert head*	1.3J	UN0450	II	EXPLOSIVE 1.3J		63(b)	62	None	Forbidden	Forbidden	E	7E, 16E, 23E
	Torpedoes, liquid fuelled, *with or without bursting charge.*	1.1J	UN0449	II	EXPLOSIVE 1.1J		63(b)	62	None	Forbidden	Forbidden	E	7E, 16E, 23E
	Torpedoes *with bursting charge*	1.1E	UN0329	II	EXPLOSIVE 1.1E		63(b)	62	None	Forbidden	Forbidden	B	
	Torpedoes *with bursting charge*	1.1F	UN0330	II	EXPLOSIVE 1.1F		63(b)	62	None	Forbidden	Forbidden	B	
	Torpedoes *with bursting charge*	1.1D	UN0451	II	EXPLOSIVE 1.1D		63(b)	62	None	Forbidden	Forbidden	B	
	Tracers for ammunition	1.3G	UN0212	II	EXPLOSIVE 1.3G		None	62	None	Forbidden	Forbidden	B	
	Tracers for ammunition	1.4G	UN0306	II	EXPLOSIVE 1.4G		None	62	None	Forbidden	75 kg	A	24E
	Tractors, see Vehicles, self propelled												
	Tri-(b-nitroxyethyl) ammonium nitrate	Forbidden											
	Triallyl borate	6.1	UN2609	III	KEEP AWAY FROM FOOD.		153	203	241	60 L	220 L	A	13
	Triallylamine	3	UN2610	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	40
	Triazine pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23deg C.*	3	UN2764	I	FLAMMABLE LIQUID, POISON.		None	201	243	Forbidden	30 L	B	
				II	FLAMMABLE LIQUID, POISON.		None	202	243	1 L	60 L	B	
	Triazine pesticides, liquid, toxic, flammable, n.o.s. *flashpoint not less than 23 degrees C.*	6.1	UN2997	I	POISON, FLAMMABLE LIQUID.	T42	None	201	243	1 L	30 L	B	40
				II	POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD, FLAMMABLE LIQUID.	T14	153	203	242	60 L	220 L	A	40
	Triazine pesticides, liquid, toxic, n.o.s.	6.1	UN2998	I	POISON	T42	None	201	243	1 L	30 L	B	40
				II	POISON	T14	None	202	243	5 L	60 L	B	40
				III	KEEP AWAY FROM FOOD.	T14	153	203	241	60 L	220 L	A	40
	Triazine pesticides, solid, toxic, n.o.s.	6.1	UN2763	I	POISON		None	211	242	5 kg	50 kg	A	40
				II	POISON		None	212	242	25 kg	100 kg	A	40
				III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	40
	Tributylamine	8	UN2542	III	CORROSIVE	T2	None	203	241	5 L	60 L	A	
D	(mono-(Trichloro) tetra-(monopotassium dichloro)-penta-s-triazinetrione, dry (*containing over 39% available chlorine*).	5.1	NA2468	II	OXIDIZER		152	212	240	5 kg	25 kg	A	13
	Trichloro-s-triazinetrione dry, containing over 39% available chlorine, see Trichloroisocyanuric acid, dry.												
	Trichloroacetic acid	8	UN1839	II	CORROSIVE	A7, N34	154	212	240	15 kg	50 kg	A	
	Trichloroacetic acid, solution	8	UN2564	II	CORROSIVE	A3, A6, A7, B2, N34, T8.	154	202	242	1 L	30 L	B	8
+	Trichloroacetyl chloride	8	UN2442	II	CORROSIVE, POISON.	1, A3, A7, B9, B14, B30, B72, N34, T38, T43, T44.	None	226	244	Forbidden	Forbidden	D	40

	Trichlorobenzenes, liquid	6.1	UN2321	III	KEEP AWAY FROM FOOD.	T7	153	203	241	60 L	220 L	A	
	Trichlorobutene	6.1	UN2322	II	POISON	T8	None	202	243	5 L	60 L	A	25, 40, 48
	1,1,1-Trichloroethane	6.1	UN2831	III	KEEP AWAY FROM FOOD.	N36, T7	153	203	241	60 L	220 L	A	40
	Trichloroethylene	6.1	UN1710	III	KEEP AWAY FROM FOOD.	N36, T1	153	203	241	60 L	220 L	A	40
	Trichloroisocyanuric acid, dry	5.1	UN2468	II	OXIDIZER		152	212	240	5 kg	25 kg	A	13
	Trichloromethyl perchlorate	Forbidden											
	Trichlorosilane	4.3	UN1295	I	DANGEROUS WHEN WET, FLAMMABLE LIQUID, CORROSIVE.	A7, N34, T24, T26.	None	201	244	Forbidden	Forbidden	D	21, 28, 40, 49, 100
	Tricresyl phosphate *with more than 3 per cent ortho isomer.*	6.1	UN2574	II	POISON	A3, N33, N34, T8.	None	202	243	5 L	60 L	A	
	Triethyl phosphite	3	UN2323	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Triethylamine	3	UN1296	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	40
	Triethylenetetramine	8	UN2259	II	CORROSIVE	B2, T8	154	202	242	1 L	30 L	B	40
	Trifluoroacetic acid	8	UN2699	I	CORROSIVE	A3, A6, A7, B4, N3, N34, T18, T27.	None	201	242	0.5 L	2.5 L	B	12, 40, 48
	Trifluoroacetylchloride	2.2	UN3057		NONFLAMMABLE GAS, CORROSIVE.	B44	None	304	314, 315	Forbidden	25kg	D	40
	Trifluorochloroethylene, inhibited, *R1113*	2.1	UN1082		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	B	40
	Trifluoroethane, compressed, *R143*	2.1	UN2035		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	B	40
	Trifluoromethane	2.2	UN1984		NONFLAMMABLE GAS.		306	304	314, 315	75 kg	150 kg	A	
D	Trifluoromethane and chlorotrifluoromethane mixture (*constant boiling mixture*) (*R-503*). *See* Refrigerant gases, n.o.s..												
	Trifluoromethane, refrigerated, liquid	2.2	UN3136		NONFLAMMABLE GAS.		306	None	314, 315	50 kg	500 kg	A	
	3-Trifluoromethylaniline	6.1	UN2948	II	POISON	T14	None	202	243	5 L	60 L	A	40
	2-Trifluoromethylaniline	6.1	UN2942	III	KEEP AWAY FROM FOOD.		153	203	241	60 L	220 L	A	
	Triformoxime trinitrate	Forbidden											
	Triisobutylene	3	UN2324	III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	
	Triisocyanatoisocyanurate of isophoronediisocyanate, solution, *70 per cent, by mass.*	3	UN2906	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Triisopropyl borate	3	UN2616	III	FLAMMABLE LIQUID	B1, T8, T31	150	202	242	60 L	220 L	A	
D	Trimethoxysilane	6.1	NA9269	I	POISON, FLAMMABLE LIQUID.	2, B9, B14, B32, B74, T38, T43, T45.	None	227	244	Forbidden	Forbidden	E	40
	Trimethyl borate	3	UN2416	II	FLAMMABLE LIQUID	T14	150	202	242	5 L	60 L	B	
	Trimethyl phosphite	3	UN2329	III	FLAMMABLE LIQUID	T1	150	203	242	60 L	220 L	A	
	1,3,5-Trimethyl-2,4,6-trinitrobenzene	Forbidden											
+	Trimethylacetyl chloride	8	UN2438	II	CORROSIVE, FLAMMABLE LIQUID, POISON.	2, A3, A6, A7, B3, B9, B14, B32, B74, N34, T38, T43, T45.	None	227	244	1 L	30 L	D	12, 21, 25, 40, 48
	Trimethylamine, anhydrous	2.1	UN1083		FLAMMABLE GAS		306	304	314, 315	Forbidden	150 kg	B	40
	Trimethylamine, aqueous solutions *not more than 50 per cent trimethylamine by mass.*	3	UN1297	I	FLAMMABLE LIQUID	T42	150	202	242	5 L	60 L	D	40, 41
				II	FLAMMABLE LIQUID	B1, T14	150	203	242	60 L	220 L	B	40, 41
	1,3,5-Trimethylbenzene	3	UN2325	III	FLAMMABLE LIQUID	B1, T1	None	203	242	60 L	220 L	A	
	Trimethylchlorosilane	3	UN1298	I	FLAMMABLE LIQUID, CORROSIVE.	A3, A7, B77, N34, T14, T26.	None	201	243	Forbidden	2.5 L	E	40
	Trimethylcyclohexylamine	8	UN2326	III	CORROSIVE	T2	154	203	241	5 L	60 L	A	8
	Trimethylene glycol diperchlorate	Forbidden											
	Trimethylhexamethylene diisocyanate	6.1	UN2328	III	KEEP AWAY FROM FOOD.	T8	153	203	241	60 L	220 L	B	

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Trimethylhexamethylenediamines	8	UN2327	III	CORROSIVE	T7	154	203	241	5 L	60 L	A	8
	Trimethylol nitromethane trinitrate	Forbidden											
	Trinitro-meta-cresol	1.1D	UN0216	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	2,4,6-Trinitro-1,3-diazobenzene	Forbidden											
	2,4,6-Trinitro-1,3,5-triazido benzene (dry)	Forbidden											
	Trinitroacetic acid	Forbidden											
	Trinitroacetonitrile	Forbidden											
	Trinitroamine cobalt	Forbidden											
	Trinitroaniline *or* Picramide	1.1D	UN0153	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E
	Trinitroanisole	1.1D	UN0213	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E
	Trinitrobenzene, *dry or wetted with less than 30 per cent water, by mass.*	1.1D	UN0214	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E
	Trinitrobenzene, wetted *with not less than 30 per cent water, by mass.*	4.1	UN1354	I	FLAMMABLE SOLID	A2, A8, A19, N41.	None	211	None	0.5 kg	0.5 kg	E	28, 36
	Trinitrobenzenesulfonic acid	1.1D	UN0386	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	E	1E, 5E, 19E
	Trinitrobenzoic acid, *dry or wetted with less than 30 per cent water, by mass.*	1.1D	UN0215	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Trinitrobenzoic acid, wetted *with not less than 30 per cent water, by mass.*	4.1	UN1355	I	FLAMMABLE SOLID	A2, A8, A19, N41.	None	211	None	0.5 kg	0.5 kg	E	28, 36
	Trinitrochlorobenzene *or* Picryl chloride	1.1D	UN0155	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Trinitroethanol	Forbidden											
	Trinitroethylnitrate	Forbidden											
	Trinitrofluorenone	1.1D	UN0387	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E
	Trinitromethane	Forbidden											
	1,3,5-Trinitronaphthalene	Forbidden											
	Trinitronaphthalene	1.1D	UN0217	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E
	Trinitrophenetole	1.1D	UN0218	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E
	Trinitrophenol *or* Picric acid, *dry or wetted with less than 30 per cent water, by mass.*	1.1D	UN0154	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Trinitrophenol, wetted *with not less than 30 per cent water, by mass.*	4.1	UN1344	I	FLAMMABLE SOLID	A8, A19, N41	None	211	None	1 kg	15 kg	E	28, 36, 48
	2,4,6-Trinitrophenyl guanidine (dry)	Forbidden											
	2,4,6-Trinitrophenyl nitramine	Forbidden											
	2,4,6-Trinitrophenyl trimethylol methyl nitramine trinitrate (dry).	Forbidden											
	Trinitrophenylmethylnitramine *or* Tetryl	1.1D	UN0208	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Trinitroresorcinol *or* Styphnic acid, *dry or wetted with less than 20 per cent water, or mixture of alcohol and water, by mass.*	1.1D	UN0219	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Trinitroresorcinol, wetted *or* Styphnic acid, wetted *with not less than 20 per cent water, or mixture of alcohol and water by mass.*	1.1D	UN0394	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	2,4,6-Trinitroso-3-methyl nitraminoanisole	Forbidden											
	Trinitrotetramine cobalt nitrate	Forbidden											
	Trinitrotoluene and Trinitrobenzene mixtures *or* Trinitrotoluene *or* TNT and trinitrobenzene mixtures *or* TNT and hexanitrostilbene mixturesand Hexanitrostilbene mixtures.	1.1D	UN0388	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E, 19E

	Trinitrotoluene mixtures containing Trinitrobenzene and Hexanitrostilbene *or* TNT mixtures containing trinitrobenzene and hexanitrostilbene.	1.1D	UN0389	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Trinitrotoluene *or* TNT, *dry or wetted with less than 30 per cent water, by mass.*	1.1D	UN0209	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Trinitrotoluene, wetted *with not less than 30 per cent water, by mass.*	4.1	UN1356	I	FLAMMABLE SOLID	A2, A8, A19, N41.	None	211	None	0.5 kg	0.5 kg	E	28, 36
	Tripropylamine	3	UN2260	III	FLAMMABLE LIQUID, CORROSIVE.	B1, T8	None	202	243	1 L	5 L	A	40
	Tripropylene	3	UN2057	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Tris-(1-aziridinyl)phosphine oxide, solution	6.1	UN2501	II	POISON	T8	None	202	243	5 L	60 L	A	
	Tris, bis-bifluoroamino diethoxy propane (TVOPA)	Forbidden											
	Tritonal	1.1D	UN0390	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Tungsten hexafluoride	2.3	UN2196		POISON GAS	3	None	338	None	Forbidden	Forbidden	D	40
	Turpentine	3	UN1299	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Turpentine substitute	3	UN1300	I	FLAMMABLE LIQUID	T1	None	201	243	1 L	30 L	B	
				II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Undecane	3	UN2330	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Uranium hexafluoride, fissile (*containing more than 1% U-235*).	7	UN2977		RADIOACTIVE, CORROSIVE.		453	417	417			A	
	Uranium hexafluoride, *fissile excepted or non-fissile*	7	UN2978		RADIOACTIVE, CORROSIVE.		421	425	425				
	Uranium metal, pyrophoric	7	UN2979		RADIOACTIVE, SPONTANEOUSLY COMBUSTIBLE.		None	418	None			D	
	Uranyl nitrate hexahydrate solution	7	UN2980		RADIOACTIVE, CORROSIVE.		421, 425	415, 416, 417	415, 416, 417			D	
	Uranyl nitrate, solid	7	UN2981		RADIOACTIVE, OXIDIZER.		None	419	None	Forbidden	15 kg	A	
	Urea hydrogen peroxide	5.1	UN1511	III	OXIDIZER	A1, A7, A29	152	213	240	25 kg	100 kg	A	13
	Urea nitrate, *dry or wetted with less than 20 per cent water, by mass.*	1.1D	UN0220	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Urea nitrate, wetted *with not less than 20 per cent water, by mass.*	4.1	UN1357	I	FLAMMABLE SOLID	A8, A19, N41	None	211	None	1 kg	15 kg	A	28
	Urea peroxide, see Urea hydrogen peroxide												
	Valeraldehyde	3	UN2058	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
	Valeric acid, see Corrosive liquids, n.o.s.												
	Valeryl chloride	8	UN2502	II	CORROSIVE	A3, A6, A7, B2, N34, T8.	154	202	242	1 L	30 L	C	23, 40
	Vanadium oxytrichloride	8	UN2443	II	CORROSIVE	A3, A6, A7, B2, B16, N34, T8, T26.	154	202	242	Forbidden	30 L	C	40
	Vanadium pentoxide, *nonfused form*	6.1	UN2862	II	POISON		None	212	242	25 kg	100 kg	A	
	Vanadium tetrachloride	8	UN2444	I	CORROSIVE	A3, A6, A7, B4, N34, T8, T26.	None	201	242	Forbidden	2.5 L	C	8, 40
AW	Vanadium trichloride	8	UN2475	III	CORROSIVE		154	213	240	25 kg	100 kg	A	40
	Vanadium trioxide, *nonfused form*	6.1	UN2860	II	POISON		None	212	242	25 kg	100 kg	A	
	Vanadyl sulfate	6.1	UN2931	II	POISON		None	212	242	25 kg	100 kg	A	
D	Vehicles, self-propelled *including internal combustion engines or other apparatus containing an internal combustion engine or electric storage battery(see also* Wheel chair, electric).	9	None	III	CLASS 9		220	220	None	No limit	No limit	A	
	Very signal cartridge, see Cartridges, signal												
	Vinyl acetate, inhibited	3	UN1301	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Vinyl bromide, inhibited	2.1	UN1085		FLAMMABLE GAS		306	304	None	Forbidden	150 kg	B	40
	Vinyl butyrate, inhibited	3	UN2838	II	FLAMMABLE LIQUID	T7	150	202	242	5 L	60 L	B	
	Vinyl chloride, inhibited	2.1	UN1086		FLAMMABLE GAS	B44	306	304	314, 315	Forbidden	150 kg	B	40
	Vinyl chloroacetate	6.1	UN2589	II	POISON, FLAMMABLE LIQUID.	T14	None	202	243	5 L	60 L	A	
	Vinyl ethyl ether, inhibited	3	UN1302	II	FLAMMABLE LIQUID	A3, T14	None	201	243	1 L	30 L	E	

§ 172.101 HAZARDOUS MATERIALS TABLE—Continued

Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	Packing group	Label(s) required (if not excepted)	Special provisions	(8) Packaging authorizations (§ 173.***)			(9) Quantity limitations		(10) Vessel stowage requirements	
							Exceptions	Non-bulk packaging	Bulk packaging	Passenger aircraft or railcar	Cargo aircraft only	Vessel stowage	Other stowage provisions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	Vinyl fluoride, inhibited	2.1	UN1860		FLAMMABLE GAS	B43	306	304	314, 315	Forbidden	150 kg	E	40
	Vinyl isobutyl ether, inhibited	3	UN1304	II	FLAMMABLE LIQUID	T8	150	202	242	5 L	60 L	B	
	Vinyl methyl ether, inhibited	2.1	UN1087		FLAMMABLE GAS	B44	306	304	314, 315	Forbidden	150 kg	B	40
	Vinyl nitrate polymer	Forbidden											
	Vinyl toluene, inhibited *mixed isomers*	3	UN2618	III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Vinylidene chloride, inhibited	3	UN1303	I	FLAMMABLE LIQUID	T23, T29	150	201	243	1 L	30 L	E	40
	Vinylpyridenes, inhibited	6.1	UN3073	II	POISON, FLAMMABLE LIQUID.	T8	None	212	243	5 L	60 L	B	40
	Vinyltrichlorosilane	3	UN1305	I	FLAMMABLE LIQUID, CORROSIVE.	A3, A7, B6, N34, T14, T26.	None	201	243	Forbidden	2.5 L	B	40
	Warheads, rocket *with burster or expelling charge*	1.4D	UN0370	II	EXPLOSIVE 1.4D		None	62	None	Forbidden	75 kg	A	3E, 7E, 24E
	Warheads, rocket *with burster or expelling charge*	1.4F	UN0371	II	EXPLOSIVE 1.4F		None	62	None	Forbidden	Forbidden	E	
	Warheads, rocket *with bursting charge*	1.1D	UN0286	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	3E, 7E
	Warheads, rocket *with bursting charge*	1.2D	UN0287	II	EXPLOSIVE 1.2D		None	62	None	Forbidden	Forbidden	B	3E, 7E
	Warheads, rocket *with bursting charge*	1.1F	UN0369	II	EXPLOSIVE 1.1F		None	62	None	Forbidden	Forbidden	E	
	Warheads, torpedo *with bursting charge*	1.1D	UN0221	II	EXPLOSIVE 1.1D		None	62	None	Forbidden	Forbidden	B	3E, 7E
	Water reactive substances, n.o.s., see Substances which in contact with water, *etc.*.												
AD	Wheel chair, electric (*spillable or non-spillable type batteries*).	9	None	III	CLASS 9		222	222	None	No limit	No limit	A	
	White acid, see Hydrofluoric acid mixtures												
	White asbestos, (chrysotile, actinolite, anthophyllite, tremolite).	9	UN2590	III	CLASS 9		155	216	240	200 kg	200 kg	A	34, 40
	Wood preservatives, liquid	3	UN1306	II	FLAMMABLE LIQUID	T7, T30	150	202	242	5 L	60 L	B	40
				III	FLAMMABLE LIQUID	B1, T7, T30	150	203	242	60 L	220 L	A	40
	Xenon	2.2	UN2036		NONFLAMMABLE GAS.		306	302	None	75 kg	150 kg	A	
	Xenon, refrigerated liquid (*cryogenic liquids*)	2.2	UN2591		NONFLAMMABLE GAS.		320	None	None	50 kg	500 kg	B	
	Xylenes	3	UN1307	II	FLAMMABLE LIQUID	T1	150	202	242	5 L	60 L	B	
				III	FLAMMABLE LIQUID	B1, T1	150	203	242	60 L	220 L	A	
	Xylenols	6.1	UN2261	II	POISON	T8	None	212	243	25 kg	100 kg	A	
	Xylidines, solid *or* solution	6.1	UN1711	II	POISON	T14	None	202	243	5 L	60 L	A	
	Xylyl bromide	6.1	UN1701	II	POISON	A3, A6, A7, N33.	None	340	None	Forbidden	60 L	D	40
	p-Xylyl diazide	Forbidden											
	Zinc ammonium nitrite	5.1	UN1512	II	OXIDIZER		None	212	242	5 kg	25 kg	E	
	Zinc arsenate *or* Zinc arsenite *or* Zinc arsenate and Zinc arsenite mixtures..	6.1	UN1712	II	POISON		None	212	242	25 kg	100 kg	A	
	Zinc ashes	4.3	UN1435	III	DANGEROUS WHEN WET.	A1, A19	None	213	241	25 kg	100 kg	A	
	Zinc bisulfite solution *see* Bisulfites, inorganic aqueous solutions, n.o.s..												
	Zinc bromate	5.1	UN2469	III	OXIDIZER	A1, A29	152	213	240	25 kg	100 kg	A	56, 58, 106
	Zinc chlorate	5.1	UN1513	II	OXIDIZER	A9, N34	152	212	242	5 kg	25 kg	A	56, 58, 106
	Zinc chloride, anhydrous	8	UN2331	III	CORROSIVE		None	213	240	25 kg	100 kg	A	
	Zinc chloride, solution	8	UN1840	III	CORROSIVE	T7	154	203	241	5 L	60 L	A	
	Zinc cyanide	6.1	UN1713	I	POISON		None	211	242	5 kg	50 kg	A	26

	Zinc dithionite *or* Zinc hydrosulfite	9	UN1931	III	None		155	204	240	100 kg	200 kg	A	13, 49, 102
	Zinc ethyl, see Diethylzinc												
	Zinc fluorosilicate	6.1	UN2855	III	KEEP AWAY FROM FOOD.		153	213	240	100 kg	200 kg	A	26
	Zinc hydrosulfite, *see* Zinc dithionite												
	Zinc muriate solution, see Zinc chloride, solution												
	Zinc nitrate	5.1	UN1514	II	OXIDIZER		152	212	240	5 kg	25 kg	A	
	Zinc permanganate	5.1	UN1515	II	OXIDIZER		152	212	242	5 kg	25 kg	D	56, 58, 69, 106, 107
	Zinc peroxide	5.1	UN1516	II	OXIDIZER		152	212	242	5 kg	25 kg	A	13, 75, 106
	Zinc phosphide	4.3	UN1714	I	DANGEROUS WHEN WET, POISON.	A19, N40	None	211	None	Forbidden	15 kg	E	40, 85
	Zinc powder *or* Zinc dust	4.3	UN1436	I	DANGEROUS WHEN WET, SPONTANEOUSLY COMBUSTIBLE.	A19, N40	None	211	242	Forbidden	15kg	A	
				II	DANGEROUS WHEN WET, SPONTANEOUSLY COMBUSTIBLE.	A19	None	212	242	15 kg	50 kg	A	
				III	DANGEROUS WHEN WET, SPONTANEOUSLY COMBUSTIBLE.		None	213	242	25kg	100kg	A	
	Zinc resinate	4.1	UN2714	III	FLAMMABLE SOLID	A1	151	213	240	25 kg	100 kg	A	
	Zinc selenate, *see* Selenates *or* Selenites												
	Zinc selenite, *see* Selenates *or* Selenites												
	Zinc silicofluoride, see Zinc fluorosilicate												
	Zirconium, dry, *coiled wire, finished metal sheets, strip (thinner than 254 microns but not thinner than 18 microns).*	4.1	UN2858	III	FLAMMABLE SOLID	A1	151	213	240	25 kg	100 kg	A	
	Zirconium, dry, *finished sheets, strip or coiled wire*	4.2	UN2009	III	SPONTANEOUSLY COMBUSTIBLE.	A1, A19	None	213	240	25 kg	100 kg	D	
	Zirconium hydride	4.1	UN1437	II	FLAMMABLE SOLID	A19, A20, N34	None	212	240	15 kg	50 kg	E	
	Zirconium nitrate	5.1	UN2728	III	OXIDIZER	A1, A29	152	213	240	25 kg	100 kg	A	
	Zirconium picramate, *dry or wetted with less than 20 per cent water, by mass.*	1.3C	UN0236	II	EXPLOSIVE 1.3C		None	62	None	Forbidden	Forbidden	B	1E, 5E
	Zirconium picramate, wetted *with not less than 20 per cent water, by mass.*	4.1	UN1517	I	FLAMMABLE SOLID	N41	None	211	None	1 kg	15 kg	D	28, 36
	Zirconium powder, dry	4.2	UN2008	I	SPONTANEOUSLY COMBUSTIBLE.		None	211	242	Forbidden	Forbidden	D	
				II	SPONTANEOUSLY COMBUSTIBLE.	A19, A20, N5, N34.	None	212	241	15 kg	50 kg	D	
				III	SPONTANEOUSLY COMBUSTIBLE.		None	213	241	25kg	100kg	D	
	Zirconium powder, wetted *with not less than 25 per cent water (a visible excess of water must be present) (a) mechanically produced, particle size less than 53 microns; (b) chemically produced, particle size less than 840 microns.*	4.1	UN1358	II	FLAMMABLE SOLID	A19, A20, N34	None	212	241	15 kg	50 kg	E	
	Zirconium scrap	4.2	UN1932	III	SPONTANEOUSLY COMBUSTIBLE.	N34	None	213	240	Forbidden	Forbidden	D	
D	Zirconium sulfate	8	NA9163	III	CORROSIVE	N34	None	213	240	50 kg	No limit	A	
	Zirconium suspended in a liquid	3	UN1308	II	FLAMMABLE LIQUID		None	202	242	Forbidden	60 L	B	
	Zirconium tetrachloride	8	UN2503	III	CORROSIVE		154	213	240	25 kg	100 kg	A	

33. In § 172.102, the second sentence in paragraph (a) is revised and paragraphs (a)(1) and (2) are added, and in paragraph (c), the following special provisions are added, revised, or removed as indicated:

a. In paragraph (c)(1), Special Provisions 7, 10, 15, 16, 18, and 20 are added; and Special Provisions 1, 2, 3, 4, 5, 8, 13, 53, 110, **112,** and 114 are revised.

b. In paragraph (c)(2), Special Provisions A12 and A34 are added.

c. In paragraph (c)(3), Special Provisions B3, B10, B48, and B82 are added; Special Provisions B2, B4, B5, B11, B14, B16, B26, B30, B31, B32, B33, B37, B58, B59, B66, B67, B68, B74, and B79 are revised; and Special Provisions B13, B34, B35, B38, B40, B51, B73 and B75 are removed.

d. In paragraph (c)(5), Special Provisions N9, N10, N11, N20, N81, and N82 are added and Special Provision N45 is revised.

e. In paragraph (c)(7)(i) table, Special Provision T22 is added; in paragraph (c)(7)(ii), Special Provisions T28, T34, and T37 are added, and Special Provisions T29, T30, and T38 are revised.

§ 172.102 Special provisions.

(a) * * * When a special provision specifies packaging or packaging requirements—

(1) The special provision is in addition to the standard requirements for all packagings prescribed in § 173.24 of this subchapter and any other applicable packaging requirements in subparts A and B of part 173 of this subchapter; and

(2) To the extent a special provision imposes limitations or additional requirements on the packaging provisions set forth in Column 8 of the § 172.101 Table, packagings must conform to the requirements of the special provision.

* * * * *

(c) * * *

(1) * * *

Code/Special Provisions

1 This material is poisonous by inhalation (see § 171.8 of this subchapter) in Hazard Zone A (see § 173.116(a) or § 173.133(a) of this subchapter), and must be described as an inhalation hazard under the provisions of this subchapter.

2 This material is poisonous by inhalation (see § 171.8 of this subchapter) in Hazard Zone B (see § 173.116(a) or § 173.133(a) of this subchapter), and must be described as an inhalation hazard under the provisions of this subchapter.

3 This material is poisonous by inhalation (see § 171.8 of this subchapter) in Hazard Zone C (see § 173.116(a) of this subchapter), and must be described as an inhalation hazard under the provisions of this subchapter.

4 This material is poisonous by inhalation (see § 171.8 of this subchapter) in Hazard Zone **C** (see § 173.116(a) of this subchapter), and **must** be described as an inhalation hazard under the provisions of this subchapter.

5 If this material meets the definition for a material poisonous by inhalation (see § 171.8 of this subchapter), a shipping name must be selected which identifies the inhalation hazard, in Division 2.3 or Division 6.1, as appropriate.

* * * * *

7 An ammonium nitrate fertilizer is a fertilizer formulation, containing 90% or more ammonium nitrate and no more than 0.2% organic combustible material (calculated as carbon), which does not meet the definition and criteria of a Class 1 (explosive) material (See § 173.50 of this subchapter).

8 A hazardous substance that is not a hazardous waste may be shipped under the shipping description "Other regulated substances, liquid *or* solid, n.o.s.", as appropriate. In addition, for solid materials, special provision B54 applies.

* * * * *

10 An ammonium nitrate mixed fertilizer is a fertilizer formulation, containing less than 90% ammonium nitrate and other ingredients, which does not meet the definition and criteria of a Class 1 (explosive) material (See § 173.50 of this subchapter).

* * * * *

13 The words "Inhalation Hazard" shall be entered on each shipping paper in association with the shipping description, shall be marked on each non-bulk package in association with the proper shipping name and identification number, and shall be marked on two opposing sides of each bulk package. Size of marking on bulk package must conform to § 172.302(b) of this subchapter. The requirements of §§ 172.203(m) and 172.505 of this subchapter do not apply.

* * * * *

15 Chemical kits include boxes, cases, etc., containing small amounts of various compatible dangerous goods which are used for medical, analytical or testing purposes and for which exceptions are provided in this subchapter. Inner packagings must not exceed 250 mL for liquids or 250 g for solids and must be protected from other materials in the kit. For transportation by aircraft, any dangerous goods forbidden in passenger aircraft may not be included in these kits. Kits must be packed in wooden boxes (4C1, 4C2), plywood boxes (4D), reconstituted wood boxes (4F), fiberboard boxes (4G) or plastic boxes (4H1, 4H2) which must be marked 'Chemical kits.' Each package shall be classified for the material contained therein; if two or more different classes of material are present the class of the package shall be determined in accordance with § 173.2a of this subchapter. Each package must be labeled according to each substance contained in the package; this includes the primary hazard label and any subsidiary risk labels applicable to each individual substance within the kit. The total quantity of dangerous goods in any one kit must not exceed either 1 L or 1 kg. The total quantity of dangerous goods in any one package must not exceed either 10 L or 10 kg. The packing group assigned to the kit as a whole must be the most stringent packing group assigned to any individual substance contained in the kit.

16 This description applies only to materials that have been classed as Division 1.3.

* * * * *

18 This article and its packaging must be approved by the Associate Administrator for Hazardous Materials Safety.

20 The transport of this substance, when in concentrations of greater than 10% nitroglycerin, is prohibited. Concentrations of below 5% nitroglycerin may be transported as a Class 3 material; see UN 1204 and UN 3064.

* * * * *

53 Packages of these materials must bear the subsidiary risk label, "EXPLOSIVE", unless otherwise provided in this subchapter or through an approval issued by the Associate Administrator for Hazardous Materials Safety, or the competent authority of the country of origin. A copy of the approval shall accompany the shipping papers.

* * * * *

110 Cartridges containing 3.2 grams or less of deflagrating (propellant) explosives installed in a fire extinguisher are not subject to the requirements of this subchapter.

* * * * *

112 "Cartridges, small arms" and "Cartridges, power devices (which are used to project fastening devices)" which have been classed in Division 1.4 Compatibility Group S (1.4S) may be reclassed and offered for domestic transportation as ORM-D material if they are offered for transportation and transported in accordance with the limitations and packaging requirements of § 173.230 of this subchapter.

* * * * *

114 Jet perforating guns, charged, oil well, without detonator may be reclassed to Division 1.4 Compatibility Group D (1.4D) if the following conditions are met:

a. The total weight of the explosive contents of the shaped charges assembled in the guns does not exceed 90.5 kg (200 pounds) per vehicle; and

b. The guns are packaged in accordance with Packing Method US006 as specified in § 173.62 of this subchapter.

* * * * *

(2) * * *

Code/Special Provisions

* * * * *

A12 The quantity of lithium contained in any piece of equipment must not exceed 12 grams per cell and 500 grams per battery for cargo aircraft. No piece of equipment may contain more than 5 kilograms of lithium batteries. Lithium batteries are forbidden for transportation by passenger-carrying aircraft unless approved by the Associate Administrator for Hazardous Materials Safety.

* * * * *

A34 Aerosols containing a corrosive liquid in Packing Group II charged with a gas

are not permitted for transportation by aircraft.

(3) * * *

Code/Special Provisions

* * * * *

B2 MC 306 and DOT 406 cargo tanks are not authorized.

B3 MC 306 and DOT 406 cargo tanks and DOT 57 portable tanks are not authorized.

B4 AAR 206 tank car tanks and MC 306 and DOT 406 cargo tanks are not authorized.

B5 Only ammonium nitrate solutions with 35 percent or less water that will remain completely in solution at a maximum lading temperature of 116°C (240°F) are authorized for the transport in the following bulk packagings: DOT 103 ALW, 111A60 ALW tank car tanks and MC 307, MC 312, DOT 407 and DOT 412 cargo tanks with at least 172 kPa (25 psig) design pressure. The packaging shall be designed for a working temperature of at least 121°C (250°F). Only Specifications MC 304, MC 307 or DOT 407 cargo tank motor vehicles are authorized for transportation by vessel.

* * * * *

B10 AAR 206 tank car tanks, MC 306 and DOT 406 cargo tanks, and DOT 57 portable tanks are not authorized.

B11 Tank car tanks must have a test pressure of at least 2,068.5 kPa (300 psi). Cargo and portable tanks must have a design pressure of at least 1,207 kPa (175 psig).

* * * * *

B14 Each tank, except a multi-unit tank car tank, must be insulated with at least 100 mm (3.9 inches) of cork or other suitable insulation material of sufficient thickness that the overall thermal conductance at 15.5°C (60°F) is not more than 1.533 kilojoules per hour per square meter per degree celsius (0.075 Btu per hour per square foot per degree Fahrenheit) temperature differential. The exterior surface of a carbon steel tank and the interior surface of a carbon steel jacket must be given a protective coating. The jacket must be flashed around all openings so as to be weather-tight.

* * * * *

B16 The lading must be completely covered with nitrogen, inert gas or other inert materials.

* * * * *

B26 Tanks must be insulated. Insulation must be at least 100 mm (3.9 inches) except that the insulation thickness may be reduced to 51 mm (2 inches) over the exterior heater coils. Interior heating coils are not authorized. The packaging may not be loaded with a material outside of the packaging's design temperature range. In addition, the material must be covered with an inert gas or filled with water to the tank's capacity. After unloading, the material must also be covered with an inert gas or filled with water to the entire capacity of the tank.

* * * * *

B30 MC 312, MC 330, MC 331 and DOT 412 cargo tanks and DOT 51 portable tanks must be made of stainless steel, except that steel other than stainless steel may be used in accordance with the provisions of § 173.24b(b) of this subchapter. Thickness of stainless steel for tank shell and heads for cargo tanks and portable tanks must be the greater of 7.62 mm (0.300 inch) or the thickness required for a tank with a design pressure at least equal to 1.5 times the vapor pressure of the lading at 46°C (115° F). In addition, MC 312 and DOT 412 cargo tank motor vehicles must:

a. Be ASME Code (U) stamped for 100% radiography of all pressure-retaining welds;

b. Have accident damage protection which conforms with § 178.345–8 of this subchapter;

c. Have a MAWP or design pressure of at least 87 psig: and

d. Have a bolted ASA manway cover.

B31 Bromine tank cars built prior to December 31, 1990 to DOT105A500W which have been stencilled and valved as DOT105A300W may continue in service.

B32 MC 312, MC 330, MC 331 DOT 412 cargo tanks and DOT 51 portable tanks must be made of stainless steel, except that steel other than stainless steel may be used in accordance with the provisions of § 173.24b(b) of this subchapter. Thickness of stainless steel for tank shell and heads for cargo tanks and portable tanks must be the greater of 6.35 mm (0.250 inch) or the thickness required for a tank with a design pressure at least equal to 1.3 times the vapor pressure of the lading at 46°C (115° F). In addition, MC 312 and DOT 412 cargo tank motor vehicles must:

a. Be ASME Code (U) stamped for 100% radiography of all pressure-retaining welds;

b. Have accident damage protection which conforms with § 178.345–8 of this subchapter;

c. Have a MAWP or design pressure of at least 87 psig; and

d. Have a bolted ASA manway cover.

B33 MC 300, MC 301, MC 302, MC 303, MC 305, MC 306, and DOT 406 cargo tanks equipped with a 1 psig normal vent used to transport gasoline are subject to the following requirements. Based on the volatility class determined by using ASTM D439 and the Reid vapor pressure (RVP) of the particular gasoline, the maximum lading pressure and maximum ambient temperature permitted during the loading of gasoline may not exceed that listed in Table I.

TABLE I—MAXIMUM AMBIENT TEMPERATURE—GASOLINE

ASTM D439 volatility class	Maximum lading and ambient temperature (see note 1)
A (RVP < = 9.0 psia)	131° F
B (RVP < = 10.0 psia)	124° F
C (RVP < = 11.5 psia)	116° F
D (RVP < = 13.5 psia)	107° F
E (RVP < = 15.0 psia)	100° F

Note 1: Based on maximum lading pressure of 1 psig at top of cargo tank.

* * * * *

B37 The amount of nitric oxide charged into any tank car tank may not exceed 1,379 kPa (200 psig) at 21° C (70° F).

* * * * *

B48 Portable tanks in sodium metal service may be visually inspected at least once every 5 years instead of being retested hydrostatically. Date of the visual inspection must be stenciled on the tank near the other required markings.

* * * * *

B58 Notwithstanding the provisions of § 173.244(a) of this subchapter, only DOT 105J300W tank car tanks are authorized. Class 106 and 110 multi-unit tank car tanks are also authorized.

B59 AAR Specification 207A40W, 207A40W6, 207A48W, 207A60W, 207A80W tank car tanks are also authorized provided that the lading is covered in a nitrogen blanket.

* * * * *

B66 Each tank must be equipped with gas tight valve protection caps. Outage must be sufficient to prevent tanks from becoming liquid full at 55°C (130°F). Specification 110A500W tanks must be stainless steel.

B67 Tanks must be lagged with not less than a 100 mm (3.9 inch) thickness of cork. All valves and fittings must be protected by a securely attached cover made of metal not subject to deterioration by the lading, and all valve openings, except safety valve, must be fitted with screw plugs or caps to prevent leakage in the event of valve failure.

B68 Sodium must be in a molten condition when loaded and allowed to solidify before shipment. Outage must be at least 5 percent at 98°C (208°F). Bulk packagings must have exterior heating coils fusion welded to the tank shell which have been properly stress relieved. The only tank car tanks authorized are Class DOT 105 tank cars having a test pressure of 2069 kPa (300 psig) or greater.

* * * * *

B74 Notwithstanding the provisions of §§ 173.243(a) and 173.244(a) of this subchapter, only the following tank car tanks are authorized: DOT 105J300W, 112J340W, 112T340W, 114J340W, 114T340W and 105J300ALW tank car tanks; and Class DOT 106 and 110 multi-unit tank car tanks.

* * * * *

B79 Tank car tanks must have head puncture resistance and thermal protection in accordance with §§ 179.105–4 and 179.105–5 of this subchapter for tanks built before April 1, 1989.

* * * * *

B82 Cargo tanks and portable tanks are not authorized.

* * * * *

(5) * * *

Code/Special Provisions

* * * * *

N9 If the substance is impregnated with less than 5% oil, it is excepted from the labeling requirements of subpart D of this part and the packaging tests of subpart M of part 178 of this subchapter.

N10 Lighters and their inner packagings, which have been approved by the Associate Administrator for Hazardous Materials Safety (see § 173.21(i) of this subchapter), must be packaged in one of the following outer packagings at the Packing Group II

level: 4C1 or 4C2 wooden boxes; 4D plywood boxes; 4F reconstituted wood boxes; 4G fiberboard boxes; or 4H1 or 4H2 plastic boxes.

N11 This material is excepted for the specification packaging requirements of this subchapter if the material is packaged in strong, tight non-bulk packaging meeting the requirements of subparts A and B of Part 173 of this subchapter.

* * * * *

N20 A 5M1 multi-wall paper bag is authorized if transported in a closed transport vehicle.

* * * * *

N45 Copper cartridges are authorized as inner packagings if the hazardous material is not in dispersion.

* * * * *

N81 Polychlorinated biphenyl items, as defined in 40 CFR 761.3, for which specification packagings are impractical, may be packaged in non-specification packagings meeting the general packaging requirements of subparts A and B of part 173 of this subchapter. Alternatively, the item itself may be used as a packaging if it meets the general packaging requirements of subparts A and B of part 173 of this subchapter.

N82 See § 173.306 of this subchapter for classification criteria for flammable aerosols.

* * * * *

(7) * * *

(i) * * *

IM TANK CONFIGURATIONS

Code	IM tank type	Minimum test pressure (bars)	Bottom outlets	Pressure relief devices
(1)	(2)	(3)	(4)	(5)
*	*	*	*	*
T22	101	6	§ 173.32c(g)(1)	§ 178.270-11(a)(1)(2)
*	*	*	*	*

(ii) * * *

Code/Special Provisions

* * * * *

T28 IM portable tanks in sodium metal service are not required to be hydrostatically retested.

T29 The lading must be completely covered with nitrogen, inert gas or other inert materials.

T30 IM 102 portable tanks without bottom openings or with bottom openings conforming to § 173.32c(g)(1) of this subchapter are authorized for a hazardous material with a flash point of 0°C (32°F) or greater and a vapor pressure not greater than 65.5 kPa (9.5 psia) at 65.6°C (150°F).

* * * * *

T34 The IM Tank authorization is limited to aqueous solutions containing not more than 40% dimethylamine.

* * * * *

T37 IM portable tanks are only authorized for the shipment of hydrogen peroxide solutions in water containing 72 percent or less hydrogen peroxide by weight. Pressure relief devices shall be designed to prevent the entry of foreign matter, the leakage of liquid and the development of any dangerous excess pressure. In addition, the tank shall be designed so that internal surfaces may be effectively cleaned and passivated. Each tank must be equipped with pressure relief devices conforming to the following requirements:

Concentration of hydrogen peroxide solution	Total venting capacity in standard cubic feet per hour (S.C.F.H.) per pound of hydrogen peroxide solution
52 percent or less	11
Over 52 percent but not greater than 60 percent	22
Over 60 percent but not greater than 72 percent	32

T38 Each tank, except a multi-unit tank car tank, must be insulated with at least 100 mm (3.9 inches) of cork or other suitable insulation material of sufficient thickness that the overall thermal conductance at 15.5°C (60°F) is not more than 1.533 kilojoules per hour per square meter per degree celsius (0.075 Btu per hour per square foot per degree Fahrenheit) temperature differential. The exterior surface of a carbon steel tank and the interior surface of a carbon steel jacket must be given a protective coating. The jacket must be flashed around all openings so as to be weather-tight.

* * * * *

§ 172.102 [Amended]

34. In addition, in § 172.102, the following changes are made:

a. In paragraph (b) introductory text, the word "may" is removed.

b. In paragraph (c)(1), in special provision 109, in the first sentence, the wording "Except as provided in § 173.63(d) of this subchapter," is removed and the word "rocket" is revised to read "Rocket".

c. In paragraph (c)(1), in special provision 111, "(1.)A)" is revised to read "(1.1A)".

d. In paragraph (c)(7) introductory text, the wording "the IM Tank Table" is revised to read "IM Tank Configurations".

35. In § 172.202, paragraphs (a)(2), (a)(4), and (a)(5) are revised to read as follows:

§ 172.202 Description of hazardous material on shipping papers.

(a) * * *

(1) * * *

(2) The hazard class or division prescribed for the material as shown in Column 3 of the § 172.101 Table (class names or subsidiary hazard class number may be entered following the numerical hazard class, or following the basic description). The hazard class need not be included for the entry "Combustible liquid, n.o.s.";

(3) * * *

(4) The packing group, in Roman numerals, prescribed for the material in Column 5 of the § 172.101 Table, if any. The packing group may be preceded by the letters "PG" (e.g., "PG II"); and

(5) Except for empty packagings (see § 173.29 of this subchapter), cylinders for Class 2 (compressed gases) materials, and bulk packagings, the total quantity (by net or gross mass, capacity, or as otherwise appropriate), including the unit of measurement, of the hazardous material covered by the description (e.g., "800 lbs", "55 gal.", "3629 kg", or "208 L"). For cylinders for Class 2 (compressed gases) materials and bulk packagings, some indication of total quantity must be shown (e.g., "10 cylinders" or "1 cargo tank").

* * * * *

36. In § 172.203, paragraphs (d)(1)(i) through (d)(1)(v) are redesignated as paragraphs (d)(2) through (d)(6), paragraphs (d)(1)(vi) introductory text and (d)(1)(vi)(A) through (D) are redesignated as paragraphs (d)(7) introductory text and (d)(7)(i) through (iv), paragraphs (d)(1)(vii) and (d)(1)(viii) are redesignated as paragraphs (d)(8) and (d)(9), introductory text is added to paragraph (d) following the heading and paragraph (d)(1) is revised, and paragraphs (i), (k)(3) and (m)(1), (m)(2) and (m)(3) are revised, to read as follows:

§ 172.203 Additional description requirements.

* * * * *

(d) *Radioactive material.* The description for a shipment of a Class 7 (radioactive) material must include the following additional entries as appropriate:

(1) The words "RADIOACTIVE MATERIAL" unless these words are contained in the proper shipping name.

* * * * *

(i) *Transportation by water.* Each shipment by water must have the following additional shipping paper entries:

(1) Identification of the type of packagings such as barrels, drums, cylinders, and boxes.

(2) The number of each type of package including those in a freight container or on a pallet.

(3) The gross mass of each type of package or the individual gross mass of each package.

* * * * *

(k) * * *

(3) Proper shipping names for which the provisions of this paragraph apply are as follows:

Alcohols, toxic, n.o.s.
Articles, explosive, n.o.s.
Caustic alkali liquids, n.o.s.
Combustible liquid, n.o.s.
Compounds, cleaning liquid, *corrosive*
Compounds, cleaning liquid, *flammable*
Compounds, tree *or* weed killing, liquid, *corrosive*
Compounds, tree *or weed killing, liquid, flammable*
Compounds, tree *or* weed killing, liquid, *poisonous*
Components, explosive train, n.o.s.
Compressed *or* Liquefied gases, n.o.s.
Compressed *or* Liquefied gases, flammable, n.o.s.
Compressed *or* Liquefied gases, flammable, toxic, n.o.s.
Compressed or Liquefied gases, toxic, n.o.s.
Contrivances, water-activated
Corrosive liquids, flammable, n.o.s.
Corrosive liquids, n.o.s.
Corrosive liquids, oxidizing, n.o.s.
Corrosive liquids, poisonous, n.o.s.
Corrosive liquids, which in contact with water emit flammable gases, n.o.s.
Corrosive solids, flammable, n.o.s.
Corrosive solids, n.o.s.
Corrosive solids, oxidizing, n.o.s.
Corrosive solids, poisonous, n.o.s.
Corrosive solids, self heating, n.o.s.
Corrosive solids, which in contact with water emit flammable gases, n.o.s.
Disinfectants, corrosive, liquid, n.o.s.
Disinfectants, liquid, n.o.s.
Disinfectants, solids, n.o.s.
Dispersant gas, n.o.s.
Dyes, liquid, n.o.s. *or* Dye intermediates, liquid, n.o.s.
Dyes, solid, n.o.s. *or* Dye intermediates, solid, n.o.s.
Environmentally hazardous substances, liquid, n.o.s.
Environmentally hazardous substances, solid, n.o.s.
Flammable liquids, corrosive, n.o.s.
Flammable liquids, n.o.s.
Flammable liquids, poisonous, n.o.s.
Flammable solids, corrosive, n.o.s.
Flammable solids, n.o.s.
Flammable solids, poisonous, n.o.s.
Halogenated irritating liquids, n.o.s.
Hazardous waste, liquid, n.o.s.
Hazardous waste, solid, n.o.s.
Infectious substances, affecting animals
Infectious substances, affecting humans
Insecticide gases, *flammable,* n.o.s.
Insecticide gases, n.o.s.
Insecticide gases, toxic, n.o.s.
Medicines, n.o.s.
Metal powders, flammable, n.o.s.
Organic peroxide type B, liquid
Organic peroxide type B, liquid, temperature controlled
Organic peroxide type B, solid
Organic peroxide type B, solid, temperature controlled
Organic peroxide type C, liquid
Organic peroxide type C, liquid, temperature controlled
Organic peroxide type C, solid
Organic peroxide type C, solid, temperature controlled
Organic peroxide type D, liquid
Organic peroxide type D, liquid, temperature controlled
Organic peroxide type D, solid
Organic peroxide type D, solid, temperature controlled
Organic peroxide type E, liquid
Organic peroxide type E, liquid, temperature controlled
Organic peroxide type E, solid
Organic peroxide type E, solid, temperature controlled
Organic peroxide type F, liquid
Organic peroxide type F, liquid, temperature controlled
Organic peroxide type F, solid
Organic peroxide type F, solid, temperature controlled
Other regulated substances, liquid, n.o.s.
Other regulated substances, solid, n.o.s.
Oxidizing substances, liquid, corrosive, n.o.s.
Oxidizing substances, liquid, n.o.s.
Oxidizing substances, liquid, poisonous, n.o.s.
Oxidizing substances, solid, corrosive, n.o.s.
Oxidizing substances, solid, n.o.s.
Oxidizing substances, solid, poisonous, n.o.s.
Pesticides, liquid, flammable, toxic, n.o.s.
Pesticides, liquid, toxic, flammable, n.o.s.
Pesticides, liquid, toxic, n.o.s.
Pesticides, solid, toxic, n.o.s.
Poisonous liquids, corrosive, n.o.s.
Poisonous liquids, flammable, n.o.s.
Poisonous liquids, n.o.s.
Poisonous liquids, oxidizing, n.o.s.
Poisonous liquids, which in contact with water emit flammable gases, n.o.s.
Poisonous solids, corrosive, n.o.s.
Poisonous solids, flammable, n.o.s.
Poisonous solids, n.o.s.
Poisonous solids, oxidizing, n.o.s.
Poisonous solids, self-heating, n.o.s.
Poisonous solids, which in contact with water emit flammable gases, n.o.s.
Pyrophoric liquids, n.o.s.
Pyrophoric solids, n.o.s.
Pyrophoric metals, n.o.s. *or* Pyrophoric alloys, n.o.s.
Refrigerant gas, n.o.s.
Refrigerant gases, n.o.s.
Rodenticides, n.o.s.
Samples, explosive (*other than initiating explosives*)
Self-heating substances, solid, corrosive, n.o.s.
Self-heating substances, solid, n.o.s.
Self-heating substances, solid, poisonous, n.o.s.
Self-reactive substances, Sample, n.o.s.
Self-reactive substances, Trial quantities, n.o.s.
Substances, explosive, n.o.s.
Substances, explosive, very insensitive (substances, EVI) n.o.s.".
Substances, which in contact with water emit flammable gases, liquid, corrosive, n.o.s.
Substances, which in contact with water emit flammable gases, liquid, n.o.s.
Substances, which in contact with water emit flammable gases, liquid, poisonous, n.o.s.
Substances, which in contact with water emit flammable gases, solid, corrosive, n.o.s.
Substances, which in contact with water emit flammable gases, solid, n.o.s.
Substances, which in contact with water emit flammable gases, solid, oxidizing, n.o.s.
Substances, which in contact with water emit flammable gases, solid, poisonous, n.o.s.
Substances, which in contact with water emit flammable gases, solid, self-heating, n.o.s.
Substances, which in contact with water emit flammable gases, solid, flammable n.o.s.
Tear gas substances, n.o.s. liquid *or* solid

* * * * *

(m) * * *

(1) If a liquid or solid material in a package meets the definition of a Division 6.1, Packing Group I or II, according to this subchapter, and the fact that it is a poison is not disclosed in the shipping name, the word "Poison" shall be entered on the shipping paper in association with the shipping description.

(2) If the technical name of the compound or principal constituent that causes a material to meet the definition of Division 6.1, Packing Group I or II (as defined in § 173.132(a) of this subchapter), or Division 2.3 (as defined

in § 173.115(c) of this subchapter), is not included in the proper shipping name for the material, the technical name shall be entered on the shipping paper in the manner prescribed in paragraph (k) of this section.

(3) For materials which are poisonous by inhalation (see § 171.8 of this subchapter), the words "Poison-Inhalation Hazard" and the words "Zone A", "Zone B", "Zone C", or "Zone D", for gases or "Zone A" or "Zone B" for liquids, as appropriate, shall be entered on the shipping paper immediately following the shipping description. The word "Poison" need not be repeated if it otherwise appears in the shipping description.

§ 172.203 [Amended]

37. In addition, in § 172.203, the following changes are made:

a. In paragraph (c)(2), in the second sentence, "3" is revised to read "6.1"; and "PG" is removed both places it appears.

b. In paragraph (k) introductory text, "PG" is removed both places it appears; and the last sentence is revised to read "For example, 'Organic peroxide type B, solid, 5.2, UN 3102 (dibenzoyl peroxide, 52–100%)' or 'Organic peroxide type E, solid, 5.2, UN 3108 (dibenzoyl peroxide, paste, <52%)'."

c. In paragraph (k)(1), in the second sentence, "compound" is revised to read "mixtures" both places it appears; and "PG" is removed both places it appears.

d. In paragraphs (k)(2) and (k)(4)(iii), "PG" is removed each place it appears.

e. In paragraph (k)(4)(ii), the reference "§ 172.101(c)(12)" is revised to read "§ 172.101(c)(11)".

f. In paragraph (k)(4)(iv), the last sentence is revised to read "For example: 'Carbamate pesticides, liquid, flammable, toxic, n.o.s., *flash point less than 23°C* (contains Xylene) 3, 6.1, UN 2758, II'."

38. In § 172.302, paragraphs (b)(2) and (b)(3) are revised, and a new paragraph (f) is added to read as follows:

§ 172.302 General marking requirements for bulk packagings.

* * * * *

(b) * * *

(1) * * *

(2) 25 mm (one inch) for portable tanks with capacities of less than 3,785 L (1,000 gallons); and

(3) 50 mm (2.0 inches) for cargo tanks and other bulk packages.

* * * * *

(f) A bulk packaging marked prior to October 1, 1991, in conformance to the regulations of this subchapter in effect on September 30, 1991, need not be remarked if the key words of the proper shipping name are identical to those currently specified in the § 172.101 Table. For example, a tank car marked "ANHYDROUS AMMONIA" need not be remarked "ANHYDROUS AMMONIA, LIQUEFIED".

39. In § 172.303, the introductory text of paragraph (b) is republished, and paragraph (b)(3) is added to read as follows:

§ 172.303 Prohibited marking.

* * * * *

(b) This section does not apply to—

(1) * * *

(2) * * *

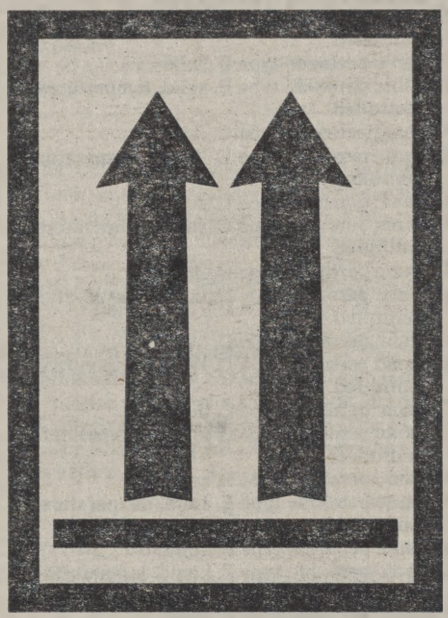
(3) The marking of a shipping name on a package when the name describes a material not regulated under this subchapter.

40. In § 172.312, paragraph (a)(2) is revised, and paragraphs (c)(4) and (c)(5) are added to read as follows:

§ 172.312 Liquid hazardous materials in non-bulk packagings.

(a) * * *

(2) Legibly marked, with package orientation markings that conform pictorially to ISO Standard 780–1985, on two opposite vertical sides of the package with the arrows pointing in the correct upright direction.



Package orientation

(b) * * *

(c) * * *

(4) Liquids contained in manufactured articles (e.g., alcohol or mercury in thermometers) which are leak-tight in all orientations.

(5) A non-bulk package with hermetically-sealed inner packagings.

41. In § 172.313, paragraph (a) is revised to read as follows:

§ 172.313 Poisonous hazardous materials.

(a) For materials poisonous by inhalation (see § 171.8 of this subchapter), the package shall be marked "Inhalation Hazard" in association with the required labels or placards, as appropriate, or shipping name, when required. (See § 172.302(b) of this subpart for size s.

* * * * *

42. In § 172.316, the section heading is revised to read as follows:

§ 172.316 Packagings containing materials classed as ORM–D.

43. Section 172.320 is revised to read as follows:

§ 172.320 Explosive hazardous materials.

(a) Except as otherwise provided in paragraphs (b), (c), (d) and (e) of this section, each package containing a Class 1 material must be marked with the EX-number for each substance, article or device contained therein.

(b) Except for fireworks approved in accordance with § 173.56(j) of this subchapter, a package of Class 1 materials may be marked, in lieu of the EX-number required by paragraph (a) of this section, with a national stock number issued by the Department of Defense or identifying information required by regulations for commercial explosives specified in 27 CFR part 55, if the national stock number or identifying information can be specifically associated with the EX-number assigned.

(c) When more than five different Class 1 materials are packed in the same package, the package may be marked with only five of the EX-numbers, national stock numbers, product codes, or combination thereof.

(d) The requirements of this section do not apply if the EX-number, product code or national stock number of each explosive item described under a proper shipping description is shown in association with the shipping description required by § 172.202(a) of this part. Product codes and national stock numbers must be traceable to the specific EX-number assigned by the Associate Administrator for Hazardous Materials Safety.

(e) The requirements of this section do not apply to the following Class 1 materials:

(1) Those being shipped to a testing agency in accordance with § 173.56(d) of this subchapter;

(2) Those being shipped in accordance with § 173.56(e) of this subchapter, for the purposes of developmental testing;

(3) Those which meet the requirements of § 173.56(h) of this subchapter and therefore are not subject to the approval process of § 173.56 of this subchapter;

(4) Until October 1, 1993, those which are shipped under § 171.19 of this subchapter; and

(5) Those that are transported in accordance with § 173.56(c)(2) of this subchapter and, therefore, are covered by a national security classification currently in effect.

§ 172.326 [Amended]

44. In § 172.326, the following changes are made:

a. In paragraph (c)(1), the wording "containing a hazardous material" is added immediately after "portable tank" and before "must be marked".

b. In paragraph (c)(2), the wording "containing a hazardous material" is added immediately after "portable tank" and before "to a motor carrier".

§ 172.328 [Amended]

45. In § 172.328, in paragraph (c) introductory text, the paragraph heading is revised to read "*QT/NQT markings.*".

46. In § 172.330, paragraphs (a)(1) and (a)(2) are revised to read as follows:

§ 172.330 Tank cars and multi-unit tank car tanks.

(a) * * *

(1) In a tank car unless the tank car is:

(i) Marked on each side, when required by a special provision to the § 172.101 Table or Part 173 of this subchapter, with the proper shipping name specified for the material in the § 172.101 Table, or with a common name authorized for the material in this subchapter (e.g., "Refrigerant Gas"); and

(ii) Marked on each side and each end, as required by § 172.302 of this subpart, with the identification number specified for the material in the § 172.101 Table.

(2) In a multi-unit tank car tank, unless the tank is marked on two opposing sides, in letters and numerals no less than 50 mm (2.0 inches) high—

(i) With the proper shipping name specified for the material in the § 172.101 Table or with a common name authorized for the material in this subchapter (e.g., "Refrigerant Gas"); and

(ii) With the identification number specified for the material in the § 172.101 Table, unless marked in accordance with §§ 172.302(a) and 172.332 of this subpart.

* * * * *

§ 172.332 [Amended]

47. In § 172.332, in paragraph (a), the reference "172.302," is added immediately after "§§" and before "172.326".

§ 173.334 [Amended]

48. In § 173.334, in paragraph (a), the wording "or DANGEROUS placard." is revised to read "DANGEROUS, or subsidiary hazard placard."

§ 172.336 [Amended]

49. In § 172.336, the following changes are made:

a. The section heading is revised to read as follows:

§ 172.336 Identification numbers; special provisions.

b. In paragraph (b)(1), "100 cm" is revised to read "100 mm".

c. In paragraphs (c)(2) and (c)(3), the wording "144 points" is revised to read "50 mm (2 inches)" each place it appears.

§ 172.400 [Amended]

50. In § 172.400, the following changes are made:

a. In paragraph (a)(3), the wording "capacity or unless" is revised to read "capacity, unless".

b. In the paragraph (b) table, in column 1, the entry "5." is revised to read "5.2".

51. In § 172.402, the introductory text preceding the table in paragraph (a) is revised, paragraphs (b) and (c) are redesignated as (c) and (d), newly designated paragraph (d) is revised, and new paragraphs (b) and (e) are added to read as follows:

§ 172.402 Additional labeling requirements.

(a) *Subsidiary hazard labels.* Each package containing a hazardous material—

(1) Shall be labeled with primary and subsidiary hazard labels as specified in Column 6 of the § 172.101 Table; and

(2) For other than Class 2 or Class 1 materials (for subsidiary labeling requirements for Class 1 materials see paragraph (e) of this section), if not already labeled under paragraph (a)(1) of this section, shall be labeled with subsidiary hazard labels in accordance with the following table:

* * * * *

(b) *Display of hazard class on labels.* The appropriate hazard class or, for Division 5.1 or 5.2 the division number, shall be displayed in the lower corner of a primary hazard label and may not be displayed on a subsidiary label.

* * * * *

(d) *Radioactive Materials.* Each package containing a radioactive material that also meets the definition of one or more additional hazards, except Class 9, shall be labeled as a radioactive material as required by § 172.403 of this subpart and for each additional hazard.

(e) *Class 1 (explosive) Materials.* In addition to the label specified in Column 6 of the § 172.101 Table, each package of Class 1 material that also meets the definition for:

(1) Division 6.1, Packing Groups I or II, shall be labeled POISON; or

(2) Class 7, shall be labeled in accordance with § 172.403 of this subpart.

52. In § 172.405, paragraph (b) is removed, paragraph (c) is redesignated as new paragraph (b) and revised to read as follows:

§ 172.405 Authorized label modifications.

* * * * *

(b) For a package containing Oxygen, compressed, or Oxygen, refrigerated liquid, the OXIDIZER label specified in § 172.426 of this subpart, modified to display the word "OXYGEN" instead of "OXIDIZER", and the class number "2" instead of "5.1", may be used in place of the NON-FLAMMABLE GAS and OXIDIZER labels. Notwithstanding the provisions of paragraph (a) of this section, the word "OXYGEN" must appear on the label.

53. In § 172.406, the headings for paragraphs (a), (b), (c), (e), and (f) are revised, a heading is added to paragraph (d), and paragraph (a)(1)(ii) and the introductory text to paragraph (e) are revised, to read as follows:

§ 172.406 Placement of labels.

(a) *General.* (1) * * *

* * * * *

(ii) Be located on the same surface of the package and near the proper shipping name marking, if the package dimensions are adequate.

(b) *Exceptions.* * * *

* * * * *

(c) *Placement of multiple labels.* * * *

* * * * *

(d) *Contrast with background.* * * *

* * * * *

(e) *Duplicate labeling.* Generally, only one of each different required label must be displayed on a package. However, duplicate labels must be displayed on at least two sides or two ends (other than the bottom) of—

* * * * *

(f) *Visibility.* * * *

54. In § 172.407, paragraph (d)(4) is revised to read as follows:

§ 172.407 Label specifications.

* * * * *

(d) * * *

(4) (i) A color on a label, upon visual examination, must fall within the color tolerances—

(A) Displayed on color charts conforming to the technical specifications for charts set forth in Table 1 or 2 in appendix A to this part; or

(B) For labels printed on packaging surfaces, specified in Table 3 in appendix A to this part.

(ii) Color charts conforming to appendix A to this part are on display in Room 8421, Nassif Building, 400 Seventh Street, SW., Washington DC 20590–0001.

* * * * *

55. Section 172.411 is revised to read as follows:

§ 172.411 EXPLOSIVE 1.1, 1.2, 1.3, 1.4, 1.5 and 1.6 labels, and EXPLOSIVE Subsidiary label.

(a) Except for size and color, the EXPLOSIVE 1.1, EXPLOSIVE 1.2 and EXPLOSIVE 1.3 labels must be as follows:



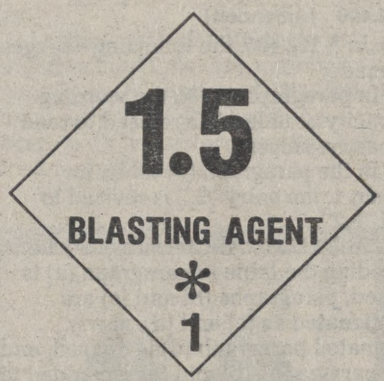
(b) In addition to complying with § 172.407, the background color on the EXPLOSIVE 1.1, EXPLOSIVE 1.2 and EXPLOSIVE 1.3 labels must be orange. The "**" shall be replaced with the appropriate division number and compatibility group. The compatibility group letter must be the same size as the division number and must be shown as a capitalized Roman letter.

(c) Except for size and color, the EXPLOSIVE 1.4, EXPLOSIVE 1.5, EXPLOSIVE 1.6 labels, and EXPLOSIVE Subsidiary label must be as follows:

EXPLOSIVE 1.4:



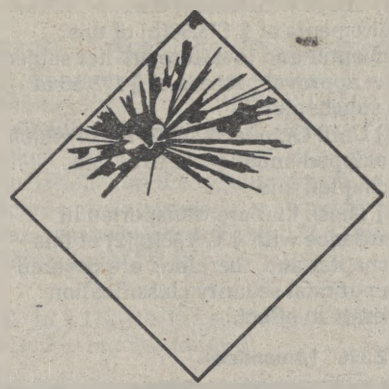
EXPLOSIVE 1.5:



EXPLOSIVE 1.6:



EXPLOSIVE Subsidiary label:

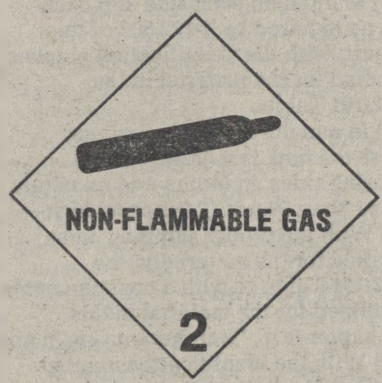


(d) In addition to complying with § 172.407, the background color on the EXPLOSIVE 1.4, EXPLOSIVE 1.5, EXPLOSIVE 1.6, and EXPLOSIVE Subsidiary label must be orange. Except for the EXPLOSIVE subsidiary label, the "*" shall be replaced with the appropriate compatibility group. The compatibility group letter must be shown as a capitalized Roman letter measuring at least 12.7 mm (0.5 inches) in height. Except for the EXPLOSIVE subsidiary label, division numerals must measure at least 30 mm (1.2 inches) in height and at least 5 mm (0.2 inches) in width.

56. Sections 172.415 through 172.417, 172.419, 172.420, 172.422, 172.423, 172.426, 172.427, 172.430 through 172.432, 172.436, 172.438, 172.440, 172.442, 172.446, and 172.448 are republished as follows:

§ 172.415 NON-FLAMMABLE GAS Label

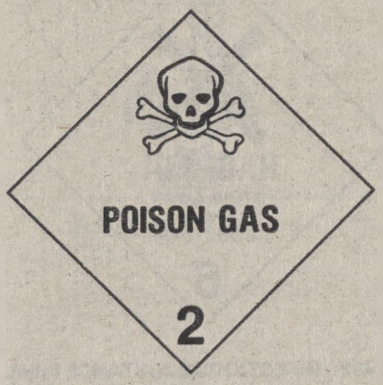
(a) Except for size and color, the NON-FLAMMABLE GAS label must be as follows:



(b) In addition to complying with § 172.407, the background color on the NON-FLAMMABLE GAS label must be green.

§ 172.416 POISON GAS label.

(a) Except for size and color, the POISON GAS label must be as follows:



(b) In addition to complying with § 172.407, the background on the POISON GAS label must be white.

§ 172.417 FLAMMABLE GAS label.

(a) Except for size and color, the FLAMMABLE GAS label must be as foll



(b) In addition to complying with § 172.407, the background color on the FLAMMABLE GAS label must be red.

§ 172.419 FLAMMABLE LIQUID label.

(a) Except for size and color the FLAMMABLE LIQUID label must be as follows:



(b) In addition to complying with § 172.407, the background color on the FLAMMABLE LIQUID label must be red.

§ 172.420 FLAMMABLE SOLID label.

(a) Except for size and color, the FLAMMABLE SOLID label must be as follows:



(b) In addition to complying with § 172.407, the background on the FLAMMABLE SOLID label must be white with vertical red stripes equally spaced on each side of a red stripe placed in the center of the label. The red vertical stripes must be spaced so that, visually, they appear equal in width to the white spaces between them. The symbol (flame) and text (when used) must be overprinted. The text "FLAMMABLE SOLID" may be placed in a white rectangle.

§ 172.422 SPONTANEOUSLY COMBUSTIBLE label.

(a) Except for size and color, the SPONTANEOUSLY COMBUSTIBLE label must be as follows:



(b) In addition to complying with § 172.407, the background color on the lower half of the SPONTANEOUSLY COMBUSTIBLE label must be red and the upper half must be white.

§ 172.423 DANGEROUS WHEN WET label.

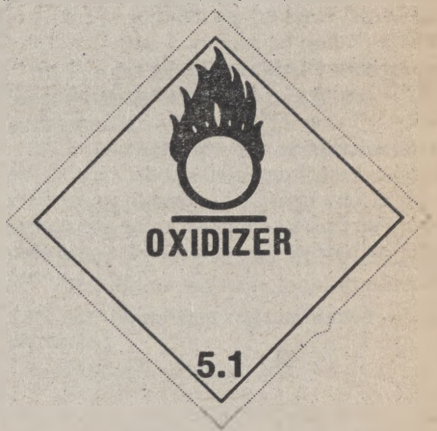
(a) Except for size and color, the DANGEROUS WHEN WET label must be as follows:



(b) In addition to complying with § 172.407, the background color on the DANGEROUS WHEN WET label must be blue.

§ 172.426 OXIDIZER label.

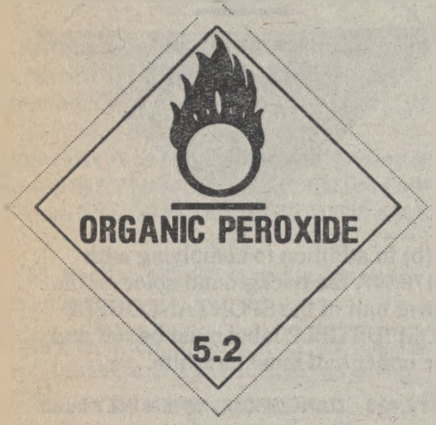
(a) Except for size and color, the OXIDIZER label must be as follows:



(b) In addition to complying with § 172.407, the background color on the OXIDIZER label must be yellow.

§ 172.427 ORGANIC PEROXIDE label.

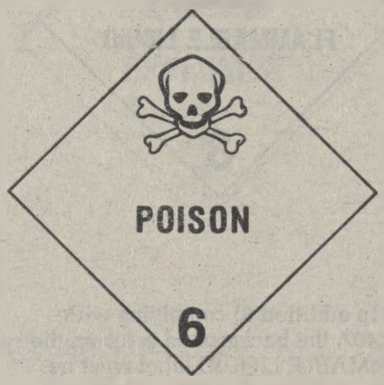
(a) Except for size and color, the ORGANIC PEROXIDE label must be as follows:



(b) In addition to complying with § 172.407, the background color on the ORGANIC PEROXIDE label must be yellow.

§ 172.430 POISON label.

(a) Except for size and color, the POISON label must be as follows:



(b) In addition to complying with § 172.407, the background on the KEEP AWAY FROM FOOD label must be white.

§ 172.431 KEEP AWAY FROM FOOD label.

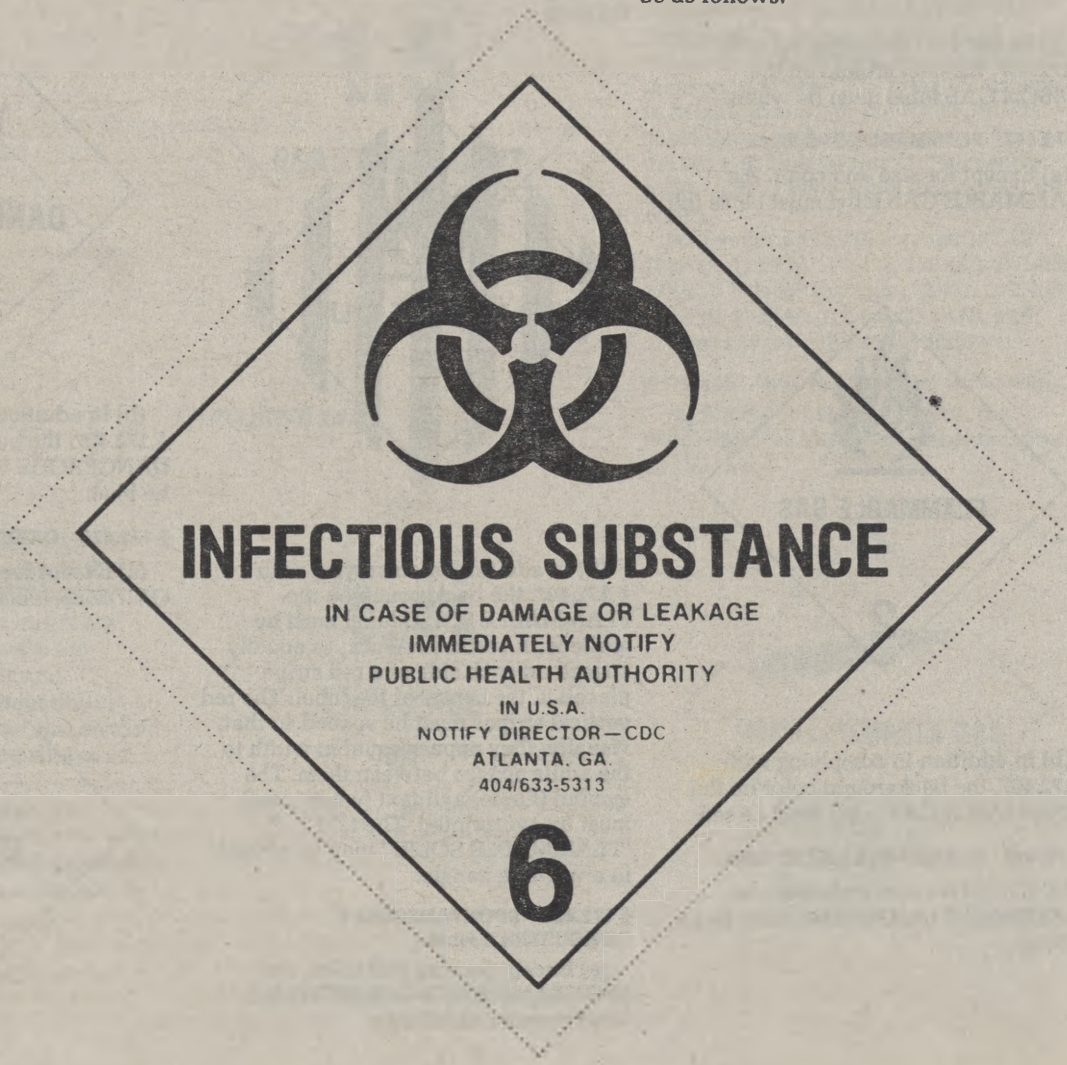
(a) Except for size and color, the KEEP AWAY FROM FOOD label must be as follows:



(b) In addition to complying with § 172.407, the background on the POISON label must be white.

§ 172.432 INFECTIOUS SUBSTANCE label.

(a) Except for size and color, the INFECTIOUS SUBSTANCE label must be as follows:



(b) In addition to complying with § 172.407, the background on the INFECTIOUS SUBSTANCE label must be white.

§ 172.436 RADIOACTIVE WHITE-I label.

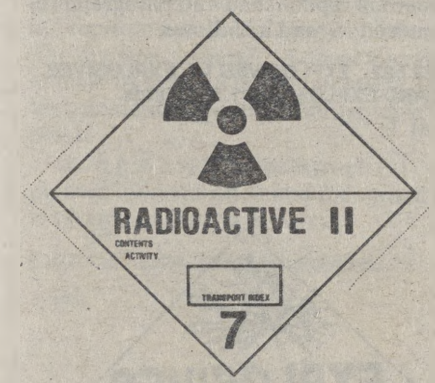
(a) Except for size and color, the RADIOACTIVE WHITE-I label must be as follows:



(b) In addition to complying with § 172.407, the background on the RADIOACTIVE WHITE-I label must be white. The printing and symbol must be black, except for the "I" which must be red.

§ 172.438 RADIOACTIVE YELLOW-II label.

(a) Except for size and color, the RADIOACTIVE YELLOW-II must be as follows:



(b) In addition to complying with § 172.407, the background color on the RADIOACTIVE YELLOW-II label must be yellow in the top half and white in the lower half. The printing and symbol must be black, except for the "II" which must be red.

§ 172.440 RADIOACTIVE YELLOW-III label.

(a) Except for size and color, the RADIOACTIVE YELLOW-III label must be as follows:



(b) In addition to complying with § 172.407, the background color on the RADIOACTIVE YELLOW-III label must be yellow in the top half and white in the lower half. The printing and symbol must be black, except for the "III" which must be red.

§ 172.442 CORROSIVE label.

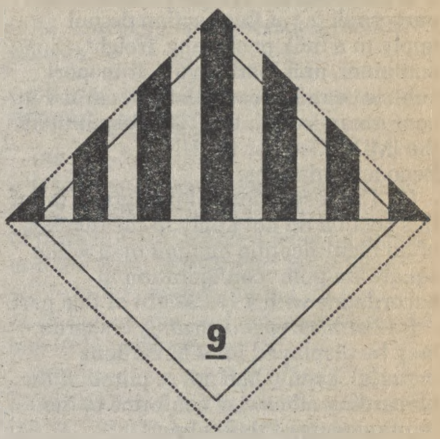
(a) Except for size and color, the CORROSIVE label must be as follows:



(b) In addition to complying with § 172.407, the background on the CORROSIVE label must be white in the top half and black in the lower half.

§ 172.446 CLASS 9 label.

(a) Except for size and color, the "CLASS 9" (miscellaneous hazardous materials) label must be as follows:



(b) In addition to complying with § 172.407, the background on the CLASS 9 label must be white with seven black vertical stripes on the top half. The black vertical stripes must be spaced, so that, visually, they appear equal in width to the six white spaces between them. The lower half of the label must be white with the class number "9" underlined and centered at the bottom.

§ 172.448 CARGO AIRCRAFT ONLY label.

(a) Except for size and color, the CARGO AIRCRAFT ONLY label must be as follows:



(b) The CARGO AIRCRAFT ONLY label must be black on an orange background.

57. In § 172.502, the paragraph heading in (a) is revised, paragraph (b) is revised, paragraph (c) is removed, and paragraph (d) is redesignated as new paragraph (c) and revised to read as follows:

§ 172.502 Prohibited and permissive placarding.

(a) *Prohibited placarding.* * * *

* * * * *

(b) *Exceptions.* (1) The restrictions in paragraph (a) of this section do not apply to a bulk packaging, freight container, unit load device, transport vehicle or rail car which is placarded in conformance with the TDG Regulations, the IMDG Code or the UN Recommendations.

(2) The restrictions of paragraph (a) of this section do not apply to the display of an identification number on a white square-on-point configuration in accordance with § 172.336(b) of this part.

(c) *Permissive placarding.* Placards may be displayed for a hazardous material, even when not required, if the placarding otherwise conforms to the requirements of this subpart.

58. In § 172.504, paragraphs (f)(4), (f)(7), and (f)(8) are revised and a new paragraph (g) is added to read as follows:

§ 172.504 General placarding requirements.

* * * * *

(f) * * *

(4) An EXPLOSIVES 1.3, 1.4, 1.5, 1.6 or OXIDIZER placard is not required for Division 1.3, 1.4, 1.5, 1.6 or 5.1 materials on a freight container, unit load device, transport vehicle or rail car which also contains Division 1.1 or 1.2 explosives and is placarded with EXPLOSIVES 1.1 or 1.2 placards, as required.

* * * * *

(7) For domestic transportation of oxygen, compressed or oxygen, refrigerated liquid, the OXYGEN placard in § 172.530 of this subpart may be used in place of a NON-FLAMMABLE GAS placard.

(8) Except for a material classed as a combustible liquid that also meets the definition of a Class 9 material, a COMBUSTIBLE placard is not required for a material classed as a combustible liquid when transported in a non-bulk packaging. For a material in a non-bulk packaging classed as a combustible liquid that also meets the definition of a Class 9 material, the CLASS 9 placard may be substituted for the COMBUSTIBLE placard.

(g) For shipments of Class 1 (explosive) materials by aircraft or vessel, the applicable compatibility group letter must be displayed on the placards required by this section.

§ 172.504 [Amended]

59. In addition, in § 172.504, the following changes are made:

a. In paragraph (e), in Table 1, column 2, a footnote reference "[1]" is added immediately following "RADIOACTIVE" and a footnote is added immediately at the end of the table to read as follows:

"[1] RADIOACTIVE placard also required for exclusive use shipments of low specific activity material in accordance with § 173.425 (b) or (c) of this subchapter.".

b. In paragraph (e), in Table 2, column 2, the word "COMBUSIBLE" is revised to read "COMBUSTIBLE".

c. In paragraphs (a), (b), (f) introductory text, (f)(3) and (f)(5), the wording "motor vehicle" is revised to read "transport vehicle" each place it appears.

d. In paragraph (c) introductory text, the wording "portable tanks, cargo tanks, tank cars," is revised to read "bulk packagings,".

60. In § 172.505, the section heading and paragraph (b) are revised and a new paragraph (d) is added, to read as follows:

§ 172.505 Placarding for subsidiary hazards.

* * * * *

(b) In addition to the RADIOACTIVE placard which may be required by § 172.504(e) of this subpart, each transport vehicle, portable tank or freight container that contains 454 kg (1001 pounds) or more gross weight of fissile or low specific activity uranium hexafluoride shall be placarded with a CORROSIVE placard on each side and each end.

* * * * *

(d) Hazardous materials that possess secondary hazards may exhibit subsidiary placards that correspond to the placards described in this part, even when not required by this part (see also § 172.519(b) (4) of this subpart).

§ 172.505 [Amended]

61. In addition, in § 172.505, in paragraph (a), the wording "in addition to the placards required by § 172.504. Duplication of the POISON or POISON GAS placard is not required." is revised to read "if not so placarded under § 172.504.".

62. In § 172.510, paragraph (c) is revised to read as follows:

§ 172.510 Special placarding provisions: Rail.

* * * * *

(c) *RESIDUE and subsidiary placards.* Each tank car containing the residue of a hazardous material must have each primary placard changed to the corresponding RESIDUE placard. See § 172.505(c) of this subpart for display requirements for subsidiary hazards.

* * * * *

§ 172.510 [Amended]

63. In addition, in § 172.510, the following changes are made:

a. In paragraph (a)(2), the wording "Division 2.3, Packaging Group I, Hazard Zone A" is revised to read "Division 2.3, Hazard Zone A"; and the wording "POISONOUS GAS" is revised to read "POISON GAS".

b. In paragraph (a)(3), the wording "Division 2.3, Packing Group I, Hazard Zone A" is revised to read "Division 2.3, Hazard Zone A"; and the wording "POISONOUS GAS—RESIDUE" is revised to read "POISON GAS—RESIDUE".

64. In § 172.519, paragraph (a)(2) is removed, paragraphs (a)(3) and (a)(4) are redesignated as (a)(2) and (a)(3), respectively, a third sentence is added at the end of newly designated paragraph (a)(2) and paragraph (f) is revised, to read as follows:

§ 172.519 General specifications for placards.

(a) * * *

(2) * * * In addition, each placard made of tagboard must be able to pass a 414 kPa (60 p.s.i.) Mullen test.

* * * * *

(f) *Exceptions.* For a shipment under the provisions of §§ 171.11, 171.12 or § 171.12a of this subchapter, a placard conforming to specifications in the ICAO Technical Instructions, the IMDG Code, or the TDG Regulations, respectively, may be used in place of a corresponding placard which conforms to the requirements of this subpart.

65. In § 172.522, the paragraph (a) placard is republished and paragraph (b) is revised to read as follows:

§ 172.522 EXPLOSIVES 1.1, EXPLOSIVES 1.2 AND EXPLOSIVES 1.3 placards.

(a) * * *



(b) In addition to complying with § 172.519 of this subpart, the background color on the EXPLOSIVES 1.1,

EXPLOSIVES 1.2, and EXPLOSIVES 1.3 placards must be orange. The "*" shall be replaced with the appropriate division number and, when required, appropriate compatibility group letter. The symbol, text, numerals and inner border must be black.

66. In § 172.523, the paragraph (a) placard is republished and paragraph (b) is revised to read as follows:

§ 172.523 EXPLOSIVES 1.4 placard.

(a) * * *

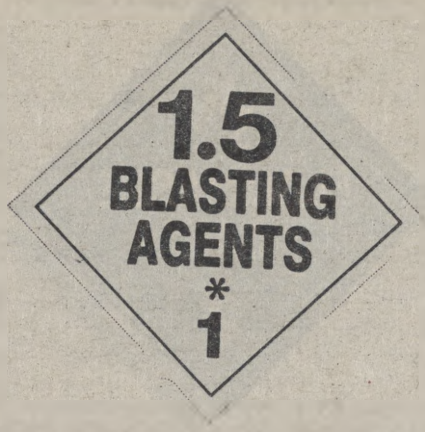


(b) In addition to complying with § 172.519 of this subpart, the background color on the EXPLOSIVES 1.4 placard must be orange. The "*" shall be replaced, when required, with the appropriate compatibility group letter. The division numeral, 1.4, must measure at least 64 mm (2.5 inches) in height. The text, numerals and inner border must be black.

67. In § 172.524, the paragraph (a) placard is republished and paragraph (b) is revised to read as follows:

§ 172.524 EXPLOSIVES 1.5 placard.

(a) * * *



(b) In addition to complying with § 172.519 of this subpart, the background color on EXPLOSIVES 1.5 placard must be orange. The "*" shall be replaced, when required, with the appropriate compatibility group letter. The division numeral, 1.5, must measure at least 64 mm (2.5 inches) in height. The text, numerals and inner border must be black.

68. In § 172.525, the paragraph (a) placard is republished and paragraph (b) is revised to read as follows:

§ 172.525 EXPLOSIVES 1.6 placard.

(a) * * *



(b) In addition to complying with § 172.519 of this subpart, the background color on the EXPLOSIVES 1.6 placard must be orange. The "*" shall be replaced, when required, with the appropriate compatibility group letter. The division numeral, 1.6, must measure at least 64 mm (2.5 inches) in height. The text, numerals and inner bordest be black.

69. In § 172.526, paragraphs (a)(1), (a)(2) and (a)(4) are revised to read as follows:

§ 172.526 Standard requirements for the RESIDUE placard.

(a) * * *

(1) Except as provided in paragraph (a)(3) of this section, the lower triangle of the RESIDUE placard must be black and the word "RESIDUE" must be in white letters approximately 25 mm (1 inch) high, made with approximately 6.3 mm (0.25 inch) stroke.

(2) Except for the RADIOACTIVE, EXPLOSIVES 1.1, 1.2, 1.3, 1.4, 1.5 or 1.6, DANGEROUS, or subsidiary placard required by § 172.505 of this subpart, the RESIDUE placard may be used to display the appropriate identification number in accordance with the provisions of subpart D of this part.

* * * * *

(4) Otherwise, the RESIDUE placard must be as specified in §§ 172.519, 172.528, 172.530, 172.532, 172.542, 172.544, 172.546, 172.547, 172.548, 172.550, 172.552, 172.553, 172.554, 172.558 and 172.560 as appropriate for the residue of the hazardous material being transported and required by this subchapter to be placarded. No other placard may be used as a RESIDUE placard.

* * * * *

§ 172.526 [Amended]

70. In addition, in § 172.526, in paragraph (c)(3), the wording ", and paragraph (a)(10) of appendix B to this part" is removed and a period is added in its place.

71. Section 172.528 is republished as follows:

§ 172.528 NON-FLAMMABLE GAS placard.

(a) Except for size and color, the NON-FLAMMABLE GAS placard must be as follows:

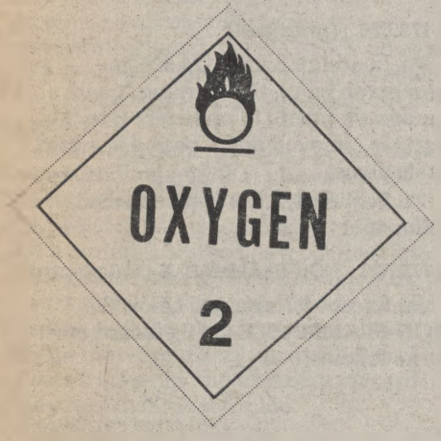


(b) In addition to complying with § 172.519, the background color on the NON-FLAMMABLE GAS placard must be green. The letters in both words must be at least 38 mm (1.5 inches) high. The symbol, text, class number and inner border must be white.

72. Section 172.530 is republished as follows:

§ 172.530 OXYGEN placard.

(a) Except for size and color, the OXYGEN placard must be as follows:



(b) In addition to complying with § 172.519 of this subpart, the background color on the OXYGEN placard must be yellow. The symbol, text, class number and inner border must be black.

73. Section 172.532 is republished as follows:

§ 172.532 FLAMMABLE GAS placard.

(a) Except for size and color, the FLAMMABLE GAS placard must be as follows:

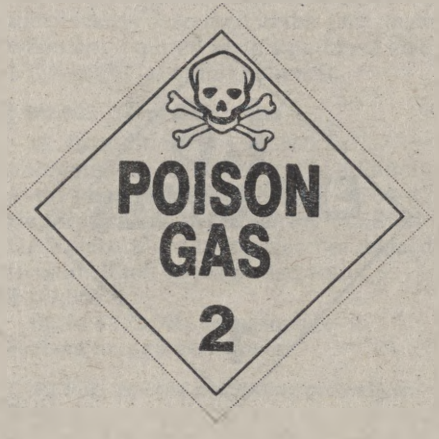


(b) In addition to complying with § 172.519, the background color on the FLAMMABLE GAS placard must be red. The symbol, text, class number and inner border must be white.

74–75. Sections 172.540, 172.542, 172.544, 172.546 through 172.548, 172.550, 172.552 through 172.554, 172.556, 172.558, and 172.560 are republished to read as follows:

§ 172.540 POISON GAS placard.

(a) Except for size and color, the POISON GAS placard must be as follows:



(b) In addition to complying with § 172.519, the background color on the POISON GAS placard must be white. The symbol, text, class number and inner border must be black.

§ 172.542 FLAMMABLE placard.

(a) Except for size and color, the FLAMMABLE placard must be as follows:



(b) In addition to complying with § 172.519, the background color on the FLAMMABLE placard must be red. The symbol, text, class number and inner border must be white.

(c) The word "GASOLINE" may be used in place of the word "FLAMMABLE" on a placard that is displayed on a cargo tank or a portable tank being used to transport gasoline by highway. The word "GASOLINE" must be shown in white.

§ 172.544 COMBUSTIBLE placard.

(a) Except for size and color, the COMBUSTIBLE placard must be as follows:



(b) In addition to complying with § 172.519, the background color on the COMBUSTIBLE placard must be red. The symbol, text, class number and inner border must be white. On a COMBUSTIBLE placard with a white bottom as prescribed by § 172.332(c)(4), the class number must be red or black.

(c) The words "FUEL OIL" may be used in place of the word

"COMBUSTIBLE" on a placard that is displayed on a cargo tank or portable tank being used to transport by highway fuel oil that is not classed as a flammable liquid. The words "FUEL OIL" must be shown in white.

§ 172.546 FLAMMABLE SOLID placard.

(a) Except for size and color, the FLAMMABLE SOLID placard must be as follows:

SECTION 172.546(a)



(b) In addition to complying with § 172.519, the background on the FLAMMABLE SOLID placard must be white with seven vertical red stripes. The stripes must be equally spaced, with one red stripe placed in the center of the label. Each red stripe and each white space between two red stripes must be 25 mm (1.0 inches) wide. The letters in the word "SOLID" must be at least 38.1 mm (1.5 inches) high. The symbol, text, class number and inner border must be black.

§ 172.547 SPONTANEOUSLY COMBUSTIBLE placard.

(a) Except for size and color, the SPONTANEOUSLY COMBUSTIBLE placard must be as follows:

SECTION 172.547(a)



(b) In addition to complying with § 172.519, the background color on the SPONTANEOUSLY COMBUSTIBLE placard must be red in the lower half and white in upper half. The letters in the word "SPONTANEOUSLY" must be at least 25 mm (0.98 inches) high. The symbol, text, class number and inner border must be black.

§ 172.548 DANGEROUS WHEN WET placard.

(a) Except for size and color, the DANGEROUS WHEN WET placard must be as follows:

SECTION 172.548(a)



(b) In addition to complying with § 172.519, the background color on the DANGEROUS WHEN WET placard must be blue. The letters in the words "WHEN WET" must be at least 25 mm (1.0 inches) high. The symbol, text, class number and inner border must be white.

§ 172.550 OXIDIZER placard.

(a) Except for size and color, the OXIDIZER placard must be as follows:

SECTION 172.550(a)

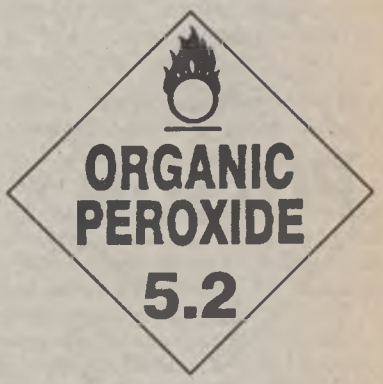


(b) In addition to complying with § 172.519, the background color on the OXIDIZER placard must be yellow. The symbol, text, division number and inner border must be black.

§ 172.552 ORGANIC PEROXIDE placard.

(a) Except for size and color, the ORGANIC PEROXIDE placard must be as follows:

SECTION 172.552(a)



(b) In addition to complying with § 172.519, the background color on the ORGANIC PEROXIDE placard must be yellow. The symbol, text, division number and inner border must be black.

§ 172.553 KEEP AWAY FROM FOOD placard.

(a) Except for size and color, the KEEP AWAY FROM FOOD placard must be as follows:

SECTION 172.553(a)

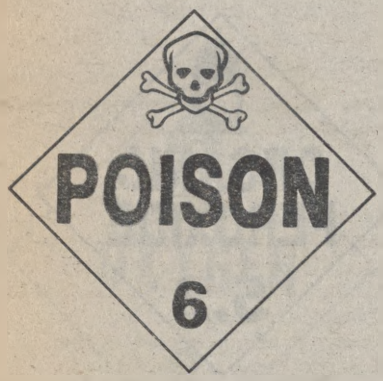


(b) In addition to complying with § 172.519, the background on the KEEP AWAY FROM FOOD placard must be white. The size of the lettering below the word "HARMFUL" must be proportional to that shown. The symbol, text, class number and inner border must be black.

§ 172.554 POISON placard.

(a) Except for size and color, the POISON placard must be as follows:

SECTION 172.554(a)



(b) In addition to complying with § 172.519, the background on the POISON placard must be white. The symbol, text, class number and inner border must be black.

§ 172.556 RADIOACTIVE placard.

(a) Except for size and color, the RADIOACTIVE placard must be as follows:

SECTION 172.556(a)



(b) In addition to complying with § 172.519, the background color on the RADIOACTIVE placard must be white in the lower portion with a yellow triangle in the upper portion. The base of the yellow triangle must be 29 mm ± 5mm (1.1 inches ±z0.2 inches) above the placard horizontal center line. The symbol, text, class number and inner border must be black.

§ 172.558 CORROSIVE placard.

(a) Except for size and color, the CORROSIVE placard must be as follows:

SECTION 172.558(a)

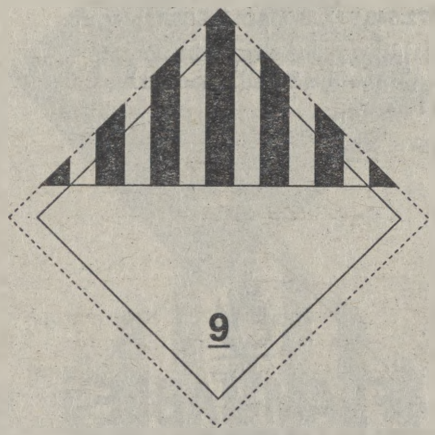


(b) In addition to complying with § 172.519, the background color on the CORROSIVE placard must be black in the lower portion with a white triangle in the upper portion. The base of the white triangle must be 38 mm ± 5mm (1.5 inches ± 0.2 inches) above the placard horizontal center linetext and class number must be white. The symbol and inner border must be black.

§ 172.560 CLASS 9 placard.

(a) Except for size and color the CLASS 9 (miscellaneous hazardous materials) placard must be as follows:

SECTION 172.560(a)



(b) In addition to complying with § 172.519, the background on the CLASS 9 placard must be white with seven black vertical stripes on the top half. The black vertical stripes must be spaced so that, visually, they appear equal in width to the six white spaces between them. The lower half of the placard must be white with the class number 9 underlined and centered at the bottom.

PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

76. The authority citation for part 173 continues to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1805, 1806, 1807, 1808; 49 CFR part 1, unless otherwise noted.

§ 173.2a [Amended]

77. In § 173.2a, the following changes are made:

a. In paragraph (a)(8), the wording "The precedence of hazards" is revised to read "The hazard class and packing group".

b. In paragraph (b), in the Precedence of Hazard Table, in the column titled "8, I liquid", the second entry "3" is revised to read "8"; in the column titled "6.1 III", the third entry is revised to read "3[4]"; and a new footnote 4 is added at the end of the table to read as follows: "[4]For pesticides only, where a material has the hazards of Class 3, Packing Group III, and Division 6.1, Packing Group III, the primary hazard is Division 6.1, Packing Group III.".

78. In § 173.3, paragraph (c)(1) is revised to read as follows:

§ 173.3 Packaging and exceptions.

* * * * *

(c) * * *

(1) The drum must be a UN 1A2, 1B2, 1N2 or 1H2 tested and marked for Packing Group III or higher performance standards for liquids or solids and a leakproofness test of 20 kPa (3 psi). Alternatively, a drum manufactured and marked prior to October 1, 1993 as a salvage drum, in accordance with the provisions of this section in effect on September 30, 1991, is authorized. Capacity of the drum may not exceed 450 L (119 gallons).

* * * * *

§ 173.3 [Amended]

79. In addition, in § 173.3, in paragraph (c)(3), in the first sentence, the word "defective" is removed.

§ 173.3a [Removed]

80. Section 173.3a is removed.

81. In § 173.4, paragraph (a)(6)(ii) is revised to read as follows:

§ 173.4 Exceptions for small quantities.

(a) * * *

(6) * * *

(ii) A compressive load as specified in § 178.606(c) of this subchapter.

* * * * *

§ 173.4 [Amended]

82. In addition, in § 173.4, in paragraph (b), the second sentence is removed.

§ 173.10 [Amended]

83. In § 173.10, in paragraph (a), "below 30°C (100°F)" is revised to read "below 38°Ψ (100°F)".

84. In § 173.12, paragraph (b) is revised and paragraph (d) is added to read as follows:

§ 173.12 Exceptions for shipment of waste materials.

* * * * *

(b) *Lab packs.* (1) Waste materials classed as Class or Division 3, 4.1, 4.2, 4.3, 5.1, 6.1, 8, or 9 are excepted from the specification packaging requirements of this subchapter for combination packagings if packaged in accordance with this paragraph and transported for disposal or recovery by highway only. In addition, a generic description from the § 172.101 Table may be used in place of specific chemical names, when two or more chemically compatible waste materials in the same hazard class are packaged in the same outside packaging.

(2) Additional packaging requirements are as follows:

(i) The outer packaging must be a UN 1A2 or UN 1B2 metal drum, a UN 1D plywood drum, a UN 1G fiber drum or a UN 1H2 plastic drum tested and marked at least for the Packing Group III performance level for liquids or solids;

(ii) The inner packagings must be either glass, not exceeding 4 L (1 gallon) rated capacity, or metal or plastic, not exceeding 20 L (5.3 gallons) rated capacity;

(iii) Each outer packaging may contain only one class of hazardous material;

(iv) Inner packagings containing liquid must be surrounded by a chemically compatible absorbent material in sufficient quantity to absorb the total liquid contents; and

(v) Gross weight of the complete package may not exceed 205 kg (452 lbs)

(3) *Prohibited materials.* Materials meeting the definition of Division 6.1, Packing Group I, or Division 4.2, Packing Group I, and bromine pentafluoride; bromine trifluoride; chloric acid; and oleum (*fuming sulfuric acid*) may not be packaged or described under the provisions of this paragraph.

(c) * * *

(d) *Technical names for n.o.s. descriptions.* The requirements for the inclusion of technical names for n.o.s. descriptions on shipping papers and package markings, §§ 172.203 and 172.301 of this subchapter, respectively, do not apply to packagings prepared in accordance with paragraph (b) of this section, except as follows:

(1) Packages containing materials meeting the definition of a hazardous substance must be described as required in § 172.203(c) of this subchapter and marked as required in § 172.324 of this subchapter; and

(2) Packages containing hazardous materials subject to the provisions of § 172.203(m) of this subchapter must be described in accordance with § 172.203(m) of this subchapter.

85. In § 173.21, in the introductory text of paragraph (f), the first sentence is revised to read as follows:

§ 173.21 Forbidden materials and packages.

* * * * *

(f) A package containing a material which is likely to decompose with a self-accelerated decomposition temperature (SADT) of 50°C (122°F) or less, or polymerize at a temperature of 54°C (130°F) or less with an evolution of a dangerous quantity of heat or gas when decomposing or polymerizing, unless the material is stabilized or inhibited in a manner to preclude such evolution. * * *

* * * * *

§ 173.21 [Amended]

86. In addition, in § 173.21, the following changes are made:

a. In paragraph (f)(2), in the second sentence, the reference "173.225" is revised to read "§ 173.225".

b. In paragraph (i), in the first sentence, the word "inner" is added immediately after "its" and before "packaging."

§ 173.22 [Amended]

87. In § 173.22, in paragraph (c)(2), the wording "Director, Office of Hazardous Materials Transportation" is removed and replaced with "Associate Administrator for Hazardous Materials Safety".

§ 173.24 [Amended]

88. In § 173.24, the following changes are made:

a. In paragraph (h), the paragraph heading "Outrage and filling limits" is revised to read: "Outage and filling limits".

b. In paragraph (c)(2), the wording "173.6, 173.7" is revised to read "173.7, 173.27".

c. In paragraph (g)(2), the wording "not toxic, flammable or asphyxiant gases;" is revised to read "not poisonous, likely to create a flammable mixture with air or be an asphyxiant under normal conditions of transportation;".

d. In paragraph (g)(3), "identifiable" is revised to read "unintentional".

89. In § 173.24a, paragraph (b)(3) is revised to read as follows:

§ 173.24a Additional general requirements for non-bulk packagings and packages.

* * * * *

(b) * * *

(3) A single or composite non-bulk packaging which is tested and marked for liquid hazardous materials may be filled with a solid hazardous material to a gross mass, in kilograms, not exceeding the rated capacity of the packaging in liters, multiplied by the specific gravity marked on the packaging, or 1.2 if not marked. In addition:

(i) A single or composite non-bulk packaging which is tested and marked for Packing Group I liquid hazardous materials may be filled with a solid Packing Group II hazardous material to a gross mass, in kilograms, not exceeding the rated capacity of the packaging in liters, multiplied by 1.5, multiplied by the specific gravity marked on the packaging, or 1.2 if not marked.

(ii) A single or composite non-bulk packaging which is tested and marked for Packing Group I liquid hazardous materials may be filled with a solid Packing Group III hazardous material to

a gross mass, in kilograms, not exceeding the rated capacity of the packaging in liters, multiplied by 2.25, multiplied by the specific gravity marked on the packaging, or 1.2 if not marked.

(iii) A single or composite non-bulk packaging which is tested and marked for Packing Group II liquid hazardous materials may be filled with a solid Packing Group III hazardous material to a gross mass, in kilograms, not exceeding the rated capacity of the packaging in liters, multiplied by 1.5, multiplied by the specific gravity marked on the packaging, or 1.2 if not marked.

* * * * *

§ 173.24a [Amended]

90. In addition, in § 173.24a, the following changes are made:

a. In paragraph (b)(2), the words "A single" are revised to read "a single" and the wording "Except as otherwise provided in this section," is added at the beginning of the sentence.

b. In paragraph (b)(5), a period is added at the end of the sentence.

§ 173.24b [Amended]

91. In § 173.24b, the following changes are made:

a. In paragraph (a)(1), "Liquids" is revised to read "Liquids and liquefied gases".

b. In paragraph (a)(3), the wording "Bulk packaging for liquids toxic by inhalation. For a liquid which meets the definition for Division 6.1, Packing Group I, based on inhalation toxicity," is revised to read "Bulk packagings for materials poisonous by inhalation. For a material which meets the definition of poisonous by inhalation (see § 171.8 of this subchapter),".

c. In paragraph (d)(2), the wording "Due to its density, exceeds" is removed and replaced with "Exceeds".

92. In § 173.25, paragraphs (a)(5) and (c) are revised to read as follows:

§ 173.25 Authorized packages and overpacks.

(a) * * *

(5) Packages containing Class 8 (corrosive) materials in Packing Group I or Division 5.1 (oxidizing) materials in Packing Group I may not be overpacked with any other materials.

* * * * *

(c) Hazardous materials which are required to be labeled POISON may be transported in the same motor vehicle with material that is marked or known to be foodstuffs, feed or any edible material intended for consumption by humans or animals provided the hazardous material is marked, labeled, and packaged in accordance with this subchapter, conforms to the requirements of paragraph (a) of this section and is overpacked as specified in § 177.841(e) of this subchapter or in an overpack which is a UN 1A2, 1B2, or 1N2 drum tested and marked for a Packing Group II or higher performance level.

§ 173.27 [Amended]

93. In § 173.27, the following changes are made:

a. In paragraph (c)(2)(i), the wording "produces a pressure" is revised to read "produces a gauge pressure".

b. In paragraph (f), Table 2, Column 2, "1kg" is revised to read "1 kg".

94. In § 173.28, the section heading, paragraphs (b)(2)(i), (b)(2)(ii) and paragraph (b)(4) table are revised to read as follows:

§ 173.28 Reuse, reconditioning and remanufacture of packagings.

* * * * *

(b) * * *

(2) * * *

(i) Retested without failure in accordance with § 178.604 of this subchapter using an internal air pressure (gauge) of at least 48 kPa (7.0 psi) for Packing Group I and 20 kPa (3.0 psi) for Packing Group II and Packing Group III; and

(ii) Marked with the letter "L", with the name and address or symbol of the person conducting the test, and the month and last two digits of the year the test was conducted. Symbols, if used, must be registered with the Associate Administrator for Hazardous Materials Safety.

* * * * *

(4) * * *

Maximum capacity not over	Minimum thickness of packaging material	
	Metal drum or jerrican	Plastic drum or jerrican
20 L	0.6 mm (0.024 inch).	1.1 mm (0.043 inch).
30 L	0.7 mm (0.028 inch).	1.1 mm (0.043 inch).
40 L	0.7 mm (0.028 inch).	1.8 mm (0.071 inch).
60 L	0.9 mm (0.035 inch).	1.8 mm (0.071 inch).
120 L	0.9 mm (0.035 inch).	2.2 mm (0.087 inch).
220 L	0.96 mm (0.038 inch) [1].	2.2 mm (0.087 inch).
450 L	1.8 mm (0.071 inch).	5.0 mm (0.197 inch).

[1] Metal drums or jerricans constructed with a minimum thickness of 0.8 mm (0.03 inch) body and 1.1 mm (0.043 inch) heads are authorized.

* * * * *

§ 173.28 [Amended]

95. In addition, in § 173.28, the following changes are made:

a. In paragraph (b)(4), the wording "marked in millimeters" is revised to read "marked in a permanent manner (e.g., embossed) in millimeters".

b. In paragraph (b)(5), "1.5 mm (0.059 inch)" is revised to read "1.0 mm (0.039 inch)".

96. In § 173.31, paragraph (a)(18) is added to read as follows:

§ 173.31 Qualification, maintenance, and use of tank cars.

(a) * * *

(18) Except for DOT Specification 111A100W4 and 111J100W4 tank car tanks, Class DOT 103, 104, and 111 tank car tanks used to transport materials meeting the definition of a Class 3 material in § 173.120 of this subchapter must have closures for manways so designed that pressure will be released automatically and safely in the process of removing the manway cover.

§ 173.32 [Amended]

97. In § 173.32, in paragraph (a)(5), the wording "the IM Tank Table" is revised to read "§ 172.101(c)(7) of this subchapter" and the section heading is revised to read as follows:

§ 173.32 Qualification, maintenance and use of portable tanks other than Specification IM portable tanks.

98. In § 173.32c, paragraph (q) is added to read as follows:

§ 173.32c Use of Specification IM portable tanks.

* * * * *

(q) If the hazardous material being transported is in a molten state, the tank must be thermally insulated by completely covering it with at least 100 mm (3.94 inches) of cork or other suitable insulation material of sufficient thickness that the overall thermal conductance is not more than 0.080 Btu per hour per square foot per degree Fahrenheit differential.

§ 173.32c [Amended]

99. In § 173.32c, in paragraph (g)(2), the wording "by the IM Tank Table in § 172.102 of this subchapter" is removed and replaced with "through § 172.102(c)(7) of this subchapter".

§ 173.34 [Amended]

100–101. In § 173.34, in paragraph (c)(3), the wording "Director, Office of Hazardous Materials Transportation" is removed and replaced with "Associate

Administrator for Hazardous Materials Safety".

Subpart C—Definitions, Classification and Packaging for Class 1

102. The subpart C heading is revised to read as set forth above.

103. In § 173.50, paragraph (b)(4) is revised to read as follows:

§ 173.50 Class 1—definitions.

* * * * *

(b) * * *

(4) *Division 1.4* consists of explosives that present a minor explosion hazard. The explosive effects are largely confined to the package and no projection of fragments of appreciable size or range is to be expected. An external fire must not cause virtually instantaneous explosion of almost the entire contents of the package.

* * * * *

§ 173.50 [Amended]

104. In addition, in § 173.50, in Footnote 1, the word "Probability" is revised to read "probability".

§ 173.54 [Amended]

105. In § 173.54, the following changes are made:

a. In paragraph (a), a period is added at the end of the sentence.

b. In paragraph (j), the wording "the Hazardous Materials Table in § 172.101" is revised to read "the § 172.101 Table".

§ 173.56 [Amended]

106. In § 173.56, the following changes are made:

a. In paragraph (b)(1), the wording "shipping description'" is revised to read "shipping description," and the period between "Mines" and "U.S." is removed and replaced with a comma.

b. In paragraph (g), in the first sentence, the reference "§ 171.12a" is added immediately after "§§ 171.11, 171.12," and before "or 176.11".

c. In paragraph (h)(3), the word "or" is removed and replaced with the word "and".

107. In § 173.58, in paragraph (c)(ii), the word "and" is removed, in paragraph (c)(iii), the period at the end of the paragraph is removed and replaced with the words "; and", and paragraph (c)(1)(iv) is added to read as follows:

§ 173.58 Assignment of class and division for explosives.

* * * * *

(c) * * *

(1) * * *

(iv) The 1.6 Article Bullet Impact Test.

* * * * *

§ 173.58 [Amended]

108. In addition, in § 173.58, in paragraphs (b) introductory text and (b)(2), the wording "DOT Test" is revised to read "DDT Test", both places it appears.

§ 173.59 [Amended]

109. In § 173.59, the wording "N.V.S." in the heading for the term *"Substance, explosive, very insensitive, (Substance, EVI) N.V.S."* is revised to read "N.O.S.".

§ 173.60 [Amended]

110. In § 173.60, in paragraph (b)(8), the wording "rigid plastic box" is revised to read "rigid plastic-lined box".

§ 173.61 [Amended]

111. In § 173.61, in paragraph (d), the wording "UN 0333, 0334, 0335, 0336, and 0337" is revised by adding "UN" immediately before each of the second through fourth numbers.

112. In § 173.62, paragraph (a) is revised and paragraph (e) is added to read as follows:

§ 173.62 Specific packaging requirements.

(a) Except as provided in paragraph (e) of this section, when the § 172.101 Table specifies that an explosive must be packaged in accordance with this section, only non-bulk packagings which conform to the provisions of paragraphs (b), (c) and (d) of this section, and the applicable requirements in §§ 173.60 and 173.61 of this subpart, may be used.

* * * * *

(e) Class 1 (explosive) materials owned by the Department of Defense, packaged prior to January 1, 1988 in accordance with the requirements of this subchapter in effect at that time, are excepted from the requirements of part 178 of this subchapter provided the packagings have maintained their integrity and the goods are declared as government-owned goods packaged prior to January 1, 1988.

§ 173.62 [Amended]

113. In addition, in § 173.62, the following changes are made:

a. In paragraph (b), the word "Table" is added immediately after "of the Explosives" and before "by their" in the second sentence, and in the Explosives Table, in the column entitled "Identification No.", "UN0411E–22(a)" is revised to read "UN0411".

b. In addition, in paragraph (b), the following entries are added to the Explosives Table in appropriate alpha-numerical order:

EXPLOSIVES TABLE

Identification No.	Packing methods
* * * * *	
UN0407	E–25
* * * * *	
UN0448	E–25
* * * * *	
UN0479	E–103
UN0480	E–103
UN0481	E–103
* * * *	
UN0485	E–103
* * * *	

c. In paragraph (c), in the Table of Packing Methods, note US006, in paragraph a., a period is added at the end of the sentence; in paragraph e., at the end of the sentence, the wording "provided that:" is added; and in paragraph f.4., the wording "When more one" is revised to read "When more than one".

d. In addition, in paragraph (c), in the Table of Packing Methods, the following changes are made:

1. For E–6(a)(i), the phrase "Rubberized, textile" is removed and replaced with the phrase "Rubberized textile" under the column headed "Inner packagings".

2. For E–8, the phrase "(4G1)," is removed and replaced with the phrase "(4G)," under the column headed "Outer packagings".

3. For E–17, add "47" to the column headed "Particular packing exception/requirement".

4. For E–102, the phrase "13,48" is added to the column headed "Particular packing exception/requirement".

5. For E–103, the phrase "the subchapter" is removed and replaced with the phrase "this subchapter" under the column headed "Inner packagings".

6. For E–106, add a new entry "Drums, Steel, removable head (1A2)." in the column headed "Outer packaging".

7. For E–108, the phrase "Wooded." is removed and replaced with the phrase "Wood." under the column headed "Inner packagings and the phrase "Wooden," is removed and replaced with the phrase "Wood," under the column headed "Outer packagings".

8. For E–121, the phrase "(4G1)" is removed and replaced with the phrase "(4G)" under the column headed "Outer packagings".

9. For E–133, the phrase "outer package" is removed and replaced with the phrase "outer packaging" under the column headed "inner packagings".

10. For E–142, revise the column headed "Particular packing exception/requirement" to read "41, D9, D11".

11. For E-146(a), E-146(b), and E-146(c), add "D16" to the column headed "Particular packing exception/ requirement".

e. In paragraph (d), in the Table, in entry 22, the word "or" is added immediately after "wood" and before "wool"; in entry D2, the paragraph designator "(a)(1)" is revised to read "(a)(i)"; and a new entry D16 is added as the last entry immediately after D15 to read as follows:

"D16..... Additional packagings may be approved by the Associate Administrator for Hazardous Materials Safety.".

§ 173.63 [Amended]

114. In § 173.63, the following changes are made:

a. In paragraph (a) introductory text, "(l.4D)" is revised to read "(1.4D)".

b. Paragraphs (d) and (e) are removed and reserved.

115. In § 173.115, paragraphs (a), (c) heading, (c) introductory text, and (c)(2) are revised to read as follows:

§ 173.115 Class 2, Divisions 2.1, 2.2, and 2.3—Definitions.

(a) *Division 2.1 (Flammable gas).* For the purpose of this subchapter, a "flammable gas" (Division 2.1) means any material which is a gas at 20°C (68°F) or less and 101.3 kPa (14.7 psi) of pressure (a material which has a boiling point of 20°C (68°F) or less at 101.3 kPa (14.7 psi) which—

(1) Is ignitable at 101.3 kPa (14.7 psi) when in a mixture of 13 percent or less by volume with air; or

(2) Has a flammable range at 101.3 kPa (14.7 psi) with air of at least 12 percent regardless of the lower limit.

Except for aerosols, the limits specified in paragraphs (a)(1) and (a)(2) of this section shall be determined at 101.3 kPa (14.7 psi) of pressure and a temperature of 20°C (68°F) in accordance with ASTM E681-85, Standard Test Method for Concentration Limits of Flammability of Chemicals. The flammability of aerosols is determined by the tests specified in § 173.306(i) (2), (3), and (4) of this part.

* * * * *

(c) *Division 2.3 (Gas poisonous by inhalation).* For the purpose of this subchapter, a "gas poisonous by inhalation" (Division 2.3) means a material which is a gas at 20°C (68°F) or less and a pressure of 101.3 kPa (14.7 psi) (a material which has a boiling point of 20°C (68°F) or less at 101.3 kPa (14.7 psi)) and which—

(1) * * *

(2) In the absence of adequate data on human toxicity, is presumed to be toxic to humans because when tested on laboratory animals it has an LC50 value of not more than 5000 ml/m³ (see § 173.116(a) of this subpart for assignment of Hazard Zones A, B, C or D). LC50 values for mixtures may be determined using the formula in § 173.133(b)(1)(i) of this subpart.

* * * * *

§ 173.116 [Amended]

116. In § 173.116, in paragraph (a), "Column 5" is revised to read "Column 7".

117. In § 173.120, paragraph (b)(2) is revised to read as follows:

§ 173.120 Class 3—Definitions.

* * * * *

(b) * * *

(2) A flammable liquid with a flash point at or above 38°C (100°F) that does not meet the definition of any other hazard class, except Class 9, may be reclassed as a combustible liquid. This provision does not apply to transportation by vessel or aircraft, except where other means of transportation is impracticable.

* * * * *

§ 173.120 [Amended]

118. In § 173.120, the following changes are made:

a. In paragraphs (a)(1) introductory text, (a)(1)(ii), and (b)(1), "60°C (140°F)" is revised to read "60.5°C (141°F)".

b. In paragraph (b)(1), the wording "hazard class specified in this subchapter and has a flash point" is revised to read "hazard class specified in this subchapter, except Class 9, and has a flash point".

c. In paragraph (c)(2), in the third sentence, "10 percent" is revised to read "10 percent".

§ 173.121 [Amended]

119. In § 173.121, the following changes are made:

a. In the paragraph (a) table, for the entry "III" in column 2, "≤ 60°C (140°F)" is revised to read "< 60.5°C (141°F)".

b. In the paragraph (b)(1)(iv) table, in Column 3, for the entry "Over 100", "Over −5" is revised to read "Over +5".

§ 173.124 [Amended]

120. In § 173.124, the following changes are made:

a. In paragraphs (a)(3)(ii), the reference "2.2" is revised to read "2.c.(2)".

b. In paragraph (a)(3)(iii), the reference "2.3.2" is revised to read "2.c.(2)".

c. In paragraph (b)(1), the reference "3.1.1 or 3.1.2" is revised to read "3.a.(1) or 3.a.(2)".

d. In paragraph (b)(2), the reference "3.2.1" is revised to read "3.b.(1)".

§ 173.128 [Amended]

121. In § 173.128, the following changes are made:

a. In paragraph (c)(2), the reference "§ 173.223" is revised to read "§ 173.21(f)".

b. In paragraph (d), "Figure 1.1" is revised to read "Figure 11.1".

§ 173.132 [Amended]

122. In § 173.132, the following changes are made:

a. In paragraph (a)(1) introductory text, the wording "(whenever possible, animal test data that has been reported in the chemical literature should be used)" is added immediately after "laboratory animals".

b. In paragraph (a)(1)(iii)(B), the wording "not more than 5000 ml/ms" is revised to read "not more than 5000 ml/m³".

c. In paragraph (b)(1), in the first sentence, "oral" is added immediately after "acute" and before "toxicity", and "adult" is added immediately after "young" and before "albino".

d. In paragraph (b)(2), the word "braiding" is revised to read "abrading".

123. In § 173.133, the section heading and paragraph (a)(2) are revised to read as follows:

§ 173.133 Assignment of packing group and hazard zones for Division 6.1 materials.

(a) * * *

(2)(i) The packing group and hazard zone assignments for liquids (see § 173.115(c) of this subpart for gases) based on inhalation of vapors shall be in accordance with the following Table:

Packing Group	Vapor concentration and toxicity
I (Hazard Zone A).	V ≥ 500 LC_{50} and LC_{50} ≤ 200 mL/M³.
I (Hazard Zone B).	V ≥ 10 LC_{50}; LC_{50} ≤ 1000 mL/m³; and the criteria for Packing Group I, Hazard Zone A are not met.
	V ≥ LC_{50}; LC_{50} ≤ 3000 mL/m³; and the criteria for Packing Group I, are not met.
	V ≥ .2 LC_{50}; LC_{50} ≤ 5000 mL/m³; and the criteria for Packing Groups I and II, are not met.

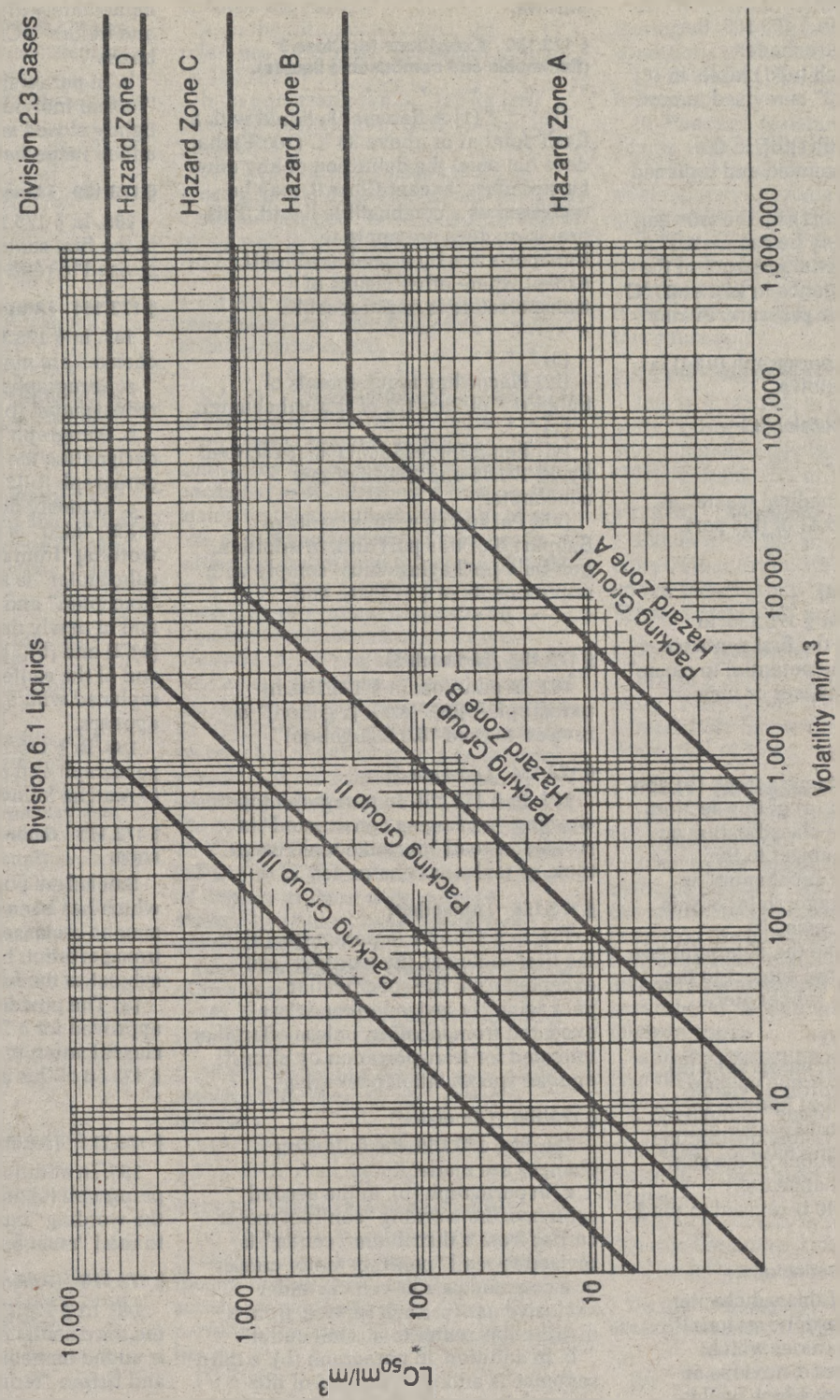
Note 1: V is the saturated vapor concentration in air of the material in mL/m³ at 20C° and standard atmospheric pressure.

Note 2: A liquid in Division 6.1 meeting criteria for Packing Group I, Hazard Zones A or B stated in paragraph (a)(2) of this section is a material poisonous by inhalation subject to the additional hazard communication requirements in §§ 172.203(m)(3), 172.313 and Table 1 of § 172.504(e) of this subchapter.

(ii) These criteria are represented graphically in Figure I:

BILLING CODE 4910-60-M

Figure 1
Inhalation Toxicity: Packing Group and Hazard Zone Borderlines



BILLING CODE 4910-60-C

* * * * *

§ 173.133 [Amended]

124. In addition, in § 173.133, the following changes are made:

a. In the paragraph (a)(1) table, in column 4, "<0.5, <2" is revised to read "<0.5, <2".

b. In paragraph (b)(1)(ii), in the formula, "760" is removed and replaced with "101.3".

c. In paragraph (b)(1)(ii), the wording "partial pressure may be calculated" is revised to read "partial pressure of the *ith* component substance in kPa at 20 °C and one atmospheric pressure. Pi may be calculated".

125. In § 173.134, paragraph (a)(4) is added to read as follows:

§ 173.134 Class 6, Division 6.2—Definitions.

(a) * * *

(4) A "regulated medical waste" as defined in Appendix G of this part.

* * * * *

§ 173.134 [Amended]

126. In addition, in § 173.134, in paragraph (a)(1), in the first sentence, the wording "has the potential to cause" is revised to read "causes or may cause".

§ 173.136 [Amended]

127. In § 173.136, in paragraph (b), the wording "paragraph (a) of this section. RSPA may revise its classification or make the material subject to the requirements of this subchapter" is revised to read "paragraph (a) of this section, RSPA may revise its classification or make the determination that the material is not subject to the requirements of this subchapter".

§ 173.137 [Amended]

128. In § 173.137, in paragraphs (a), (b), and (c)(1), the wording "visible necrosis of the skin tissue" is removed and replaced with "visible destruction or irreversible alterations of the skin tissue" each place it appears.

129. Section 173.140 is revised to read as follows:

§ 173.140 Class 9—Definitions.

For the purpose of this subchapter, "miscellaneous hazardous material" (class 9) means a material which:

(a) Has an anesthetic, noxious or other similar property which could cause extreme annoyance or discomfort to a flight crew member so as to prevent the correct performance of assigned duties; and

(b) Meets the definition in § 171.8 of this subchapter for a hazardous substance or a hazardous waste.

130. In § 173.150, paragraphs (f)(1) and (f)(3) (iv) and (vi) are revised to read as follows:

§ 173.150 Exceptions for Class 3 (flammable and combustible liquids).

* * * * *

(f) * * * (1) A flammable liquid with a flash point at or above 38 °C (100°F) that does not meet the definition of any other hazard class, except Class 9, may be reclassed as a combustible liquid. This provision does not apply to transportation by vessel or aircraft, except where other means of transportation is impracticable.

* * * * *

(3) * * *

(iv) Placarding requirements of Subpart F of Part 172 of this subchapter;

(v) * * *

(vi) Reporting incidents as prescribed by §§ 171.15 and 171.16 of this subchapter;

(vii) Packaging requirements of Subpart B of this part and, in addition, non-bulk packagings must comply with requirements of § 173.203; and

* * * * *

§ 173.150 [Amended]

131. In addition, in § 173.150, in paragraph (b)(3), "4.0 L (1 gallon)" is revised to read "5.0 L (1 gallon)".

§ 173.154 [Amended]

132. In § 173.154, in paragraph (d), the wording "packaging constructed" is revised to read "portable tank, cargo tank, or tank car constructed".

§ 173.155 [Amended]

133. In § 173.155, in paragraph (b), in the first sentence, the wording "are excepted from the specification packaging" is revised to read "are excepted from labeling, unless offered or intended for transportation by aircraft, and the specification packaging".

§ 173.156 [Amended]

134. In § 173.156, the following changes are made:

a. In paragraph (b), in the second sentence, the wording "contract motor carrier from a distribution center" is revised to read "contract motor carrier or a common carrier vehicle under exclusive use for such service, from a distribution center to a retail outlet".

b. In addition, in paragraph (b), a third sentence is added at the end of the paragraph to read "Packagings of ORM–D materials shipped in this manner are not subject to the 30 kg (66 pound) gross weight limitation.".

§ 173.158 [Amended]

135. In § 173.158, the following changes are made:

a. In paragraph (e), the wording "4G fiberboard boxes or" is added immediately after "may be packaged in " and before "4C1, 4C2, 4D or 4F wooden boxes".

b. In paragraph (h)(2), the wording "further individually overpacked in tightly closed metal packagings" is added immediately after "capacity".

§ 173.159 [Amended]

136. In § 173.159, in paragraph (d)(1), in the first sentence, "(0.063 mm)" is revised to read "(0.063 inches)".

§ 173.164 [Amended]

137. In § 173.164, the following changes are made:

a. Paragraphs (b)(2) through (b)(4) are redesignated (b)(3) through (b)(5).

b. Paragraph (b)(1) is amended by designating the last sentence as paragraph (b)(2).

c. In newly designated paragraph (b)(2), "also" is removed and the wording "from the requirements of this subchapter" is added immediately after "excepted" and before "if installed", and in newly designated paragraphs (b)(2) and (b)(3)(iv) the semicolon at the end of the sentence is removed and replaced with a period each place it appears.

138. In § 173.171, the introductory paragraph and paragraph (a) are revised to read as follows:

§ 173.171 Smokeless powder for small arms.

Smokeless powder for small arms which has been classed in Division 1.3 may be reclassed as a 4.1 material, for transportation by highway and rail only, subject to the following conditions:

(a) The powder must be examined and approved for a Division 1.3 classification in accordance with § 173.56 of this part;

* * * * *

§ 173.171 [Amended]

139. In addition, in § 173.171, in paragraph (c), in the second sentence, the wording "must be a type" is revised to read "must be of the same type".

§ 173.173 [Amended]

140. In § 173.173, in paragraph (a), in the third sentence, the wording "drying," is added immediately after "thinning," and before "reducing".

§ 173.181 [Amended]

141. In § 173.181, the following changes are made:

a. In paragraph (c) introductory text, the wording "or fiber drums (1G)" is added immediately after "(1A2)" and before "not exceeding"; the wording

"strong tight" is added immediately after "each with" and before "inner metal cans"; and the wording "constructed of not less than 0.379 mm (0.015 inch) nominal thickness electro-coated tin plate" is removed.

b. In paragraph (c)(3), "tin" is revised to read "metal".

142. In § 173.185, paragraph (j) introductory text is revised and paragraph (k) is added to read as follows:

§ 173.185 Lithium batteries and cells.

* * * * *

(j) Lithium cells and batteries, for disposal, may be offered for transportation or transported to a permitted storage facility and disposal site by motor vehicle only, if the cells and batteries—

* * * * *

(k) Cells or batteries discharged to below 2 volts, not to exceed 100 cells or batteries per shipment, may be shipped for testing purposes by highway only.

§ 173.185 [Amended]

143. In addition, in § 173.185, the following changes are made:

a. In paragraph (a), the second sentence is revised to read "Rechargeable lithium batteries and cells, devices containing regulated lithium batteries (including lithium batteries contained in equipment) and cells, and lithium batteries and cells which do not otherwise comply with the requirements of this section may not be transported except as approved by the Associate Administrator for Hazardous Materials Safety."

b. In paragraph (i) introductory text, "subpart" is revised to read "subchapter".

c. In paragraphs (j)2) and (j)(3), "Is" is removed and replaced with "Are", both times it appears.

144. In § 173.188, paragraph (a)(2) is revised to read as follows:

§ 173.188 White or yellow phosphorous.

* * * * *

(a) * * *

(2) Steel drums (1A1) not over 250 L (66 gallons) capacity each or steel drums (1A2) not over 115 L (30 gallons) capacity each.

* * * * *

§ 173.192 [Amended]

145. In § 173.192, the following changes are made:

a. In the introductory text, the reference "§ 173.101" is revised to read "§ 172.101".

b. In paragraph (a)(2), "127 kg (280 pounds)" is revised to read "57 kg (125 pounds)".

146. In § 173.193, paragraph (c) is redesignated paragraph (d) and revised; a second sentence is added at the end of paragraph (b); and a new paragraph (c) is added to read as follows:

§ 173.193 Bromoacetone, methyl bromide, chloropicrin and methyl bromide or methyl chloride mixtures, etc.

* * * * *

(b) * * * This capacity does not apply to shipments of methyl bromide.

(c) Methyl bromide mixtures containing up to 2% chloropicrin must be packaged in 4G fiberboard boxes with inside metal cans containing not over one pound each, or inside metal cans with a minimum wall thickness of 0.007 inch containing not over 1¾ pounds each. The one-pound can must be capable of withstanding an internal pressure of 130 psig without leakage or permanent distortion. Vapor pressure of the contents must not exceed 130 psig at 55 °C (130 °F). The 1¾–pound can must be capable of withstanding an internal pressure of 140 psig without leakage or permanent distortion. Vapor pressure of the contents must not exceed 140 psig at 55 °C (130 °F). Cans must not be liquid full at 130 °F. Cans must be constructed of tinplate or lined with suitable material and must have concave or pressure ends.

(d) Cylinders must conform to § 173.40 of this part.

147. In § 173.195, the section heading is revised to read as follows:

§ 173.195 Hydrogen cyanide, anhydrous, stabilized (hydrocyanic acid, aqueous solution).

148. Subpart E is amended by adding § 173.197 to read as follows:

§ 173.197 Regulated medical waste.

(a) Regulated medical waste must be packaged in packagings conforming to the requirements of part 178 of this subchapter at the Packing Group II performance level. The packagings must be:

(1) Rigid;

(2) Leak resistant;

(3) Impervious to moisture;

(4) Of sufficient strength to prevent tearing or bursting under normal conditions of use and handling;

(5) Sealed to prevent leakage during transport;

(6) Puncture resistant for sharps and sharps with residual fluids; and

(7) Break-resistant and tightly lidded or stoppered for fluids in quantities greater than 20 cubic centimeters.

(b) Until October 1, 1994, packages do not have to be marked or tested but must be capable of meeting the requirements in subpart M of part 178 of this subchapter.

§ 173.202 [Amended]

149. In § 173.202, in paragraph (c), the entry "Fiber drum: 1G (with liner)" is added immediately below the entry "Plastic drum: 1H1 or 1H2".

§ 173.203 [Amended]

150. In § 173.203, in paragraph (c), the entry "Fiber drum: 1G (with liner)" is added immediately below the entry "Plastic drum: 1H1 or 1H2".

§ 173.211 [Amended]

151. In § 173.211, in paragraph (c), the entry "Fiber drum: 1G" is added immediately below the entry "Plastic drum: 1H1 or 1H2".

§ 173.224 [Amended]

152. In § 173.224, the following changes are made:

a. In the paragraph (c) table, in columns (2a) and (2b), for each entry, the metric measurements are revised by removing the parentheses, moving the metric measurements to precede the U.S. standard measurements, and adding parentheses around the U.S. standard measurements.

b. In the paragraph (c) table, in column (2b), for the entry F5a, "55 kg (110 lb)" is revised to read "50 kg (110 lb)"; and in the column "Outer packaging", for the entry F5b, the wording "Fiber drum, sift proof 1G" is added.

153. In § 173.225, in paragraph (b), the Organic Peroxides Table is revised to read as follows:

§ 173.225 Packaging requirements and other provisions for organic peroxides.

* * * * *

(b) * * *

ORGANIC PEROXIDES TABLE

Technical Name	ID Number	Concentration (Mass %)	Diluent (Mass %)			Water (Mass %)	Packing Method	Temperature(°C)		Notes
			A	B	I			Control	Emergency	
(1)	(2)	(3)	(4a)	(4b)	(4c)	(5)	(6)	(7a)	(7b)	(8)
Acetyl acetone peroxide	UN3105	≤ 42	≥ 48			≥ 8	OP7A			2
Acetyl acetone peroxide as a paste	UN3106	≤ 32					OP7B			21
Acetyl benzoyl peroxide	UN3105	≤ 45	≥ 55				OP7A			
Acetyl cyclohexanesulfonyl peroxide	UN3112	≤ 82				≥ 12	OP4B	-10	0	
Acetyl cyclohexanesulfonyl peroxide	UN3115	≤ 32		≥ 68			OP7A	-10	0	
tert-Amyl hydroperoxide	UN3107	≤ 88	≥ 6			≥ 6	OP8A			
tert-Amyl peroxybenzoate	UN3105	≤ 96	≥ 4				OP7A			
tert-Amyl peroxy-2-ethylhexanoate	UN3115	≤ 100					OP7A	20	25	
tert-Amyl peroxyneodecanoate	UN3115	≤ 77		≥ 23			OP7A	0	10	
tert-Amyl peroxypivalate	UN3113	≤ 77		≥ 23			OP5A	10	15	
tert-Amylperoxy-3,5,5-trimethylhexanoate	UN3101	≤ 100					OP5A			
tert-Butyl cumyl peroxide	UN3105	≤ 100					OP7A			1,9
n-Butyl-4,4-di-(tertbutylperoxy) valerate	UN3103	> 52, ≤ 100					OP5A			
n-Butyl-4,4-di-(tertbutylperoxy) valerate	UN3106	≤ 52			≥ 48		OP7B			
tert-Butyl hydroperoxide	UN3103	> 72, ≤ 90				≥ 10	OP5A			
tert-Butyl hydroperoxide	UN3105	≤ 80	≥ 20				OP7A			4
tert-Butyl hydroperoxide	UN3109	≤ 72				≥ 28	OP8A			14
tert-Butyl hydroperoxide *and*	UN3103	≤ 82				≥ 7	OP5A			
di-tert-Butyl peroxide		≥ 9								
tert-Butyl monoperoxymaleate	UN3102	> 52, ≤ 100					OP5B			
tert-Butyl monoperoxymaleate	UN3103	≤ 52	≥ 48				OP6A			
tert-Butyl monoperoxymaleate *as a paste*	UN3108	≤ 42					OP8B			21
tert-Butyl monoperoxyphthate	UN3102	≤ 100					OP5B			
tert-Butyl peroxyacetate	UN3101	> 52, ≤ 77	≥ 23				OP5A			
tert-Butyl peroxyacetate	UN3103	≤ 52	≥ 48				OP6A			
tert-Butyl peroxybenzoate	UN3103	> 77, ≤ 100	≤ 22				OP5A			
tert-Butyl peroxybenzoate	UN3105	> 52, ≤ 77	≥ 23				OP7A			1
tert-Butyl peroxybenzoate	UN3106	≤ 52			≥ 48		OP7B			
tert-Butyl peroxycrotonate	UN3105	≤ 77	≥ 23				OP7A			
tert-Butyl peroxydiethylacetate	UN3113	≤ 100					OP5A	20	25	
tert-Butyl peroxydiethylacetate *and*	UN3105	≤ 33	≥ 33				OP7A			
tert-Butyl peroxybenzoate		≤ 33								
tert-Butyl peroxy-2-ethylhexanoate	UN3113	> 52, ≤ 100					OP6A	20	25	
tert-Butyl peroxy-2-ethylhexanoate	UN3117	≤ 52		≥ 48			OP8A	20	25	
tert-Butyl peroxy-2-ethylhexanoate *and*	UN3115	≤ 31		≥ 33			OP7A	35	40	
2,2-Di-(tert-butylperoxy)butane		≤ 36								
tert-Butyl peroxy-2-ethylhexanoate *and*	UN3106	≤ 12	≥ 14		≥ 60		OP7B			
2,2-Di-(tert-butylperoxy)butane		≤ 14								
tert-Butyl peroxyisobutyrate	UN3111	> 52, ≤ 77		≥ 23			OP5A	15	20	
tert-Butyl peroxyisobutyrate	UN3115	≤ 52		≥ 48			OP7A	15	20	
tert-Butylperoxy isopropylcarbonate	UN3103	≤ 77	≥ 23				OP5A			
tert-Butyl peroxyneodecanoate	UN3115	> 77, ≤ 100					OP7A	-5	5	
tert-Butyl peroxyneodecanoate	UN3115	≤ 77		≥ 23			OP7A	0	10	
3-tert-Butylperoxy-3-phenylphthalide	UN3106	≤ 100					OP7B			
tert-Butyl peroxypivalate	UN3113	> 67, ≤ 77	≥ 23				OP5A	0	10	
tert-Butyl peroxypivalate	UN3115	≤ 67		≥ 33			OP7A	0	10	
tert-Butylperoxy stearylcarbonate	UN3106	≤ 100					OP7B			
tert-Butyl peroxy-3,5,5-trimethylhexanoate	UN3105	≤ 100					OP7A			
3-Chloroperoxybenzoic acid	UN3102	> 57, ≤ 86				≥ 14	OP1B			
3-Chloroperoxybenzoic acid	UN3106	≤ 57			≥ 3	≥ 40	OP7B			
Cumyl hydroperoxide	UN3109	≤ 90	≥ 10				OP8A			14
Cumyl peroxyneodecanoate	UN3115	≤ 77		≥ 23			OP7A	-10	0	
Cumyl peroxypivalate	UN3115	≤ 77		≥ 23			OP7A	-5	5	
Cyclohexanone peroxide(s)	UN3104	≤ 91				≥ 9	OP6B			
Cyclohexanone peroxide(s) *as a paste*	UN3106	≤ 72					OP7B			5, 21
Cyclohexanone peroxide(s)	UN3105	≤ 72	≥ 28				OP7A			5
Cyclohexanone peroxide(s)	Exempt	≤ 32			≥ 68					
Diacetone alcohol peroxides	UN3115	≤ 57		≥ 26		≥ 8	OP7A	30	35	5
Diacetyl peroxide	UN3115	≤ 27		≥ 73			OP7A	20	25	8
Di-tert-amyl peroxide	UN3107	≤ 100					OP8A			
Dibenzoyl peroxide	UN3102	> 52, ≤ 100			≤ 48		OP2B			3
Dibenzoyl peroxide	UN3102	> 78, ≤ 94				≥ 6	OP4B			3
Dibenzoyl peroxide	UN3104	≤ 77				≥ 23	OP6B			
Dibenzoyl peroxide	UN3106	≤ 62			≥ 28	≥ 10	OP7B			
Dibenzoyl peroxide *as a paste*	UN3106	> 52 ≤ 62					OP7B			21
Dibenzoyl peroxide *as a paste*	UN3108	≤ 52					OP8B			21
Dibenzoyl peroxide	UN3106	> 35, ≤ 52			≥ 48		OP7B			
Dibenzoyl peroxide	Exempt	≤ 35			≥ 65					
Dibenzyl peroxydicarbonate	UN3112	≤ 87				≥ 13	OP5B	25	30	
Di-(4-tert-butylcyclohexyl) peroxydicarbonate	UN3114	≤ 100					OP6B	30	35	
Di-(4-tert-butylcyclohexyl) peroxydicarbonate *as a stable dispersion in water.*	UN3119	≤ 42					OP8A	30	35	
Di-tert-butyl peroxide	UN3107	≤ 100					OP8A			
2,2-Di-(tert-butylperoxy)butane	UN3103	≤ 52	≥ 48				OP6A			
1,1-Di-(tert-butylperoxy)cyclohexane	UN3101	> 80, ≤ 100					OP5A			
1,1-Di-(tert-butylperoxy)cyclohexane	UN3103	> 52, ≤ 80	≥ 20				OP5A			

ORGANIC PEROXIDES TABLE—Continued

Technical Name	ID Number	Concentration (Mass %)	Diluent (Mass %)			Water (Mass %)	Packing Method	Temperature(°C)		Notes
			A	B	I			Control	Emergency	
(1)	(2)	(3)	(4a)	(4b)	(4c)	(5)	(6)	(7a)	(7b)	(8)
1,1-Di-(tert-butylperoxy)cyclohexane	UN3105	≦52	≧48				OP7A			
1,1-Di-(tert-butylperoxy)cyclohexane	UN3106	≦42	≧13		≧45		OP7B			
1,1-Di-(tert-butylperoxy)cyclohexane	UN3107	≦27	≧36				OP8A			22
2,2-Di-(4,4-tert-butylperoxycyclo hexyl)propane	UN3106	≦42			≧58		OP7B			
Di-n-butyl peroxydicarbonate	UN3115	>27, ≦52		≧48			OP7A	-15	-5	
Di-n-butyl peroxydicarbonate	UN3117	≦27		≧73			OP8A	-10	0	
Di-sec-butyl peroxydicarbonate	UN3113	>52, ≦100					OP4A	-20	-10	6
Di-sec-butyl peroxydicarbonate	UN3115	≦52		≧48			OP7A	-15	-5	
Di-(2-tert-butylperoxyisopropyl) benzene(s)	UN3106	>42, ≦100			≦57		OP7B			1,9
Di-(2-tert-butylperoxyisopropyl) benzene(s)	Exempt	≦42			≧58					
Di-(tert-butylperoxy)phthalate	UN3105	>42, ≦52	≧48				OP7A			
Di-(tert-butylperoxy)phthalate *as a paste*	UN3106	≦52					OP7B			21
Di-(tert-butylperoxy)phthalate	UN3107	≦42	≧58				OP8A			
2,2-Di-(tert-butylperoxy)propane	UN3105	≦52	≧48				OP7A			
2,2-Di-(tert-butylperoxy)propane	UN3106	≦42	≧13		≧45		OP7B			
1,1-Di-(tert-butylperoxy)-3,3,5-trimethylcyclohexane	UN3101	>57, ≦100					OP5A			
1,1-Di-(tert-butylperoxy)-3,3,5-trimethylcyclohexane	UN3106	≦57			≧43		OP7B			
1,1-Di-(tert-butylperoxy)-3,3,5-trimethyl cyclohexane	UN3107	≦57	≧43				OP8A			
Dicetyl peroxydicarbonate	UN3116	≦100					OP7B	20	25	
Dicetyl peroxydicarbonate *as a stable dispersion in water.*	UN3119	≦42					OP8A	30	35	
Di-4-chlorobenzoyl peroxide	UN3102	≦77				≧23	OP5B			
Di-4-chlorobenzoyl peroxide *as a paste*	UN3106	≦52					OP7B			21
Di-4-chlorobenzoyl peroxide	Exempt	≦32			≧68					
Dicumyl peroxide	UN3110	>42, ≦100			≦57		OP8B			9
Dicumyl peroxide	Exempt	≦42			≧58					
Dicyclohexyl peroxydicarbonate	UN3112	>91, ≦100					OP5B	5	10	
Dicyclohexyl peroxydicarbonate	UN3114	≦91				≧9	OP3B	5	10	
Didecanoyl peroxide	UN3114	≦100					OP6B	15	20	
Di-2,4-dichlorobenzoyl peroxide	UN3102	≦77				≧23	OP5B			
Di-2,4-dichlorobenzoyl peroxide *as a paste with silicon oil.*	UN3106	≦52					OP7B			
Di-(2-ethylhexyl) peroxydicarbonate	UN3113	>77, ≦100					OP5A	-20	-10	
Di-(2-ethylhexyl) peroxydicarbonate	UN3115	≦77					OP7A	-15	-5	
Di-(2-ethylhexyl) peroxydicarbonate *as a stable dispersion in water.*	UN3117	≦42					OP8A	-15	-5	
Di-(2-ethylhexyl) peroxydicarbonate *as a stable dispersion in water (frozen).*	UN3117	≦42					OP8B	-15	-5	
Diethyl peroxydicarbonate	UN3115	≦27		≧73			OP7A	-10	0	
2,2-Dihydroperoxypropane	UN3102	≦27			≧73		OP5B			
Di-(1-hydroxycyclohexyl) peroxide	UN3106	≦100					OP7B			
Diisobutyryl peroxide	UN3111	>32, ≦52		≧48			OP5A	-20	-10	
Diisobutyryl peroxide	UN3115	≦32		≧68			OP7A	-20	-10	
Diisopropyl peroxydicarbonate	UN3112	>52, ≦100					OP2B	-15	-5	
Diisopropyl peroxydicarbonate	UN3115	≦52		≧48			OP7A	-10	0	
Diisotridecyl peroxydicarbonate	UN3115	≦100					OP7A	-10	0	
Dilauroyl peroxide	UN3106	≦100					OP7B			
Dilauroyl peroxide *as a stable dispersion in water*	UN3109	≦42					OP8A			
Di-(2-methylbenzoyl) peroxide	UN3112	≦87				≧13	OP5B	30	35	
2,5-Dimethyl-2,5-di-(benzoyl peroxy) hexane	UN3102	>82, ≦100					OP5B			
2,5-Dimethyl-2,5-di-(benzoyl peroxy) hexane	UN3106	≦82			≧18		OP7B			
2,5-Dimethyl-2,5-di-(benzoyl peroxy) hexane	UN3104	≦82				≧18	OP5B			
2,5-Dimethyl-2,5-di-(tert-butyl peroxy)hexane	UN3105	>52, ≦100					OP7A			
2,5-Dimethyl-2,5-di-(tert-butyl peroxy)hexane	UN3106	≦52			≧48		OP7B			
2,5-Dimethyl-2,5-di-(tert-butyl peroxy)hexyne-3	UN3103	>52, ≦100					OP5A			
2,5-Dimethyl-2,5-di-(tert-butyl peroxy)hexyne-3	UN3106	≦52			≧48		OP7B			
2,5-Dimethyl-2,5-di-(2-ethylhexanoylperoxy)hexane	UN3115	≦100					OP7A	20	25	
2,5-Dimethyl-2,5-dihydroperoxyhexane	UN3104	≦82				≧18	OP6B			
2,5-Dimethyl-2,5-di-(3,5,5-trimethylhexanoylperoxy)hexane.	UN3105	≦77	≧23				OP7A			
Dimyristyl peroxydicarbonate	UN3116	≦100					OP7B	20	25	
Dimyristyl peroxydicarbonate *as a stable dispersion in water.*	UN3119	≦42					OP8A	20	25	
Di-n-nonanoyl peroxide	UN3116	≦100					OP7B	0	10	
Di-n-octanoyl peroxide	UN3114	≦100					OP5B	10	15	
Diperoxy azelaic acid	UN3116	≦27			≧73		OP7B	35	40	
Diperoxy dodecane diacid	UN3116	>13, ≦42			≧58		OP7B	40	45	
Diperoxy dodecane diacid	Exempt	≦13								
Di-(2 Phenoxyethyl) peroxydicarbonate	UN3102	>85, ≦100					OP5B			
Di-(2 phenoxyethyl) peroxydicarbonate	UN3106	≦85				≧15	OP7B			
Dipropionyl peroxide	UN3117	≦27		≧73			OP8A	15	20	
Di-n-propyl peroxydicarbonate	UN3113	≦100					OP4A	-25	-15	
Distearyl peroxydicarbonate	UN3106	≦87			≧13		OP7B			
Disuccinic acid peroxide	UN3102	>72, ≦100					OP4B			18
Disuccinic acid peroxide	UN3116	≦72				≧28	OP7B	10	15	18
Di-(3,5,5-trimethyl-1,2-dioxo-lanyl-3) peroxide *as a paste.*	UN3116	≦52					OP7B	30	35	21

ORGANIC PEROXIDES TABLE—Continued

Technical Name	ID Number	Concentration (Mass %)	Diluent (Mass %)			Water (Mass %)	Packing Method	Temperature(°C)		Notes
			A	B	I			Control	Emergency	
(1)	(2)	(3)	(4a)	(4b)	(4c)	(5)	(6)	(7a)	(7b)	(8)
Di-(3,5,5-trimethylhexanoyl) peroxide	UN3115	≦82	≧18				OP7A			
Ethyl-3,3-di-(tert-amylperoxy) butyrate	UN3105	≦67	≧33				OP7A			
Ethyl-3,3-di-(tert-butylperoxy) butyrate	UN3103	>77, ≦100					OP5A			
Ethyl-3,3-di (tert-butylperoxy) butyrate	UN3105	≦77	≧23				OP7A			
Ethyl-3,3-di-(tert-butylperoxy) butyrate	UN3106	≦52			≧48		OP7B			
3,3,6,6,9,9-Hexamethyl-1,2,4,5-tetraoxacyclononane	UN3102	>52, ≦100					OP4B			
3,3,6,6,9,9-Hexamethyl-1,2,4,5-tetraoxacyclononane	UN3105	≦52	≧48				OP7A			
3,3,6,6,9,9-Hexamethyl-1,2,4,5-tetraoxacyclononane	UN3106	≦52			≧48		OP7B			
Isopropylcumyl hydroperoxide	UN3109	≦72	≧28				OP8A			14
p-Menthyl hydroperoxide	UN3105	>55, ≦100					OP7A			
p-Menthyl hydroperoxide	UN3109	≦55	≧45				OP8A			14
Methylcyclohexanone peroxide(s)	UN3115	≦67		≧33			OP7A	35	40	
Methyl ethyl ketone peroxide(s)	UN3101	≦52	≧48				OP5A			5
Methyl ethyl ketone peroxide(s)	UN3105	≦45	≧55				OP7A			5
Methyl ethyl ketone peroxide(s)	UN3107	≦40	≧60				OP8A			5,23
Methyl isobutyl ketone peroxide(s)	UN3105	≦62	≧19				OP7A			5
Organic peroxide, solid, temperature controlled	UN3114						OP2B			12
Organic peroxide, liquid, sample	UN3103						OP2A			12
Organic peroxide, liquid, temperature controlled	UN3113						OP2A			12
Organic peroxide, solid, sample	UN3104						OP2B			12
Peroxyacetic acid, type D, stabilized	UN3105	≦43					OP7A			20
Peroxyacetic acid, type E, stabilized	UN3107	≦43					OP8A			20
Peroxyacetic acid, type F, stabilized	UN3109	≦43					OP8A			20
Pinanyl hydroperoxide	UN3105	>55, ≦100					OP7A			
Pinanyl hydroperoxide	UN3109	≦55	≧45				OP8A			14
Tetrahydronaphthyl hydroperoxide	UN3106	≦100					OP7B			
1,1,3,3-Tetramethylbutyl hydroperoxide	UN3105	≦100					OP7A			
1,1,3,3-Tetramethylbutylperoxy-2-ethylhexanoate	UN3115	≦100					OP7A	20	25	
2,4,4-Trimethylpentyl-2-peroxy phenoxyacetate	UN3115	≦37		≧63			OP7A	-10	0	

* * * * *

§ 173.225 [Amended]

154. In addition, in § 173.225, the following changes are made:

a. In paragraph (c)(4)(i), "Type C" is revised to read "Type B".

b. In the § 173.225(d)(1) Table, in the Table heading, the wording "Table 11.2(A)—" is removed.

c. In the § 173.225(d)(1) Table, in the Column 2 heading, the wording "(see 9.4.7)" is removed.

d. In the § 173.225 (d)(1) Table, for the entry "Steel drum", in the columns titled "OP7A" and "OP8A", "60" and "225" are removed and replaced with "60 L" and "225 L", respectively.

e. In the § 173.225(d)(1) Table, for the entry "Fiber drum [3]", in the column titled "OP4A [2]", "5 KG" is removed and replaced with "5/25 kg", and in the column titled "OP5A [2], the term "50 kg" is removed and replaced with "25 kg".

f. In the § 173.225(d)(2) Table, in the Column 2 heading, the wording "(see 9.4.7)" is removed.

g. In the § 173.225(d)(2) Table, the column heading "OP2B [2]" is removed and replaced with the column heading "OP2B [2,3]".

h. In the § 173.225(d)(2) Table, in the column heading "OP5B [2]", for the entries "Plastics receptacle with outer fiberboard box.", "Plastics receptacle with outer plastics drum." and "Plastics receptacle with outer solid plastics box.", "30 kg" is removed and replaced with "25 kg" each place it appears.

i. In the § 173.225(d)(2) Table, in the column heading "OP6B [2]", for the entries "Plastics receptacle with outer fiberboard box.", "Plastics receptacle with outer plastics drums." and "Plastics receptacle with outer solid plastics box.", "60 kg" is removed and replaced with "50 kg" each place it appears.

§ 173.226 [Amended]

155. In § 173.226, the following changes are made:

a. In paragraph (b) introductory text, a new sentence is added after the third sentence to read "Outer 1A2 and 1H2 drums must withstand a hydrostatic test pressure of 100 kPa (15 psi).".

b. In paragraph (c)(2), in the fourth sentence, "screw-type" is removed.

§ 173.227 [Amended]

156. In § 173.227, the following changes are made:

a. In paragraph (b) introductory text, a new sentence is added after the third sentence to read "Outer 1A2 and 1H2 drums must withstand a hydrostatic test pressure of 100 kPa (15 psi).".

b. In paragraph (b)(3)(ii)(D), "(0.625 inch)" is revised to read "(0.0625 inch)".

c. In paragraph (b)(3)(iii)(D), "(0.62 inch)" is revised to read "(0.0625 inch)" and "(0.43 inch)" is revised to read "(0.043 inch)".

157. In § 173.230, paragraphs (b)(1)(v) and (b)(2)(v) are added to read as follows:

§ 173.230 Non-bulk packagings for ORM-D materials.

* * * * *

(b) * * * (1) * * *

(v) Cartridges, power devices which are used to project fastening devices.

(2) * * *

(v) Cartridges, power devices which are used to project fastening devices and 22 caliber rim-fire cartridges may be packaged loose in strong outside packagings.

* * * * *

§ 173.230 [Amended]

158. In addition, in § 173.230, in paragraphs (b)(1)(iii) and (b)(2)(iii), the word "and" is removed; and in paragraphs (b)(1)(iv) and (b)(2)(iv), the period is removed at the end of the sentence and replaced with "; and".

159. In § 173.240, paragraphs (a) and (c) are revised to read as follows:

§ 173.240 Bulk packaging for certain low hazard solid materials.

* * * * *

(a) *Rail cars:* Class DOT 103, 104, 105, 109, 111, 112, 114, or 115 tank car tanks; Class 106 or 110 multi-unit tank car tanks; and metal non-DOT specification,

sift-proof tank car tanks and sift-proof closed cars.

* * * * *

(c) *Portable tanks and closed bulk bins*: DOT 51, 52, 53, 56, 57 and 60 portable tanks; IMO type 1, 2 and 5, and IM 101 and IM 102 portable tanks; marine portable tanks conforming to 46 CFR part 64; and sift-proof non-DOT specification portable tanks and closed bulk bins.

160. In § 173.241, paragraph (c) is revised to read as follows:

§ 173.241 Bulk packagings for certain low hazard liquid and solid materials

* * * * *

(c) *Portable tanks*: DOT 51, 52, 56, 57 and 60 portable tanks; IMO type 1, 2 and 5, and IM 101 and IM 102 portable tanks; marine portable tanks conforming to 46 CFR part 64; and non-DOT specification portable tanks suitable for transport of liquids.

§ 173.242 [Amended]

161. In § 173.242, in paragraph (a), the last sentence is removed.

§ 173.243 [Amended]

162. In § 173.243, the following changes are made:

a. In paragraph (a), in the first sentence, the wording "fusion-welded" is added immediately after "115" and before "tank car tanks", and the second, third, and fourth sentences are removed.

b. In paragraph (b)(2), the wording "DOT 406," is removed.

163. In § 173.244, the section heading and paragraph (b) are revised to read as follows:

§ 173.244 Bulk packaging for certain pyrophoric liquids (Division 4.2) and poisonous liquids with inhalation hazards (Division 6.1).

* * * * *

(b) *Cargo tanks:* Specifications MC 330 and MC 331 cargo tank motor vehicles and, except for Division 4.2 materials, MC 312 and DOT 412 cargo tank motor vehicles.

* * * * *

§ 173.244 [Amended]

164. In addition, in § 173.244, in paragraph (a), the wording "fusion-welded" is added immediately after "114" and before "tank car tanks", and the last sentence is removed.

165. In § 173.245, paragraph (a) is added to read as follows:

§ 173.245 Bulk packaging for extremely hazardous materials such as poisonous gases (Division 2.3).

* * * * *

(a) Tank car tanks and multi-unit tank car tanks, when approved by the Associate Administrator for Hazardous Materials Safety.

* * * * *

§ 173.249 [Amended]

166. In § 173.249, the following changes are made:

a. In paragraph (b), two sentences are added at the end of the paragraph to read "The total quantity in one tank may not be less than 88 percent nor more than 96 percent of the volume of the tank. Cargo tanks in bromine service built prior to August 31, 1991 may continue in service under the requirements contained in § 173.252(a)(4) of this part in effect on September 30, 1991.".

b. In paragraph (c), in the first sentence, the word "intermodal" is removed, and a new sentence is added at the end of the paragraph to read "The total quantity in one tank may not be less than 88 percent nor more than 92 percent of the volume of the tank.".

167. In § 173.302, paragraph (h) is added to read as follows:

§ 173.302 Charging of cylinders with non-liquefied compressed gases.

* * * * *

(h) *Poisonous gases.* Packagings containing Division 2.3 materials must conform to the requirements of § 173.40 of this part.

§ 173.302 [Amended]

168. In addition, in § 173.302, the following changes are made:

a. In paragraph (a) introductory text, the wording "(except gas in solution or poisonous gas)" is revised to read "(except gas in solution)".

b. In paragraph (a)(4)(iii), the reference "RR–C–901b" is revised to read "RR–C–901c" each place it appears, and the wording "dated August 1, 1967" is revised to read "dated January 15, 1981".

169. In § 173.304, paragraph (g) is added to read as follows:

§ 173.304 Charging of cylinders with liquefied compressed gas.

* * * * *

(g) *Poisonous mixtures.* Packagings containing Division 2.3 materials must conform to the requirements of § 173.40 of this part.

§ 173.304 [Amended]

170. In addition, in § 173.304, the following changes are made:

a. In paragraph (a) introductory text, the wording "except gas in solution or poisonous gas" is revised to read "except gas in solution".

b. In paragraph (a)(1), the wording "or poisonous material (class A, B, or irritating material)," is revised to read "or poisonous material (Division 6.1 or 2.3),".

c. In paragraph (a)(4)(ii), the reference "RR–C–901b" is revised to read "RR–C–901c" each place it appears.

§ 173.305 [Amended]

171. In § 173.305, the following changes are made:

a. In paragraph (a), the reference "§ 173.300(a)" is removed and replaced with "§ 173.115".

b. In paragraph (d), the wording "any poisonous material, Class A, or irritating material" is revised to read "any poisonous material (Division 6.1 or 2.3)"; and the wording "§ 173.326(a) or § 173.381(a)" is revised to read "§§ 173.115 or 173.132".

172. In § 173.306, paragraph (i) is added to read as follows:

§ 173.306 Limited quantities of compressed gases.

* * * * *

(i) To determine the flammability of aerosols, the following test method must be applied:

(1) Either a mixture of 13 percent or less (by volume) with air forms a flammable mixture or the flammable range with air is wider than 12 percent regardless of the lower limit. These limits shall be determined at atmospheric temperature and pressure. The method of sampling and test procedure shall be acceptable to the Bureau of Explosives and approved by the Associate Administrator for Hazardous Materials Safety.

(2) Using the Bureau of Explosives' Flame Projection Apparatus, the flame projects more than 18 inches beyond the ignition source with valve opened fully or the flame flashes back and burns at the valve with any degree of valve opening.

(3) Using the Bureau of Explosives' Open Drum Apparatus, there is any significant propagation of flame away from the ignition source.

(4) Using the Bureau of Explosives' Closed Drum Apparatus, there is any explosion of the vapor-air mixture in the drum.

§ 173.306 [Amended]

173. In § 173.306, the following changes are made:

a. In paragraph (a) introductory text, a third sentence is added at the end, and in paragraph (h) introductory text, a new sentence is added immediately after the first sentence, to read "Each package may not exceed 30 kg (66 pounds) gross weight."

b. In paragraphs (a)(3)(i) and (b)(1), the wording "(27.7 fluid ounces)" is

revised to read "(1 liter)" both places it appears.

c. In paragraph (b) introductory text, the wording "(except poisonous gases as defined by § 173.326)" is revised to read "(except poisonous gases as defined by § 173.115(a)(3) of this part)".

d. In paragraph (b)(3), in the first sentence, the wording "is nonpoisonous and" is revised to read "is, except for Division 6.1 Packing Group III material, nonpoisonous and".

§ 173.308 [Amended]

174. In § 173.308, the following changes are made:

a. In paragraph (a)(1), the wording "2.3 fluid ounces" is revised to read "70 ml (2.3 fluid ounces)".

b. In paragraph (a)(2), "60 °F" is revised to read "15 °C (59 °F)".

c. In paragraph (a)(3), "130 °F" is revised to read "55 °C (131 °F)".

d. In paragraph (c), in the second sentence, the wording "25 feet" is revised to read "8 m (26 feet)".

175. In § 173.314, paragraph (c) is revised and paragraph (g)(3) is added to read as follows:

§ 173.314 Requirements for compressed gases in tank car tanks.

* * * * *

(c) *Authorized gases, filling densities, and tank car tanks.* A compressed gas offered for transportation in a tank car tank must be prepared in accordance with paragraphs (b) through (i) of this section, §§ 172.101, 173.10, 173.24b, and 173.31 of this subchapter, and the following table (for cryogenic liquids, see § 173.319 of this subpart):

Kind of gas	Maximum permitted filling density (see Note 1)	Authorized tank car	Notes
Ammonia, anhydrous, or ammonia solutions >50 percent ammonia	Note 21	105A300W, 112S340W, 114S340W	24
	Note 21	106A500X	
Ammonia, solutions with >35 percent ≦50 percent ammonia by mass	Note 21	105A, 112A, 114A, 111A100W4	
Argon, compressed	Note 20	107A	
Boron trichloride	Note 21	105A300W, 106A500X	
Carbon dioxide, refrigerated liquid	Note 5	105A500W	6
Chlorine	125	105A500W	12, 30
	125	106A500X	
Chlorine trifluoride	Note 21	106A500X, 110A500W	
Chlorine pentafluoride	Note 21	106A500X, 110A500W	
Dimethylamine, anhydrous	59	106A500X	
	61	112T340W, 112J340W	4
	62	105A300W	4, 23
Dimethyl ether	59	106A500X, 110A500W	
	62	105A300W	4, 23
Dinitrogen tetroxide or nitrogen tetroxide (see Nitrogen dioxide)			
Division 2.1 materials not specifically provided for in this table	Note 21	105A, 111A100W4, 112T, 112J, 114T, 114J	4, 13, 23
	Note 21	106A, 110A	7
Division 2.2 materials not specifically identified in this table	Note 21	105A, 109A, 111A100W4, 112A, 114A	13
	Note 21	106A. 110A	7
Division 2.3, Hazard Zone A, materials not specifically identified in this table	None	None	22
Division 2.3, Hazard Zone B, materials not specifically identified in this table	Note 21	105J300W, 112J340W, 112T340W, 114J340W, 114T340W	3, 9
	Note 21	106A, 110A	7
Division 2.3, Hazard Zone C, materials not specifically identified in this table	Note 21	105J300W, 112J340W, 112T340W, 114J340W, 114T340W	3, 9
	Note 21	106A, 110A	7
Division 2.3, Hazard Zone D, materials not specifically identified in this table	Note 21	105J300W, 109A, 112J340W, 112T340W, 114J340W, 114T340W	9, 15
	Note 21	106A, 110A	7
Ethylamine	Note 21	105A100W, 111A100W4, 112J200W, 112T200W, 114J340W, 114T340W	4, 23
	Note 21	106A, 110A	
Helium	Note 20	107A	
Hydrogen	Note 20	107A	2
Hydrogen chloride, refrigerated liquid	Note 18	105A600W	17, 30
Hydrogen sulfide	68	106A800X	7, 8
Methylamine, anhydrous	62	105A300W	4, 23
	61	112T340W, 112J340W	4
	60	106A500X	
Methyl bromide	Note 21	105A100W, 111A100W4	29, 30
	Note 21	106A	7
Methyl chloride	85	112T340W, 112J340W	4
	86	105A300W	4, 23
	84	106A500X	
Methyl mercaptan	82	105A300W	4, 23
	80	106A500X	7
Nitrogen	Note 20	107A	
Nitrogen dioxide, liquefied	Note 21	105A500W	
	Note 21	106A500X, 110A500W	
Nitrosyl chloride	124	105A300W	10, 30
	110	106A800X	7, 11
Nitrous oxide	Note 5	105A500W	6, 30
Oxygen	Note 20	107A	
Phosgene	Note 21	106A500X	7
Sulfur dioxide	125	105A200W	30
	125	106A500X, 110A500W	
Sulfuryl fluoride	120	105A500W	

Kind of gas	Maximum permitted filling density (see Note 1)	Authorized tank car	Notes
Vinyl fluoride, inhibited	Note 19	105A600W	17, 23

Notes:

1 The filling density for liquefied gases is hereby defined as the percent ratio of the weight of gas in the tank to the weight of water that the tank will hold. For determining the water capacity of the tank in pounds, the weight of one gallon of water at 15.55°C (60°F) in air is 8.32828 pounds.

2 Each tank must be equipped with one or more safety relief devices of an approved design. The discharge outlet of each safety relief device must be connected to a manifold having an unobstructed discharge area of at least 1½ times the total discharge area of the safety relief devices connected to the manifold. All manifolds must be connected to a single common header having an unobstructed discharge outlet pointing upward and extending above top of the car. The header and the header outlet must each have an unobstructed discharge area at least equal to the total discharge area of the manifolds connected to the header. The header outlet must be equipped with an approved ignition device which will instantly ignite any hydrogen discharged through the safety relief device.

3 If the material has a secondary hazard in Division 2.1, then the provisions of Note 4 are applicable.

4 For single unit tank car tanks, interior pipes of loading and unloading valves must be equipped with excess-flow valves of approved design. For single unit tank car tanks built after December 30, 1971, the interior pipes of gaging devices with an opening for the passage of lading exceeding 1.52 mm (0.060 inch) diameter must be equipped with excess flow valves of approved design. The interior pipes of sampling devices must be equipped with excess flow valves of approved design. The protective housing cover must be provided with an opening above each safety relief valve which is concentric with the discharge of the valve and which has an area at least equal to the valve outlet area. Each protective housing cover opening must be provided with a weatherproof cover designed for vertical discharge.

5 The liquid portion of the gas at 0°F must not completely fill the tank.

6 Each tank must be insulated with an approved material of a thickness so that the thermal conductance is not more than 0.03 B.t.u. per square foot, per degree F. differential in temperature per hour, except that the insulation thickness directly over the center sills may be reduced to give thermal conductance not exceeding 0.04 B.t.u. per square foot, per degree F. differential in temperature per hour (this reduction permits an anchorage not exceeding seven inches from top of center sills to bottom of tank). Tank must be equipped with one safety relief valve of approved design set to open at a pressure not exceeding 75 percent of the test pressure of the tank and one frangible disc of approved design set to function at a pressure less than the test pressure of the tank. The discharge capacity of each of these safety relief devices must be sufficient to prevent building up of pressure in the tank in excess of 82.5 percent of the test pressure of the tank. Tanks must be equipped with two pressure-regulating valves of approved design set to open at a pressure not to exceed 350 psi on 105A500–W tanks and at a pressure not to exceed 400 psi on 105A600–W tanks. Each regulating valve and safety relief device must have its final discharge piped to the outside of the protective housing. See § 179.102–1 of this subchapter for additional requirements.

7 Rail freight and highway only. (See §§ 174.204 and 177.834(m) of this subchapter for special requirements.)

8 Each tank must be equipped with adequate safety relief devices of the fusible plug type having a yield temperature not over 76.66°C (170°F), nor less than 69.44°C (157°F). Each device must be resistant to extrusion of the fusible alloy and leak tight at 55°C (130°F). Each valve outlet must be sealed by a threaded cap or a threaded solid plug. In addition, all valves must be protected by a metal cover.

9 Except for materials with a secondary hazard in Division 2.1, DOT 105J300ALW tank cars are also authorized.

10 Tanks and any ancillary equipment in contact with the lading, such as manhole covers, venting, loading and discharge valves, safety relief valves, check valves, and eduction pipes, must be made of metal or clad with metal not subject to rapid deterioration by the lading. Cork must be used as an insulating material.

11 Nitrosyl chloride must be transported in nickel-clad tanks with safety relief devices incorporating a fusible plug set to function at a temperature 79.44°C (175°F). Safety relief devices must be vapor tight at 54.44°C (130°F).

12 Interior pipes of liquid discharge valves must be equipped with excess flow valves of approved design. The quantity of chlorine loaded into a single-unit tank car tank must not be loaded in excess of the normal lading weights nor in excess of 90 tons. Tank car tanks built to DOT 105A500W may be stenciled either DOT 105A300W or DOT 105A500W with the size and type of safety relief device required by the stenciled specification.

13 If the commodity meets the definition of a refrigerant gas or dispersant gas in § 173.115(j) of this part, tank car tanks must be marked "DISPERSANT GAS" or "REFRIGERANT GAS" or with the proper shipping name.

14 Lading must be covered with a dry inert gas padding to render the vapor space nonflammable at 105°F.

15 If the material has a secondary hazard in Division 2.1, then Class DOT 109A tank car tanks are not authorized. Specification DOT 112 tank car tanks must conform to Class DOT 112T or DOT 112J requirements and DOT 114 tank car tanks must conform to Class DOT 114T or DOT 114J requirements. The provisions of Notes 4 and 23 are also applicable.

16 [Reserved]

17 See paragraph (g) of this section.

18 89 percent maximum to 80.1 percent minimum at a maximum test pressure of 90 psig, when offered for transportation.

19 59.6 percent maximum to 53.6 percent minimum at a maximum test pressure of 105 psig, when offered for transportation.

20 The gas pressure at 54.44°C (130°F) in any noninsulated Class DOT 107A tank may not exceed 7/10 of the marked test pressure, except that a tank may be charged with helium to a pressure 10 percent in excess of the marked maximum gas pressure at 54.44°C (130°F) of each tank.

21 See § 173.24b of this subchapter.

22 See § 173.245 of this subchapter.

23 Class 105 tanks must meet 105J requirements if: (1) the tank was built after August 31, 1981; or (2) the tank exceeds 18,500 gallons and was built before September 1, 1981. Class 111 tanks must meet 111J requirements if the tank exceeds 18,500 gallons. Class DOT 111 tank cars built after March 1, 1984 are not authorized for the transportation of Division 2.1 materials.

24 Class 105 tanks must meet 105S requirements if: (1) the tank was built after August 31, 1981; or (2) the tank exceeds 18,500 gallons and was built before September 1, 1981.

25 [Reserved]

26 [Reserved]

27 [Reserved]

28 [Reserved]

29 DOT 111A100W4 tank car tanks built after September 30, 1991 are not authorized.

30 Class 105 tanks must meet 105J requirements if the tank was built after September 30, 1991.

* * * * *

(g) * * *

(3) See § 179.102–17 of this subchapter for additional requirements.

* * * * *

§ 173.314 [Amended]

176. In addition, in § 173.314, the following changes are made:

a. In paragraph (a), the reference "§ 173.300" is revised to read "§ 173.115".

b. In paragraph (b)(3), "For cars" is revised to read "For tanks".

c. In paragraph (b)(6), "approved by the AAR Tank Car Committee" is removed.

177. In § 173.315, paragraph (a)(2) is removed; the section heading is revised; the Table in paragraph (a) is amended by revising, removing and adding in alphabetical order the following entries, and by revising and adding in numerical order the following notes to the Table, as indicated; and the last sentence of introductory text in paragraph (c) is revised to read as follows:

§ 173.315 Compressed gases in cargo tanks and portable tanks.

(a) * * *

Kind of gas	Maximum permitted filling density		Specification container required	
	Percent by weight (see note 1)	Percent by volume (see par. (f) of this section	Type (see note 2)	Minimum design pressure (psig)
* * *	*	*	*	*
[REVISE]				
* * *	*	*	*	*
Chlorine	125	See Note 7	DOT-51, MC-330, MC-331.	225; See Notes 4 and 8.
Methyl mercaptan	80	90	DOT-51, MC-330, MC-331; See Note 23.	100.
Sulfur dioxide (tanks not over 1,200 gallons water capacity)	125	87.5	DOT-51, MC-330, MC-331; See Note 24.	150; See Note 4.
Sulfur dioxide (tanks over 1,200 gallons water capacity)	125	87.5	DOT-51, MC-330, MC-331; See Note 24.	125; See Note 4.
Sulfur dioxide (optional portable tank 1,000–2,000 pounds water capacity, fusible plug).	125	See Note 6	DOT-51; See Note 24.	225.
* * *	*	*	*	*
[ADD]				
* * *	*	*	*	*
Ammonia, anhydrous or Ammonia solutions with greater than 50 percent ammonia (see Notes 14 and 17).	56	82, See Note 5	DOT-51, MC-330, MC-331; See Notes 12 and 17.	265; See Note 17.
Ammonia solutions with more than 35 percent but not more than 50 percent ammonia.	See par. (c) of this section.	See Note 7	DOT-51, MC-330, MC-331; see Note 12.	100; See par. (c) of this section.
Dimethylamine, anhydrous	59	See Note 7	DOT-51, MC-330, MC-331.	150.
Division 2.1, materials not specifically provided for in this table	See par. (c) of this section.	See Note 7	DOT-51, MC-330, MC-331.	See Note 18.
Division 2.2, materials not specifically provided for in this table	See par. (c) of this section.	See Note 7	DOT-51, MC-330, MC-331.	See Note 19.
Division 2.3, Hazard Zone A, materials not specifically provided for in this table.	See par. (c) of this section.	See Note 7	DOT-51, MC-330, MC-331; See Note 23.	See Note 20.
Division 2.3, Hazard Zone B, materials not specifically provided for in this table.	See par. (c) of this section.	See Note 7	DOT-51, MC-330, MC-331; See Note 23.	See Note 20.
Division 2.3, Hazard Zone C, materials not specifically provided for in this table.	See par. (c) of this section.	See Note 7	DOT-51, MC-330, MC-331; See Note 24.	See Note 21.
Division 2.3, Hazard Zone D, materials not specifically provided for in this table.	See par. (c) of this section.	See Note 7	DOT-51, MC-330, MC-331; See Note 25.	See Note 22.
Methylamine, anhydrous	60	See Note 7	DOT-51, MC-330, MC-331; See Note 24.	See Note 22.
Trimethylamine, anhydrous	57	See Note 7	DOT-51, MC-330, MC-331.	150.
* * *	*	*	*	*
[REMOVE]				
* * *	*	*	*	*
"Anhydrous ammonia"				
"Anhydrous dimethylamine"				
"Anhydrous monomethylamine"				
"Anhydrous trimethylamine"				
"Ammonia solution"				
* * *	*	*	*	*

* * * * *

[REVISE]

* * * * *

Note 4: Material must be steel. Packagings must have a corrosion allowance of 20 percent or 0.10 inch, whichever is less, added to the metal thickness. The minimum wall thickness for chlorine packagings is 0.300 inch for stainless steel or 0.625 inch for carbon steel, including corrosion allowance.

Note 8: Chlorine packagings may be shipped only if the contents are to be unloaded at one unloading point.

Note 12: No aluminum, copper, silver, zinc or an alloy of any of these metals shall be used in packaging construction where it comes into contact with the lading.

* * * * *

[ADD]

* * * * *

Note 18: The minimum packaging design pressure must not be less than the vapor pressure at the reference temperature of the lading plus one percent or 173.4 kPa (25 psig), whichever is less.

Note 19: The minimum packagings design pressure must not be less than the vapor pressure at the reference temperature of the lading.

Note 20: The minimum packaging design pressure must not be less than 1.5 times the vapor pressure of the lading at 46°C (115°F).

Note 21: The minimum packaging design pressure must not be less than 1.3 times the vapor pressure of the lading at 46°C (115°F).

Note 22: The minimum packaging design pressure must not be less than 1.1 times the vapor pressure of the lading at 46°C (115°F).

Note 23: Packagings must be made of stainless steel except that steel other than stainless steel may be used in accordance with the provisions of § 173.24b(b) of this part. Thickness of stainless steel for shell and heads must be the greater of 7.62 mm (0.300 inch) or the thickness required for the packaging at its minimum design pressure.

Note 24: Packagings must be made of stainless steel except that steel other than stainless steel may be used in accordance with the provisions of § 173.24b(b) of this part. Thickness of stainless steel for shell and heads must be the greater of 6.35 mm (0.250 inch) or the thickness required for the packaging at its minimum design pressure.

Note 25: Packagings must be made of stainless steel except that steel other than stainless steel may be used in accordance with the provisions of § 173.24b(b) of this part. Thickness for shell and heads must be as calculated for the packaging at its minimum design pressure.

* * * * *

(c) * * * The outage and filling limits for liquefied gases must be as prescribed in § 173.24b of this part, except that this requirement does not apply to:

* * * * *

§ 173.318 [Amended]

178. In § 173.318, in the parenthetical expression in paragraph (e), the wording "(see §§ 173.33(d)(1)(ii) and 178.338–9(b) of this subchapter)" is revised to read "(see paragraph (g)(3) of this section and § 178.338–9(b) of this subchapter)".

179. In § 173.323, paragraphs (b)(1) and (b)(4) are revised to read as follows:

§ 173.323 Ethylene oxide.

* * * * *

(b) * * *

(1) In 4G fiberboard boxes with inner glass ampoules or vials. Total quantity of ethylene oxide may not exceed 100 grams (3.5 ounces) per package. The completed package must be capable of passing Packing Group I performance tests.

* * * * *

(4) In specification cylinders, as authorized for any compressed gas except acetylene. Pressurizing valves and insulation are required for cylinders over 4 L (1 gallon) capacity. Eductor tubes must be provided for cylinders over 19 L (5 gallons) capacity. Cylinders must be seamless or welded steel (not brazed) with a nominal capacity of no more than 115 L (30 gallons) and may not be liquid full below 82 °C (180 °F). Before each refilling, each cylinder must be tested for leakage at no less than 103.4 kPa (15 psig) pressure. In addition, each cylinder must be equipped with a fusible type relief device with yield temperature of 69 °C to 77 °C (157 °F to 170 °F). The capacity of the relief device and the effectiveness of the insulation must be such that the charged cylinder will not explode when tested by the method described in CGA Pamphlet C–14 or other equivalent method.

* * * * *

§ 173.323 [Amended]

180. In addition, in § 173.323, in paragraph (a), the wording "copper, silver mercury or any of their alloys" is revised to read "silver mercury or any of its alloys or copper", and a sentence is added immediately after the first sentence to read: "Copper alloys may be used only where gas mixtures do not contain free acetylene at any concentration that will form copper acetylene.".

181. In § 173.421–1, the section heading and paragraph (a) are revised to read as follows:

§ 173.421–1 Additional requirements for excepted packages containing Class 7 (radioactive) materials.

(a) Excepted packages prepared for shipment under the provisions of §§ 173.421, 173.422, 173.424, or 173.427 of this subpart must be certified as being acceptable for transportation by having a notice enclosed in or on the package, included with the packing list, or otherwise forwarded with the package. This notice must include the name of the consignor or consignee and the statement "This package conforms to the conditions and limitations specified in 49 CFR 173.421 for radioactive material, excepted package-limited quantity of material, UN2910; 49 CFR 173.422 for radioactive material, excepted package—instruments or articles, UN2910; 49 CFR 173.424 for radioactive material, excepted package—articles manufactured from natural or depleted uranium or natural thorium, UN2910; or 49 CFR 173.427 for radioactive material, excepted package—empty packaging, UN2910," as appropriate.

* * * * *

§ 173.421–2 [Amended]

182. In § 173.421–2, paragraph (d) is removed.

§ 173.465 [Amended]

183. In § 173.465, in paragraph (d), "¶f" is revised to read "of".

§ 173.471 [Amended]

184. In § 173.471, in the parenthetical following paragraph (g), the last sentence "The information collection requirements contained in paragraph (e) were approved under control number 2137–0514." is removed.

§§ 173.22, 173.34, 173.300 [Amended]

185. In addition to the amendments set forth above, part 173 is amended by removing the phrase "Office of Hazardous Materials Transportation" and, inserting in its place, the phrase "Associate Administrator for Hazardous Materials Safety" in the following sections:

(a) Section 173.22a(b)
(b) Section 173.34(e)(1)(iv)
(c) Section 173.300a(b)(1)
(d) Section 173.300a(e)
(e) Section 173.300b(b)(1)

§§ 173.471, 173.473 [Amended]

186. In addition to the amendments set forth above, part 173 is amended by removing the phrase "OHMT" and, inserting in its place, the phrase "the Associate Administrator for Hazardous Materials Safety" in the following sections:

(a) Section 173.471(f)
(b) Section 173.473(a)(1)
(c) Section 173.473(a)(3)

§§ 173.11, 173.32a, 173.34, 173.300a, 173.300b, 173.300c, 173.305, 173.315, 173.457 [Amended]

187. In addition to the amendments set forth above, part 173 is amended by removing the phrase "Director, OHMT" and, inserting in its place, the phrase "Associate Administrator for Hazardous Materials Safety" each place it appears in the following sections:

(a) Section 173.11(a)
(b) Section 173.32a(c)
(c) Section 173.32a(d)
(d) Section 173.32a(h) introductory text
(e) Section 173.32a(h)(2) introductory text
(f) Section 173.32a(h)(3)
(g) Section 173.34(e)(6)
(h) Section 173.34(i)
(i) Section 173.34(i)(4)(i)
(j) Section 173.34(l) introductory text
(k) Section 173.34(l)(2)
(l) Section 173.34(l)(3)
(m) Section 173.300a(c)
(n) Section 173.300a(d)
(o) Section 173.300a(e)
(p) Section 173.300a(g)
(q) Section 173.300a(h)
(r) Section 173.300a(i)
(s) Section 173.300b(c)
(t) Section 173.300b(d)
(u) Section 173.300b(e)
(v) Section 173.300b(f)
(w) Section 173.300b(g)
(x) Section 173.300c(a) introductory text
(y) Section 173.300c(b)
(z) Section 173.305(c)(1)
(aa) Section 173.315(i)(12)
(bb) Section 173.457(b)(4)

Appendix B [Amended]

188. In appendix B to part 173, in paragraph 6., the phrase "a height of 1.2 meters (3.94 feet) onto solid concrete" is removed and replaced with the phrase "a height determined in accordance with § 178.603(d) of this subchapter onto a rigid non-resilient, flat and horizontal surface".

Appendix E [Amended]

189. In appendix E to part 173, in 2.c.(3)(A), the reference "2.3.2" is revised to read "2.c.(2)".

190. Appendix G is added to part 173 to read as follows:

Appendix G to Part 173—Definition of Regulated Medical Waste

1. *General*

A "regulated medical waste" is a waste material listed in the following table that is—

(a) Generated in the diagnosis, treatment (e.g., provision of medical services), or immunization of human beings or animals;

(b) In research pertaining thereto; or

(c) In the production or testing of biologicals.

TABLE—REGULATED MEDICAL WASTE

Waste class	Description
(1) Cultures and Stocks.	Cultures and stocks of infectious agents and associated biologicals, including: cultures from medical and pathological laboratories; cultures and stocks of infectious agents from research and industrial laboratories; wastes from the production of biologicals; discarded live and attenuated vaccines; and culture dishes and devices used to transfer, inoculate, and mix cultures.
(2) Pathological Wastes.	Human pathological wastes, including tissues, organs, and body parts and body fluids that are removed during surgery or autopsy, or other medical procedures, and specimens of body fluids and their containers.
(3) Human Blood and Blood Products.	(1) Liquid waste human blood; (2) products of blood; (3) items saturated and/or dripping with human blood; or (4) items that were saturated and/or dripping with human blood that are now caked with dried human blood; including serum, plasma, and other blood components, and their containers, which were used or intended for use in either patient care, testing and laboratory analysis or the development of pharmaceuticals. Intravenous bags are also included in this category.
(4) Sharps	Sharps that have been used in animal or human patient care or treatment or in medical, research, or industrial laboratories, including hypodermic needles, syringes (with or without the attached needle), pasteur pipettes, scalpel blades, blood vials, needles with attached tubing, and culture dishes (regardless of presence of infectious agents). Also included are other types of broken or unbroken glassware that were in contact with infectious agents, such as used slides and cover slips.
(5) Animal Waste.	Contaminated animal carcasses, body parts, and bedding of animals that were know to have been exposed to infectious agents during research (including research in veterinary hospitals), production of biologicals, or testing of pharmaceuticals.
(6) Isolation Waste.	Biological waste and discarded materials contaminated with blood, excretion, exudates, or secretions from humans who are isolated to protect others from certain highly communicable disease, or isolated animals known to be infected with highly communicable diseases.
(7) Unused Sharps.	The following unused, discarded sharps: hypodermic needles, suture needles, syringes, and scalpel blades.

Note: The term "solid waste" includes solid, semi-solid, or liquid materials, but does not include domestic sewage materials identified in the requirements of the Environmental Protection Agency contained in 40 CFR 261.4.

2. *Exceptions*

(a) The following wastes are excepted from the requirements for regulated medical waste:

(i) Hazardous waste identified or listed under the regulations in 40 CFR part 261;

(ii) Household waste, as defined in 40 CFR 261.4(b)(1);

(iii) Ash from incineration of regulated medical waste once the incineration process has been completed;

(iv) Residues from treatment and destruction processes of regulated medical waste once the waste has been both treated and destroyed; or

(v) Human corpses, remains, and anatomical parts that are intended for interment or cremation.

(b) Samples of regulated medical waste transported off-site by EPA or State-designated enforcement personnel for enforcement purposes are excepted from the requirements of this subchapter during the enforcement proceeding.

(c) Until October 1, 1992, cultures of etiologic agents of 50 milliliters (1.666 fluid ounces) or less total quantity in one outside package are not subject to any requirements of this subchapter if the items as packaged do not contain any material otherwise subject to the requirements of parts 171 through 180 of this subchapter.

PART 174—CARRIAGE BY RAIL

191. The authority citation for part 174 continues to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1808; 49 CFR part 1.

§ 174.25 [Amended]

192. In § 174.25, the following changes are made:

a. In paragraph (a)(2), the table is amended by adding the entry "Division 6.1 PG III" immediately above the entry for "Class 7" in Column 1; adding "Placarded KEEP AWAY FROM FOOD" immediately above the entry "Placarded RADIOACTIVE" in Column 2; and adding "(None)" immediately above the entry "Radioactive material" in Column 3. For the entry "Class 9", in Column 2 "(None)" is revised to read "Placarded CLASS 9". In the last entry, in Column 1, the wording "a residue of a combustible liquid" is revised to read "a residue of a combustible liquid, a residue of a Division 6.1 PG III material, or a residue of a Class 9 material"; and in Column 3, "(None." is revised to read "(None).".

b. In paragraph (b)(1)(i), the wording "or § 172.102 (when authorized)" is removed.

c. In paragraph (c), "Naptha" is revised to read "Naphtha".

§ 174.67 [Amended]

193. In § 174.67, in paragraph (a)(3), the word "high" is added immediately after "(3.9 inches)" and after "(2 inches)".

194. In § 174.81, the Segregation Table in paragraph (d) and paragraph (e)(5) are revised to read as follows:

§ 174.81 Segregation of hazardous materials.

* * * * *

(d) * * *

SEGREGATION TABLE FOR HAZARDOUS MATERIALS

Class or Division	Notes	1.1, 1.2	1.3	1.4	1.5	1.6	2.1	2.2	2.3 gas Zone A	2.3 gas other than Zone A	3	4.1	4.2	4.3	5.1	5.2	6.1 liquids PG I Zone A	7	8 liquids only
Explosives 1.1 and 1.2	A	*	*	*	*	*	X	X	X	X	X	X	X	X	X	X	X	X	X
Explosives 1.3		*	*	*	*	*	X		X	X	X		X	X	X	X	X		X

SEGREGATION TABLE FOR HAZARDOUS MATERIALS—Continued

Class or Division		Notes	1.1, 1.2	1.3	1.4	1.5	1.6	2.1	2.2	2.3 gas Zone A	2.3 gas other than Zone A	3	4.1	4.2	4.3	5.1	5.2	6.1 liquids PG I Zone A	7	8 liquids only
Explosives	1.4		•	•	•	•	•	O		O	O	O		O				O		O
Very insensitive explosives.	1.5		•	•	•	•	•	X	X	X	X	X	X	X	X	X	X	X	X	X
Extremely insensitive explosives.	1.6		•	•	•	•	•													
Flammable gases	2.1		X	X	O	X				X	O							O	O	O
Non-toxic, non-flammable gases.	2.2		X			X														
Poisonous gas Zone A.	2.3		X	X	O	X		X				X	X	X	X	X	X			X
Poisonous gas other than Zone A.	2.3		X	X	O	X		O				O	O	O	O	O	O			O
Flammable liquids	3		X	X	O	X				X	O					O		X		
Flammable solids	4.1		X			X				X	O							X		O
Spontaneously combustible materials.	4.2		X	X	O	X				X	O							X		X
Dangerous when wet materials.	4.3		X	X		X				X	O							X		O
Oxidizers	5.1	A	X	X		X				X	O							X		O
Organic peroxides	5.2		X	X		X				X	O							X		O
Poisonous liquids PG I Zone A.	6.1		X	X	O	X		O				X	X	X	X	X	X			X
Radioactive materials.	7		X			X		O												
Corrosive liquids	8		X	X	O	X		O		X	O		O	X	O	O	O	X		

* * * * *

(e) * * *

(5) The note "A" in the second column of the Table means that, notwithstanding the requirements of the letter "X", ammonium nitrate fertilizer may be loaded or stored with Division 1.1 (Class A explosive) materials.

* * * * *

§ 174.81 [Amended]

195. In addition, in § 174.81, the following changes are made:

a. In paragraph (b), the reference "§ 171.12" is revised to read "§ 176.83(b)".

b. In paragraph (e)(3), the wording "unless separated by a distance of 1.2 m (4 feet) in all directions, or separated" is revised to read "unless separated by a distance of 1.2 m (4 feet) in all directions and packages maintained, such as on pallets, at a minimum height of 10 cm off the floor of the transport vehicle, or separated".

c. In paragraph (h), in the first sentence, the wording "were of the lower division." is revised to read "were of the lower numerical division (i.e., Division 1.1 being lower than Division 1.2).".

§ 174.82 [Amended]

196. In § 174.82, in paragraph (a), "Class 6" is revised to read "Division 6.1".

§ 174.83 [Amended]

197. In § 174.83, in paragraph (b)(2), "PG I," immediately following "Division 2.3 (" is removed.

§ 174.84 [Amended]

198. In § 174.84, "PG I," immediately following "Division 2.3 (" is removed.

§ 174.200 [Amended]

199. In § 174.200, in paragraph (c)(4), "(129°F)" is revised to read "(129°F)".

PART 175—CARRIAGE BY AIRCRAFT

200. The authority citation for part 175 continues to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1807, 1808; 49 CFR part 1.

§ 175.10 [Amended]

201. In § 175.10, the following changes are made:

a. In paragraph (a)(4)(ii), "47 ml" is revised to read "470 ml".

b. In paragraphs (a)(2) and (a)(15), the wording "Director, Office of Hazardous Materials Transportation" is removed and replaced with "Associate Administrator for Hazardous Materials Safety".

§ 175.320 [Amended]

202. In § 175.320, in paragraph (b)(9), "(49 feet)" is revised to read "(50 feet)".

§ 175.701 [Amended]

203. In § 175.701, in paragraph (c) introductory text, the wording "Director, OHMT" is removed and replaced with "Associate Administrator for Hazardous Materials Safety" each place it appears.

PART 176—CARRIAGE BY VESSEL

204. The authority citation for part 176 continues to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1805, 1808; 49 CFR 1.53, app. A to part 1.

§ 176.5 [Amended]

205. In § 176.5, in paragraph (a), the wording "paragraphs (b) and (e) of this section" is revised to read "paragraph (b) of this section".

§ 176.11 [Amended]

206. In § 176.11, in paragraph (a), in the first sentence, the reference "§ 171.12(b)" is removed and replaced with "§ 171.12", and the second sentence is revised to read "The requirements of §§ 176.83, 176.84, and 176.112 through 176.174 are not applicable to shipments of Class 1 (explosive) materials made in accordance with the IMDG Code."

§ 176.30 [Amended]

207. In § 176.30, in paragraph (a)(5)(i), "§ 172.101 of this subchapter; or" is revised to read "the § 172.101 Table; or".

§ 176.69 [Amended]

208. In § 176.69, in paragraph (a), the wording "Class 9 (miscellaneous hazardous materials) materials)" is revised to read "Class 9 (miscellaneous hazardous) materials)".

§ 176.74 [Amended]

209. In § 176.74, in paragraph (c), the wording "(miscellaneous hazardous materials) materials" is revised to read "(miscellaneous hazardous) materials".

§ 176.76 [Amended]

210. In § 176.76, in paragraph (a)(2), the second sentence is amended by revising "Restraint" to read "restraint" and by adding the word "Vertical" at the beginning of the sentence.

§ 176.83 [Amended]

211. In § 176.83, the following changes are made:

a. In paragraphs (a)(7) (i) and (ii), "all" is revised to read "All" both places it appears.

b. In paragraph (f), in Table 176.83(f), under the heading "Open versus open, On deck" the third entry "One container spaces" is revised to read "One container space".

c. In paragraph (g)(2), "for trailerships" is revised to read "For trailerships".

d. In paragraph (g), in Table 176.83(g), under the heading "Closed versus open, Under deck", the fourth entry "At least 6 meters" is revised to read "At least 6 meters or one bulkhead" and, under the heading "Open versus open, On deck", the third entry "At least 6 meters or one bulkhead" is revised to read "At least 6 meters".

212. In § 176.84, the section heading is revised; and in paragraph (b), in the table, provision "115" is revised to read as follows:

§ 176.84 Other requirements for stowage and segregation for cargo vessels and passenger vessels.

* * * * *

(b) *Table of provisions*:

Code	Provisions
* * * * *	
115....	If packaged in glass or earthenware inner packagings in wooden or fiberboard outer packagings, the maximum quantity on any vessel is 500 kg (equivalent to 450 liters).
* * * * *	

§ 176.84 [Amended]

213. In addition, in § 176.84, the following changes are made:

a. In paragraph (c)(2), in the Table, in Note 20E, the reference "§ 172.84(c)(5)" is revised to read "§ 176.84(c)(3)".

b. In paragraph (c)(3)(ii)(A), the wording "steel portable magazines or steel portable magazines" is revised to read "steel portable magazines or steel freight containers".

§ 176.99 [Amended]

214. In § 176.99, the wording "(Class A explosive)" is revised to read "(Class A and B explosives)".

§ 176.132 [Amended]

215. In § 176.132, in paragraph (a)(2), the word "battening" is revised to read "Battening".

§ 176.136 [Amended]

216. In § 176.136, in paragraph (c), in the first sentence, "UN" is added immediately before each number, beginning with "0015".

§ 176.146 [Amended]

217. In § 176.146, in paragraphs (d)(1) and (d)(2), the word "an" is revised to read "An" both places it appears.

§ 176.156 [Amended]

218. In § 176.156, in paragraph (d), the reference "§172.602" is revised to read "§ 172.602".

§ 176.170 [Amended]

219. In § 176.170, the following changes are made:

a. In paragraph (a), the wording "regarded a magazine" is revised to read "regarded as a magazine".

b. In paragraph (c), the wording ", and a non-metallic lining." is added before the period at the end of the sentence.

c. In paragraph (e), a comma is added after the wording "On vessels".

§ 176.205 [Amended]

220. In § 176.205, in paragraph (b)(7), the third sentence is revised to read "It must consist of two layers of corrosion-resistant metal wire of 20 x 20 mesh or finer, spaced not less than 1 cm (0.4 inch) or more than 4 cm (1.6 inches) apart."

§ 176.305 [Amended]

221. In § 176.305, in paragraph (d)(2), the third sentence is revised to read "It must consist of two layers of corrosion-resistant metal wire of 20 x 20 mesh or finer, spaced not less than 1 cm (0.4 inch) or more than 4 cm (1.6 inches) apart."

§ 176.315 [Amended]

222. In § 176.315, in paragraph (a), the wording "79,800 liters (21,081 U.S. gallons)" is revised to read "79,500 liters (21,000 U.S. gallons)".

§ 176.410 [Amended]

223. In § 176.410, in paragraph (b), the wording "(miscellaneous hazardous materials)" is removed.

224. In § 176.415, paragraphs (c)(1), (c)(2), and (c)(5) are revised to read as follows:

§ 176.415 Permit requirements for Division 1.5 (blasting agents), ammonium nitrates, and certain ammonium nitrate fertilizers.

* * * * *

(c) * * *

(1) If the material is ammonium nitrate fertilizer, Division 5.1 (oxidizer), UN2070; or Explosives, blasting, type E, Division 1.5 (blasting agents) compatibility group D, UN0332 in combustible packaging or in a rigid packaging with combustible inside packaging, it must be loaded or unloaded at a facility remote from populous areas or high value or high hazard industrial facilities so that in the event of fire or explosion loss of lives and property may be minimized;

(2) If the material is an ammonium nitrate fertilizer, Division 5.1 (oxidizer), UN2070, containing more than 60 percent ammonium nitrate; or ammonium nitrate fertilizer, Division 5.1 (oxidizer), UN2070 in rigid packagings with combustible inside packagings, it must be loaded or unloaded at a facility removed from congested areas or high value or high hazard industrial facilities;

* * * * *

(5) If the material is ammonium nitrate fertilizer, Division 5.1 (oxidizer), UN2070; an ammonium nitrate fertilizer, Division 5.1 (oxidizer) containing more than 60 percent ammonium nitrate; or a Division 1.5 (blasting agents) compatibility group D material in non-rigid combustible packaging and loaded in freight containers or transport vehicles, it may be loaded or unloaded at a non-isolated facility provided that facility is approved by the COTP.

§ 176.415 [Amended]

225. In addition, in § 176.415, the following changes are made:

a. In paragraphs (a)(1), (b)(1) and (b)(5), the word "container" is revised to read "packaging".

b. In paragraph (a)(2), the wording "(miscellaneous hazardous materials) material" is removed.

c. In paragraph (b)(6), the wording "(miscellaneous hazardous materials)" is removed.

d. In paragraph (c)(3), at the end of the sentence, the word "and" is removed; and in paragraph (c)(4), at the end of the last sentence, the period is removed and replaced with "; and".

§ 176.704 [Amended]

226. In § 176.704, in paragraph (f), the wording "Office of Hazardous Materials Transportation (OHMT)" is removed and replaced with "Associate Administrator for Hazardous Materials Safety".

227. In § 176.905, paragraph (k) is revised to read as follows:

§ 176.905 Motor vehicles or mechanical equipment powered by internal combustion engines.

* * * * *

(k) When motor vehicles with fuel in their tanks are stowed in a closed freight container, their battery cables must be disconnected and secured away from the battery terminals and the following warning must be affixed to the access doors: "WARNING—MAY CONTAIN EXPLOSIVE MIXTURES WITH AIR—KEEP IGNITION SOURCES AWAY WHEN OPENING." The warning must be on a contrasting background and must be readily legible from a distance of 8 meters (26 feet).

PART 177—CARRIAGE BY PUBLIC HIGHWAY

228. The authority citation for part 177 continues to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1805, 49 CFR part 1.

§ 177.825 [Amended]

229. In § 177.825, in paragraph (f) introductory text, the wording "Director, Office of Hazardous Materials Transportation" is removed and replaced with "Associate Administrator for Hazardous Materials Safety".

§ 177.844 [Amended]

230. In § 177.844, in the section heading, the section number "§ 117.844" is revised to read "§ 177.844".

231. In § 177.848, the Segregation Table in paragraph (d) and paragraph (e)(5) are revised to read as follows:

§ 177.848 Segregation of hazardous materials.

* * * * *

(d) * * *

SEGREGATION TABLE FOR HAZARDOUS MATERIALS

Class or division		Notes	1.1 1.2	1.3	1.4	1.5	1.6	2.1	2.2	2.3 gas zone A	2.3 gas other than zone A	3	4.1	4.2	4.3	5.1	5.2	6.1 liquids PG I zone A	7	8 liquids only
Explosives	1.1 and 1.2	A	•	•	•	•	•	X	X	X	X	X	X	X	X	X	X	X	X	X
Explosives	1.3		•	•	•	•	•	X		X	X	X		X	X	X	X	X		X
Explosives	1.4		•	•	•	•	•	O		O	O	O		O				O		O
Very insensitive explosives.	1.5		•	•	•	•	•	X	X	X	X	X	X	X	X	X	X	X	X	X
Extremely insensitive explosives.	1.6		•	•	•	•	•													
Flammable gases	2.1		X	X	O	X				X	O							O	O	O
Non-toxic, non-flammable gases.	2.2		X			X														
Poisonous gas Zone A.	2.3		X	X	O	X		X				X	X	X	X	X	X			X
Poisonous gas other than Zone A.	2.3		X	X	O	X		O				O	O	O	O	O	O			O
Flammable liquids	3		X	X	O	X				X	O					O		X		
Flammable solids	4.1		X			X				X	O							X		O
Spontaneously combustible materials.	4.2		X	X	O	X				X	O							X		X
Dangerous when wet materials.	4.3		X	X		X				X	O							X		O
Oxidizers	5.1	A	X	X		X				X	O							X		O
Organic peroxides	5.2		X	X		X				X	O							X		O
Poisonous liquids PG I Zone A.	6.1		X	X	O	X		O				X	X	X	X	X	X			X
Radioactive materials.	7		X			X		O												
Corrosive liquids	8		X	X	O	X		O		X	O		O	X	O	O	O	X		

* * * * *

(e) * * *

(5) The note "A" in the second column of the Table means that, notwithstanding the requirements of the letter "X", ammonium nitrate fertilizer may be loaded or stored with Division 1.1 (Class A explosive) materials.

* * * * *

§ 177.848 [Amended]

232. In addition, in § 177.848, the following changes are made:

a. In paragraph (b), the reference "§ 171.12" is revised to read "§ 176.83(b)".

b. In paragraph (e)(3), the wording "unless separated by a distance of 1.2 m (4 feet) in all directions, or separated" is revised to read "unless separated by a distance of 1.2 m (4 feet) in all directions and packages maintained, such as on pallets, at a minimum height of 10 cm off the floor of the transport vehicle, or separated".

c. In paragraph (h), in the first sentence, the wording "were of the lower division." is revised to read "were of the lower numerical division (i.e., Division 1.1 being lower than Division 1.2).".

§ 177.870 [Amended]

233. In § 177.870, in paragraph (e), "(99.2 pounds)" is revised to read "(99 pounds)".

§§ 177.821, 177.825, 177.826, 177.838 [Amended]

234. In addition to the amendments set forth above, part 177 is amended by removing the phrase "Director, OHMT" and, inserting in its place, the phrase "Associate Administrator for Hazardous Materials Safety" each place it appears in the following sections:

(a) Section 177.821(f)
(b) Section 177.825(b)(1)(iii)(A)
(c) Section 177.825(b)(1)(iii)(B)
(d) Section 177.826(a)
(e) Section 177.838(g)

PART 178—SPECIFICATIONS FOR PACKAGINGS

235. The authority citation for part 178 continues to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1805, 1806, 1808; 49 CFR part 1, unless otherwise noted.

236. In § 178.2, the section heading, paragraph (b), and the introductory text of paragraph (c) are revised to read as follows:

§ 178.2 Applicability and responsibility.

* * * * *

(b) *Specification markings.* When this part requires that a packaging be marked with a DOT specification or UN standard marking, marking of the packaging with the appropriate DOT or UN markings is the certification that—

(1) Except as otherwise provided in this section, all requirements of the DOT specification or UN standard, including performance tests, are met; and

(2) All functions performed by, or on behalf of, the person whose name or symbol appears as part of the marking conform to requirements specified in this part.

(c) *Notification.* Except as specifically provided in §§ 178.337–18 and 178.345–10 of this part, the manufacturer or other person certifying compliance with the requirements of this part, and each subsequent distributor of that packaging shall—

* * * * *

§ 178.2 [Amended]

237. In addition, in § 178.2, in paragraph (c)(1)(ii), the wording "any closures needed" is revised to read "any closures, including gaskets, needed".

238. In § 178.3, a new paragraph (c) is added to read as follows:

§ 178.3 Marking of packagings.

* * * * *

(c) Where a packaging conforms to more than one UN standard or DOT specification, the packaging may bear more than one marking, provided the packaging meets all the requirements of each standard or specification. Where more than one marking appears on a packaging, each marking must appear in its entirety.

§ 178.33a [Amended]

239. In § 178.33a, in the section heading, "Specification 2O" is revised to read "Specification 2Q".

Subpart B [Amended]

240. Subpart B of part 178 is amended by redesignating § 178.34–4 as § 178.360–4 and transferring it to subpart K.

§ 178.45–17 [Amended]

241. In § 178.45–17, in paragraph (e), the wording "Office of Hazardous Materials Transportation" is removed and replaced with "Associate Administrator for Hazardous Materials Safety".

§ 178.65–14 [Amended]

242. In § 178.65–14, in paragraph (d), the wording "Office of Hazardous Materials Transportation" is removed and replaced with "Associate Administrator for Hazardous Materials Safety".

§ 178.270–2 [Amended]

243. In § 178.270–2, in paragraph (b), the wording "and the IM tank table" is removed.

§ 178.270–5 [Amended]

244. In § 178.270–5, in paragraph (d), the wording "in the IM Tank Table," is revised to read "in this subchapter,".

245. In § 178.503, paragraph (a)(9) is removed; paragraph (a)(10) is redesignated as (a)(9); paragraph (a) introductory text and paragraph (a)(7) are revised; and a new paragraph (a)(10) is added to read as follows:

§ 178.503 Marking of packagings.

(a) The manufacturer shall mark every packaging that is required to conform to a UN standard of this subpart in a durable and clearly visible manner. Every reusable packaging liable to undergo a reconditioning process which might obliterate the packaging marks must bear the marks specified in § 178.503 (a)(1) through (a)(6) and (a)(9) in a permanent form (e.g., embossed) able to withstand the reconditioning process. A marking may be applied in a single line or in multiple lines provided the correct sequence is respected. As illustrated by the examples in paragraph (d) of this section, slash marks should be used to present the following information in the sequence presented:

* * * * *

(7) The state authorizing allocation of the mark. The letters 'USA' indicate that the packaging is manufactured and marked in the United States in compliance with the provisions of this subchapter;

* * * * *

(10) Rated capacity of the packaging expressed in liters may be marked.

* * * * *

§ 178.503 [Amended]

246. In addition, in § 178.503, the following changes are made:

a. In paragraph (a)(1), the wording "for metal receptacles" is revised to read "for embossed metal receptacles".

b. In paragraph (a)(2), a new sentence is added after the first sentence to read "The letter "V" must follow the packaging identification code on packagings tested in accordance with § 178.601(g)(2); for example, "4GV".".

c. In paragraph (a)(5)(i), the word "off" is revised to read "down".

d. In paragraph (a)(8), the wording "with the UN standard" is revised to read "with subpart L and subpart M of this part".

e. In newly designated paragraph (a)(9), the wording "or reconditioning" is added immediately after "reuse" and before "as"; and a sentence is added at the end of the paragraph to read: "Where a drum is constructed with different head and body thicknesses, the different thicknesses may be marked (e.g., "1.2–1.0" for drums having different head and body thicknesses, and "0.8–1.0–1.2" for drums having different top head, body and bottom head thicknesses, respectively); and".

f. In paragraph (b), the word "only" is added immediately after "applied" and before "to the removable head".

§ 178.504 [Amended]

247. In § 178.504, the following changes are made:

a. In paragraph (b)(4), in the first sentence, the wording "must have at least either two" is revised to read "may have at least two".

b. In paragraph (b)(5), in the fourth sentence, the wording "Closure flanges must be mechanically seamed" is revised to read "Closure flanges may be mechanically seamed".

§ 178.505 [Amended]

248. In § 178.505, the following changes are made:

a. In paragraph (b)(3), in the first sentence, the wording "must have at least either two" is revised to read "may have at least two".

b. In paragraph (b)(4), in the fourth sentence, the wording "Closure flanges must be welded in place" is revised to read "Closure flanges may be welded in place".

§ 178.506 [Amended]

249. In § 178.506, the following changes are made:

a. In paragraph (b)(3), in the first sentence, the wording "must have at least either two" is revised to read "may have at least two".

b. In paragraph (b)(4), in the fourth sentence, the wording "Closure flanges must be welded in place" is revised to read "Closure flanges may be welded in place".

§ 178.520 [Amended]

250. In § 178.520, in paragraph (b)(3), the wording "or metalized film or foil" is added before the period and immediately after "plastic material".

§ 178.521 [Amended]

251. In § 178.521, in paragraph (b)(2), in the third sentence, the word "also" is added immediately after "must" and before "be placed".

252. In § 178.601, paragraph (g)(2)(vii) is removed; paragraph (g)(2)(viii) is redesignated as (g)(2)(vii); paragraph (g)(3) is redesignated as (g)(7); newly designated paragraph (g)(2)(vii) is revised; and paragraphs (c)(4)(v) and (g)(3) through (g)(6) are added to read as follows:

§ 178.601 General requirements.

* * * * *

(c) * * *

(4) * * *

(v) Packagings which differ from the design type only in their lesser design height.

* * * * *

(g) * * *

(2) * * *

(vii) Packagings must be marked in accordance with § 178.503 of this part as having been tested to Packing Group I performance for combination packagings. The marked maximum gross mass may not exceed the sum of the mass of the outer packaging plus one half the mass of the filled inner packagings of the tested combination packaging. In addition, the marking required by § 178.503(a)(2) of this part must include the letter 'V'."

(3) *Variation 3.* Packagings other than combination packagings which are produced with reductions in external dimensions (i.e., length, width or diameter) of up to 25 percent of the dimensions of a tested packaging may be used without further testing provided an equivalent level of performance is maintained. The packagings must, in all other respects (including wall thicknesses), be identical to the tested design-type. The marked gross mass (when required) must be reduced in proportion to the reduction in volume.

(4) *Variation 4.* Variations are permitted in outer packagings of a tested design-type combination packaging, without further testing, provided an equivalent level of performance is maintained, as follows:

(i) Each external dimension (length, width and height) is less than or equal to the corresponding dimension of the tested design-type;

(ii) The structural design of the tested outer packaging (i.e. methods of construction, materials of construction, strength characteristics of materials of construction, method of closure and material thicknesses) is maintained;

(iii) The inner packagings are identical to the inner packagings used in the tested design type except that their size and mass may be less; and they are oriented within the outer packaging in the same manner as in the tested packaging;

(iv) The same type or design of absorbent materials, cushioning materials and any other components necessary to contain and protect inner packagings, as used in the tested design type, are maintained. The thickness of cushioning material between inner packagings and between inner packagings and the outside of the packaging may not be less than the thicknesses in the tested design type packaging; and

(v) Sufficient additional cushioning material is used to take up void spaces and to prevent significant movement of the inner packagings.

An outer packaging qualifying for use in transport in accordance with all of the above conditions may also be used without testing to transport inner packagings substituted for the originally tested inner packagings in accordance with the conditions set out in Variation 1 in paragraph (g)(1) of this section.

(5) *Variation 5.* Single packagings (i.e., non-bulk packagings other than combination packagings), that differ from a tested design type only to the extent that the closure device or gasketing differs from that used in the originally tested design type, may be used without further testing, provided an equivalent level of performance is maintained, subject to the following conditions (the qualifying tests):

(i) A packaging with the replacement closure devices or gasketing must successfully pass the drop test specified in § 178.602 in the orientation which most severely tests the integrity of the closure or gasket;

(ii) When intended to contain liquids, a packaging with the replacement closure devices or gasketing must successfully pass the leakproofness test specified in § 178.603, the hydrostatic pressure test specified in § 178.605, and the stacking test specified in § 178.606.

Replacement closures and gasketings qualified under the above test requirements are authorized without additional testing for packagings described in paragraph (g)(3) of this section. Replacement closures and gasketings qualified under the above test requirements also are authorized without additional testing for different tested design types packagings of the same type as the originally tested packaging, provided the original design type tests are more severe or comparable to tests which would otherwise be conducted on the packaging with the replacement closures or gasketings. (For example: The packaging used in the qualifying tests has a lesser packaging wall thickness than the packaging with replacement closure devices or gasketing; the gross mass of the packaging used in the qualifying drop test equals or exceeds the mass for which the packaging with replacement closure devices or gasketing was tested; the packaging used in the qualifying drop test was dropped from the same or greater height than the height from which the packaging with replacement closure devices or gasketing was dropped in design type tests; and the specific gravity of the substance used in the qualifying drop test was the same or greater than the specific gravity of the liquid used in the design type tests of the packaging with replacement closure devices or gasketing.)

(6) The provisions in Variations 1, 2, and 4 in paragraphs (g)(1), (2) and (4) of this section for combination packagings may be applied to packagings containing articles, where the provisions for inner packagings are applied analogously to the articles. In this case, inner packagings need not comply with § 173.27(c)(1) and (c)(2) of this subchapter.

* * * * *

§ 178.601 [Amended]

253. In addition, in § 178.601, the following changes are made:

a. In paragraph (c)(4)(iii), the word "or" is removed; and in paragraph (c)(4)(iv), the period at the end of the sentence is removed and replaced with "; or".

b. In paragraph (e), a new sentence is added after the first sentence to read "Changes in retest frequency are subject to the approval of the Associate Administrator for Hazardous Materials Safety.".

c. In paragraph (g) introductory text, a second sentence is added at the end to read "For air transport, packagings must comply with § 173.27(c)(1) and (c)(2) of this subchapter.".

d. In paragraph (g)(2)(vi), the word "and" is added at the end of the paragraph.

e. In paragraph (h), the wording "or test intervals," is added immediately after "methods," and before "other than".

f. In paragraph (k) introductory text, the word "manufacturer" is removed and replaced with the wording "person who certifies the tested design type".

254. In § 178.602, paragraph (a) is revised to read as follows:

§ 178.602 Preparation of packagings and packages for testing.

(a) Except as otherwise provided in this subchapter, each packaging and package must be closed in preparation for testing and tests must be carried out in the same manner as if prepared for transportation, including inner packagings in the case of combination packagings.

* * * * *

§ 178.602 [Amended]

255. In § 178.602, the following changes are made:

a. In paragraph (b), the first sentence is revised to read "For the drop and stacking test, inner and single-unit receptacles must be filled to not less than 95 percent of maximum capacity (see § 171.8 of this subchapter) in the case of solids and not less than 98 percent of maximum capacity in the case of liquids.".

b. In paragraph (d)(1), the wording "; or" is removed at the end of the paragraph and replaced with a period; and a new sentence is added to read "Average values should fall within these limits. Short-term fluctuations and measurement limitations may cause individual measurements to vary by up to ± 5 percent relative humidity without significant impairment of test reproducibility;".

c. In paragraph (d)(2), the wording "; or" is removed at the end of the paragraph and replaced with a period; and a new sentence is added to read "Average values should fall within these limits. Short-term fluctuations and measurement limitations may cause individual measurements to vary by up to ± 5 percent relative humidity without significant impairment of test reproducibility; or".

d. In paragraph (e), in the first sentence, the wording "Except as otherwise provided," is added immediately before the wording "Each packaging", and the word "Each" is revised to read "each".

256. In § 178.603, a heading is added to paragraph (a); and paragraphs (a) introductory text and (f)(6) are revised to read as follows:

§ 178.603 Drop test.

(a) *General.* The drop test must be conducted for the qualification of all packaging design types and performed periodically as specified in § 178.601(e). The number of drops required and the packages' orientations are as follows:

* * * * *

(f) * * *

(6) No rupture is permitted in packagings for materials in Class 1 which would permit spillage of loose explosive substances or articles from the outer packaging.

§ 178.603 [Amended]

257. In § 178.603, the following changes are made:

a. In paragraph (b), a sentence is added at the end of the paragraph to read "Exceptions for the number of steel and aluminum packaging samples used for conducting the drop test are subject to the approval of the Associate Administrator for Hazardous Materials Safety.".

b. In paragraph (c), in the first sentence, "—180° C (0° F)" is revised to read "—18° C (0° F)" and a sentence is added at the end of the paragraph to read "Test samples prepared in this way are not required to be conditioned in accordance with § 178.602(d).".

c. In paragraphs (e)(1)(iii) and (e)(2)(i)(C), "0.8 m (3 feet)" is revised to read "0.8 m (2.6 feet)".

d. In paragraph (e)(2)(ii)(B), "1.0 m (3 feet)" is revised to read "1.0 m (3.3 feet)".

§ 178.604 [Amended]

258. In § 178.604, the following changes are made:

a. In paragraph (b)(2), a sentence is added at the end of the paragraph to read "Exceptions for the number of samples used in conducting the leakproofness test are subject to the approval of the Associate Administrator for Hazardous Materials Safety.".

b. In paragraph (c)(1), a sentence is added at the end of the paragraph to read "Removable heads need not be installed during production testing.".

c. In paragraph (d), in the last sentence, the wording ", or if approved by the Associate Administrator for Hazardous Materials Safety" is removed.

259. In § 178.605, in paragraph (a), the paragraph heading and the first sentence are revised to read as follows:

§ 178.605 Hydrostatic pressure test.

(a) *General.* The hydrostatic pressure test must be conducted for the qualification of all metal, plastic, and composite packaging design types intended to contain liquids and be performed periodically as specified in § 178.601(e). * * *

* * * * *

§ 178.605 [Amended]

260. In addition, in § 178.605, in paragraph (b), a sentence is added at the end of the paragraph to read "Exceptions for the number of aluminum and steel sample packagings used in conducting the hydrostatic pressure test are subject to the approval of the Associate Administrator of Hazardous Materials Safety.".

§ 178.606 [Amended]

261. In § 178.606, the following changes are made:

a. In paragraph (a), "packages" is revised to read "packaging design types".

b. In paragraph (b), two sentences are added at the end of the paragraph to read "Exceptions for the number of aluminum and steel sample packagings used in conducting the stacking test are subject to the approval of the Associate Administrator of Hazardous Materials Safety. Notwithstanding the provisions of § 178.602(a) of this subpart, combination packagings may be subjected to the stacking test without their inner packagings, except where this would invalidate the results of the test."

c. In paragraph (c)(2)(ii), in the second sentence, the word "drum" is revised to read "packaging", and the first line of the formula is revised to read as follows:

"Liquids: $A=(n-1)\,[w+(s \times v \times 8.3 \times .98)] \times 1.5$; Solids: $A=(n-1)\,[w+(s \times v \times 8.3 \times .95)] \times 1.5$".

d. In paragraph (d), in the third sentence, the wording "strength or cause instability in stacks of packages." is revised to read "strength, cause instability in stacks of packages, or cause damage to inner packagings likely to reduce safety in transportation.".

§ 178.608 [Amended]

262. In § 178.608, the following changes are made:

a. In paragraph (b)(2), the wording "or rotary" is added immediately after "vertical" and before "double-amplitude".

b. In paragraph (c), a sentence is added at the end of the paragraph to read "No test sample should show any deterioration which could adversely

affect transportation safety or any distortion liable to reduce packaging strength."

263. In addition to the amendments set forth above, Part 178 is amended by removing the phrase "Director, OHMT" and, inserting in its place, the phrase "Associate Administrator for Hazardous Materials Safety" in the following sections:

(a) Section 178.33–9(a)(2)
(b) Section 178.33a–9(a)(2)
(c) Section 178.36–3
(d) Section 178.36–20(a)(3)
(e) Section 178.37–3
(f) Section 178.37–20(a)(3)
(g) Section 178.38–3
(h) Section 178.38–20(a)(2)
(i) Section 178.39–3
(j) Section 178.39–19(a)(2)
(k) Section 178.42–3
(l) Section 178.42–14(a)(2)
(m) Section 178.44–3
(n) Section 178.44–23(a)(2)
(o) Section 178.45–3
(p) Section 178.46–3
(q) Section 178.46–15(a)(2)
(r) Section 178.47–3
(s) Section 178.47–21(a)(2)
(t) Section 178.50–3
(u) Section 178.50–19(a)(2)
(v) Section 178.51–3
(w) Section 178.51–19(a)(2)
(x) Section 178.53–3
(y) Section 178.53–18(a)(2)
(z) Section 178.55–3
(aa) Section 178.55–20(a)(2)
(bb) Section 178.56–3
(cc) Section 178.56–19(a)(2)
(dd) Section 178.57–3
(ee) Section 178.57–20(a)(3)
(ff) Section 178.58–3
(gg) Section 178.58–21(a)(2)
(hh) Section 178.59–3(a)
(ii) Section 178.59–18(a)(2)
(jj) Section 178.60–3(a)
(kk) Section 178.60–22(a)(2)
(ll) Section 178.61–3
(mm) Section 178.61–20(a)(2)
(nn) Section 178.65–3(a)
(oo) Section 178.65–3(b)
(pp) Section 178.65–3(c)
(qq) Section 178.68–3
(rr) Section 178.68–19(a)(2)
(ss) Section 178.270–2(c)
(tt) Section 178.352–6(a)(3)
(uu) Section 178.358–5(b)(5)
(vv) Section 178.362–6(b)

264. In appendix B to part 178, the following changes are made:

a. In the introductory text, the wording "for other than the original design qualification tests" is removed.

b. In paragraph (1), in the second sentence, "0 kPa" is revised to read "5 kPa", "100 kPa" is revised to read "95 kPa", and the word "drum" is revised to read "packaging".

c. In paragraph (1), in the fourth sentence, the wording ", but not less than 30 seconds" is removed.

d. In paragraph (1), in the last sentence, the wording "from the packaging during 30 seconds of testing" is removed.

e. In paragraph (2), the last sentence is revised to read, "A packaging passes the pressure differential test if there is no change in measured internal pressure.".

f. A new paragraph (4) is added to read as follows:

Appendix B to Part 178—Alternative Leakproofness Test Methods

* * * * *

(4) *Solution over partial seams test.* For drums, the following test may be used: The packaging must be restrained while an internal air pressure of 48 kPa (7.0 psig) is applied; the method of restraint may not affect the results of the test. The packaging must be coated with a soap solution over the entire side seam and a distance of not less than eight inches on each side of the side seam along the chime seam(s). The test must be conducted for a period of time sufficient to pressurize the interior of the packaging to the specified air pressure and to determine if there is leakage of air from the packaging. A packaging passes the test if there is no leakage of air from the packaging. Chime cuts must be made on the initial drum at the beginning of each production run and on the initial drum after any adjustment to the chime seamer. Chime cuts must be maintained on file in date order for not less than six months and be made available to a representative of the Department of Transportation on request.

PART 179—SPECIFICATIONS FOR TANK CARS

265. The authority citation for part 179 continues to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1805, 1806, 1808; 49 CFR part 1, unless otherwise noted.

§ 179.101–1 [Amended]

266. In § 179.101–1, in the table in paragraph (a), the following changes are made:

a. In the "Insulation" requirement entry for 112A200W, 112A340W, 112A400W, 112A500W, 114A340W, and 114A400W, the wording "[4.13] Optional" is revised to read "[4] optional".

b. In Footnote 4, the wording "tank manway nozzle" is revised to read "tank, manway nozzle".

§ 179.105–7 [Amended]

267. In § 179.105–7, in the paragraph (c) introductory text, the following changes are made:

a. The wording "a tank car tank" is revised to read "an insulated tank car tank".

b. The wording "Division 2.3 (poisonous gas) material" is revised to read "material poisonous by inhalation (see § 171.8 of this subchapter)".

c. The reference "A8.01" is revised to read "A8.00".

PART 180—CONTINUING QUALIFICATION AND MAINTENANCE OF PACKAGINGS

268. The authority citation for part 180 continues to read as follows:

Authority: 49 App. U.S.C. 1803; 49 CFR Part 1.

§ 180.409 [Amended]

269. In § 180.409, in paragraph (b)(2), the wording "Director, Office of Hazardous Materials Transportation" is removed and replaced with "Associate Administrator for Hazardous Materials Safety".

§ 180.415 [Amended]

270. In § 180.415, in the last sentence in paragraph (b), the wording "10–85" is revised to read "10–95" and the year "1985" is revised to read "1995".

Issued in Washington, DC on November 19, 1991, under authority delegated in 49 CFR part 1.

Travis P. Dungan,

Administrator, Research and Special Programs Administration.

[FR Doc. 91–28240 Filed 12–19–91; 8:45 am]

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federal register

Friday
December 20, 1991

Part III

Department of Education

34 CFR Part 325

State Systems for Transition Services for Youth with Disabilities; Final Rule, and Notice Inviting Applications for New Awards for Fiscal Year 1992

DEPARTMENT OF EDUCATION

34 CFR Part 325

RIN 1820-AA90

State Systems for Transition Services for Youth with Disabilities

AGENCY: Department of Education.

ACTION: Final regulations.

SUMMARY: The Secretary establishes regulations for a new program authority enacted in the Education of the Handicapped Act Amendments of 1990. The regulations would enable the Secretary to make one-time, 5-year grants, on a competitive basis, to State vocational rehabilitation agencies and State educational agencies that submit joint applications to develop, implement, and improve transition services for youth with disabilities from age 14 through the age they exit school. The regulations make provisions for a State educational agency, whose vocational rehabilitation agency does not choose to participate, to jointly apply with one other State agency that provides transition services; describe how grant funds must be used; describe which applications will be given preference; and provide selection criteria for making grant awards.

EFFECTIVE DATE: These regulations take effect either 45 days after publications in the **Federal Register** or later if the Congress takes certain adjournments. If you want to know the effective date of the regulations call or write the Department of Education contact person.

FOR FURTHER INFORMATION CONTACT: William Halloran, Secondary and Transition Branch, Office of Special Education Programs, Department of Education, 400 Maryland Avenue, SW, Switzer Building, room 4625, Washington, DC 20202-2734. Telephone: (202) 732-1112 or V/TDD (202) 732-1100.

SUPPLEMENTARY INFORMATION: These regulations implement the new program authority in section 626(e) of part C of the Individuals with Disabilities Education Act (IDEA), as amended by Public Law 101-476, and provide selection criteria for making grant awards. Grants under these regulations will bring together resources from a variety of sources including local education agencies, postsecondary training programs, State agencies, the private sector, rehabilitation agencies, local and State employment agencies, local Private Industry Councils, and families of students with disabilities and their advocates. In keeping with AMERICA 2000, the President's strategy to meet the National Education Goals, these resources will be used to provide transition services that will prepare students for responsible citizenship, further learning, and productive employment in our modern economy. Except for the selection criteria, the proposed regulations primarily set forth the statutory requirements for this program.

The statute requires States that receive grants to:

- Increase the availability, access, and quality of transition assistance through the development and improvement of policies, procedures, systems, and other mechanisms for youth with disabilities and their families as those youth prepare for and enter adult life.
- Improve the ability of professionals, parents, and advocates to work with those youth in ways that promote the understanding of and the capability to successfully make the transition from 'student' to 'adult'.
- Improve working relationships among education personnel, both within LEAs and in postsecondary training programs, relevant State agencies, the private sector (especially employers), rehabilitation personnel, local and State employment agencies, local Private Industry Councils (PICS) authorized by the Job Training Partnership Act (JTPA), and families of students with disabilities and their advocates to identify and achieve consensus on the general nature and specific application of transition services to meet the needs of youth with disabilities.
- Create an incentive for accessing and using the expertise and resources of programs, projects, and activities related to transition funded through this section and with other sources.

Section 602(a)(19) of IDEA defines "transition services" as a coordinated set of activities for a student, designed within an outcome-oriented process that promotes movement from school to post-school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities must be based upon the individual student's needs, taking into account the student's preferences and interests, and must include instruction, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation.

These regulations constitute a step in implementing the AMERICA 2000 strategy for achieving the National Education Goals agreed to by the President and the Governors.

One aspect of the President's strategy is to foster better and more accountable schools. Under these regulations, the Secretary will seek to identify innovative approaches that will improve today's schools by enhancing services to assist youth with disabilities to successfully achieve transition services.

Analysis of Comments and Changes

On June 11, 1991, at 56 FR 26856, the Secretary published in the **Federal Register**, a Notice of Proposed Rulemaking for the State Systems for Transition Services for Youth with Disabilities. Twelve respondents commented on the proposed regulations.

Comment: Three commenters stated that the selected criterion under quality of key personnel addressing the recruitment of underrepresented populations should become a discrete subsection containing two criteria: (a) Recruitment of underrepresented populations as staff in proposed projects; and (b) recruitment of underrepresented populations to be served by the proposed projects. Another commenter stated that the selection criteria should be revised to include points for existing staff assigned to the project who are members of underrepresented populations.

Discussion: The Secretary agrees that the needs of underrepresented populations should apply to both the staffing of the project and youth with disabilities to be served through project activities. However, those factors are already well covered by the selection criteria. The quality of key personnel criterion includes a component for recruitment of underrepresented populations. In addition, the extent of need and expected impact selection criterion requires the applicant to describe how the State will address the needs of youth with disabilities from minority backgrounds. The recruitment and employment of project personnel would include existing staff who are recruited to serve as project personnel.

Change: None.

Comment: Four commenters indicated that the State educational agency should be designated as the lead agency, both fiscally and programmatically, in all joint applications submitted for the purpose of emphasizing that funds be used to help States implement the new transition requirement in part B. Another commenter indicated that a clearer statement is necessary to stress

that the State educational agency must always be a party to the joint application.

Discussion: The statute provides for submission of a joint application and does not provide for designation of a lead agency. In addition, the Secretary wants to provide flexibility to States in administering the grant. However, language has been added to the regulations to clarify that the State educational agency must always be a party to the joint application. Language also has been added to require that States use funds to assist the State educational agency in implementing the new transition requirement under part B of the IDEA.

Change: The changes have been made in § 325.2 and § 325.3 of the regulations.

Comment: Three commenters indicated that the one-time five year grants to assist States to implement and improve transition services for youth with disabilities should not be limited to a single competition.

Discussion: The authorizing legislation stipulates that the Secretary shall make one-time, five year grants on a competitive basis to States. The one-time limitation applies to States receiving grants rather than a single competition.

Change: None.

Comment: One commenter suggested that the regulations require a recipient State to disseminate to educators, rehabilitation professionals, youth and their families information on the benefits and incentives for employment contained in the Social Security Disability Program.

Discussion: The Secretary agrees with the commenter and has expanded the plan of operation selection criterion to require the applicant to develop procedures to ensure that youth who are potentially eligible for the entitlement programs of the Social Security Administration, will be provided information and referral services.

Change: The change has been incorporated into the selection criteria in § 325.21(c): Plan of Operation.

Comment: One commenter recommended adding a parenthesis to the definition of "youth with disabilities" to read "Youth with disabilities means individuals with disabilities from age 14 (or younger, where appropriate) through the age they exit school."

Discussion: The definition of "youth with disabilities" contained in the regulations is from the authorizing legislation.

Change: None.

Comment: One commenter indicated that evaluation should not be delayed to the fifth year of the grant, but should be an on-going process. The commenter indicated that the fifth year of the grant should not be devoted exclusively to evaluation.

Discussion: The Secretary agrees with the commenter that evaluation should be an on-going process throughout the five years of the grant and that the fifth year should not be devoted exclusively to evaluation. Evaluation is a required activity in the fifth year, but project activities are not limited to evaluation in that year. Likewise, evaluation activities may be conducted in the first through the fourth years even though they are not specifically mentioned.

Change: Change made to determine the quality of the plan for evaluating the project throughout the entire grant, leading to the required fifth year evaluation.

Comment: One commenter suggested that States be allowed to select some but not all of the criteria to be used to evaluate their applications.

Discussion: Applicants may choose to emphasize different criteria in their applications, however the Secretary must evaluate the quality of applications based on all the selection criteria in the regulation.

Change: None.

Comment: One commenter stated that if indirect cost rates are to be compared as part of the grant application review process, it should be stated in the criteria.

Discussion: The Secretary does not compare indirect cost rates in the application review process.

Change: None.

Executive Order 12291

These regulations have been reviewed in accordance with Executive Order 12291. They are not classified as major because they do not meet the criteria for major regulations established in the order.

Regulatory Flexibility Act Certification

The Secretary certifies that these regulations would not have a significant economic impact on a substantial number of small entities. Because these regulations would affect only States and State agencies, the regulations would not have an impact on small entities. States and State agencies are not defined as "small entities" in the Regulatory Flexibility Act.

Intergovernmental Review

This program is subject to the requirements of Executive Order 12372 and the regulations in 34 CFR part 79. The objective of the Executive Order is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

In accordance with the order, this document is intended to provide early notification of the Department's specific plans and actions for this program.

Assessment of Educational Impact

In the notice of proposed rulemaking, the Secretary requested comments on whether the proposed regulations would require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

Based on the response to the proposed rules and on its own review, the Department has determined that the regulations in this document do not require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

List of Subjects in 34 CFR Part 325

Grants program, State, State education agencies, Transition services, Vocational rehabilitation, Youth with disabilities.

(Catalog of Federal Domestic Assistance Number 84.158, Secondary Education and Transition Services for Youth with Disabilities.)

Dated: November 1, 1991.

Lamar Alexander,

Secretary of Education.

The Secretary amends title 34 of the Code of Federal Regulations by adding a new part 325 to read as follows:

PART 325—STATE SYSTEMS FOR TRANSITION SERVICES FOR YOUTH WITH DISABILITIES PROGRAM

Subpart A—General

Sec.

325.1 What is the State Systems for Transition Services for Youth with Disabilities Program?
325.2 Who is eligible for a grant?
325.3 How must States use funds under this program?
325.4 What regulations apply?
325.5 What definitions apply?

Subpart B—How Does a State Apply for a Grant?

325.10 What must an application include?

Subpart C—How Does the Secretary Make a Grant?

325.20 How does the Secretary evaluate an application?
325.21 What selection criteria does the Secretary use?

Subpart D—What Conditions Must Be Met After a Grant?

325.30 What other conditions must be met by a grantee under this program?

Authority: 20 U.S.C. 1425(e), unless otherwise noted.

Subpart A—General

§ 325.1 What is the State systems for transition services for youth with disabilities program?

This program provides assistance to States to develop, implement, and improve systems to provide transition services for youth with disabilities from age 14 through the age they exit school.

(Authority: 20 U.S.C. 1425(e)(1))

§ 325.2 Who is eligible for a grant?

Under this program the Secretary may make a one-time, five-year grant—

(a) To a State educational agency and a State vocational rehabilitation agency that submit a joint application; or

(b) If a vocational rehabilitation agency does not choose to participate, to a State educational agency and a State agency that provides transition services to individuals who are leaving programs under the Act, that submit a joint application.

(Authority: 20 U.S.C. 1425(e)(2))

§ 325.3 How must States use funds under this program?

Agencies that receive grants under this program shall use grant funds to—

(a) Increase the availability, access, and quality of transition assistance through the development and improvement of policies, procedures, systems, and other mechanisms for youth with disabilities and their families as those youth prepare for and enter adult life;

(b) Improve the ability of professionals, parents, and advocates to work with those youth in ways that promote the understanding of and the capability to successfully make the transition from student to adult;

(c) Improve working relationships among education personnel, both within LEAs and in postsecondary training programs, relevant State agencies, the private sector (especially employers), rehabilitation personnel, local and State employment agencies, local Private Industry Councils authorized by the Job Training Partnership Act, and families of students with disabilities and their advocates to identify and achieve consensus on the general nature and specific application of transition services to meet the needs of those youth;

(d) Create an incentive for accessing and using the expertise and resources of programs, projects, and activities related to transition funded under this program and with other sources;

(e) Create incentives for the implementation of lasting State-wide system changes in the transition of students with disabilities to postsecondary training, education, and employment; and

(f) Assist the State education agency in implementing the requirement in section 602(a)(20)(D) of the Act that the student's individualized education program include a statement of needed transition services for students, beginning no later than age 16 and annually thereafter (and, if determined appropriate for the individual, beginning at age 14), including, if appropriate, a statement of the interagency responsibilities or linkages, (or both) before the student leaves the school setting.

(Authority: 20 U.S.C. 1425(e)(3))

§ 325.4 What regulations apply?

The following regulations apply to this program:

(a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR—

(1) Part 75 (Direct Grant Programs);

(2) Part 77 (Definitions that Apply to Department Regulations);

(3) Part 79 (Intergovernmental Review of Department of Education Programs and Activities);

(4) Part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments);

(5) Part 81 (General Education Provisions Act—Enforcement);

(6) Part 82 (New Restrictions on Lobbying);

(7) Part 85 (Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)); and

(8) Part 86 (Drug-Free Schools and Campuses).

(b) The regulations in this Part 325.

(Authority: 20 U.S.C. 1425(e))

§ 325.5 What definitions apply?

(a) *Definition in the Act.* The following term used in this part is defined in section 602(a)(19) of the Individuals with Disabilities Education Act:

Transition services

(b) *Definitions in EDGAR.* The following terms used in this part are defined in 34 CFR 77.1:

Application
EDGAR
Grant
Local education agency (LEA)
Project
Secretary
State
State educational agency (SEA)

(c) *Other Definitions.* The following definitions also apply to this Part:

"Act" means the Individuals with Disabilities Education Act.

"Youth with disabilities" means individuals with disabilities from age 14 through the age they exit school.

(Authority: 20 U.S.C. 1425(e))

Subpart B—How Does a State Apply for a Grant?

§ 325.10 What must an application include?

An application under this program must include the following:

(a) A description of how the State educational agency and State vocational rehabilitation agency or other State agency will use—

(1) The first year, if necessary, to plan how to implement transition services;

(2) The second through fourth years to develop and implement transition services; and

(3) The fifth year to evaluate transition services.

(b) A description of how the grant funds will be used during the planning period and phased out during the evaluation period to ensure the continuation of transition services.

(c) A description of the current availability, access, and quality of transition services for eligible youth and a description of how, over five years, the State will improve and expand the availability, access, and quality of transition services for youth with disabilities and their families as those youth prepare for and enter adult life.

(d) A description of how the State will improve and increase the ability of professionals, parents, advocates, and youth to promote the understanding of and the capability to successfully make the transition from student to adult.

(e) A description of how the State will improve and increase working relationships among education personnel, both with LEAs and in postsecondary training programs, relevant State agencies, the private sector (especially employers), rehabilitation personnel, local and State employment agencies, local Private Industry Councils authorized by the Job Training Partnership Act, students with disabilities, their families, and their advocates to identify and achieve consensus on the general nature and specific application of transition

services to meet the needs of youth with disabilities.

(f) A description of how the State will use grant funds as an incentive for accessing and using the expertise and resources of programs, projects, and activities related to transition funded through this program and with other sources.

(g) A description of how the State will address, in whole or in part, the needs of youth with disabilities from minority backgrounds.

(Approved by the Office of Management and Budget under control number 1820–0028)

(Authority: 20 U.S.C. 1410(b), 1425(e)(4)(A))

Subpart C—How Does the Secretary Make a Grant?

§ 325.20 How does the Secretary evaluate an application?

(a) The Secretary evaluates an application submitted under this program on the basis of the criteria in § 325.21.

(b) The Secretary awards up to 100 points under these criteria.

(c) The maximum possible score for each criterion is indicated in parentheses.

(Authority: 20 U.S.C. 1425(e))

§ 325.21 What selection criteria does the Secretary use?

The Secretary uses the following criteria to evaluate the quality of an application submitted under this part:

(a) *Extent of need and expected impact* (20 points). The Secretary reviews each application to determine the justification for the proposed activities in the State based on the State need for and expected impact from the activities to develop, implement, and improve systems to provide transition services for youth with disabilities from age 14 through the age they exit school. The Secretary looks for information that provides—

(1) A description of the current availability, access, and quality of transition services for eligible youth and a description of how, over five years, the State will improve and expand the availability, access, and quality of transition services for youth with disabilities and their families as those youth prepare for and enter adult life;

(2) A description of how the State will improve and increase the ability of professionals, parents, advocates, and youth to promote the understanding of and the capability to successfully make the transition from student to adult;

(3) A description of how the State will improve and increase working relationships among education personnel, both within LEAs and in postsecondary training programs, relevant State agencies, the private sector (especially employers), rehabilitation personnel, local and State employment agencies, local Private Industry Councils authorized by the Job Training Partnership Act, students with disabilities, their families, and their advocates to identify and achieve consensus on the general nature and specific application or transition services to meet the needs of youth with disabilities;

(4) A description of how the State will use grant funds as an incentive for accessing and using the expertise and resources of programs, projects, and activities related to transition funded under this program and with other sources; and

(5) A description of how the State will address the unique needs of youth with disabilities from minority backgrounds.

(b) *Technical soundness* (25 points). The Secretary reviews each application to determine the technical soundness of the project and whether the applicant has the capacity to achieve lasting statewide change, including a description of how the State will—

(1) Target resources to school settings, such as providing access to rehabilitation counselors for students with disabilities who are in school settings;

(2) Target a substantial amount of grant funds, received under this program, to program evaluation and documentation of, and dissemination of information about, transition services as well as to improve the capacity for case management;

(3) Provide incentives for interagency and private sector resource pooling and otherwise investing in transition services, especially in the form of cooperative agreements, particularly with Private Industry Councils authorized by the Job Training Partnership Act and local branches of State employment agencies;

(4) Provide for early, ongoing information and training for those involved with or who could be involved with transition services—professionals, parents, youth with disabilities, including self-advocacy training for those youth, and advocates for those youth as well as Private Industry Councils authorized by the Job Training Partnership Act and local branches of State employment agencies;

(5) Provide for the early and direct involvement of all relevant parties, including Private Industry Councils authorized by the Job Training Partnership Act and local branches of State employment agencies, in operating and planning improvements in transition services, and the early and direct involvement of all relevant parties in planning and implementing transition services for individual youth;

(6) Provide access to training for eligible youth that matches labor market needs in their communities;

(7) Integrate transition services with relevant opportunities in communities, including those sponsored by Private Industry Councils authorized by the Job Training Partnership Act and local employment agencies;

(8) Clearly define the services and service delivery system that will result from the project. The State must have analyzed in detail how these will differ from the current services and current delivery system;

(9) Identify all relevant barriers to implementing the proposed statewide changes and identify and propose appropriate strategies for eliminating those barriers;

(10) Use an evaluation plan for transition services that is outcome oriented, that focuses on individual youth-focused benefits, and that is based on standard sources of information such as the individualized education programs required by the IDEA;

(11) Disseminate annually information about project activities and procedures and information from project evaluation activities, including information regarding effective strategies and obstacles to achieving project goals, to the organizations described in § 325.30, and to other interested organizations within the State; and

(12) Ensure that, if appropriate and no later than age 22, eligible youth who participate in transition services under this program would be served as appropriate in the State section 110 program, the title VI, part C program, or the title VII, part A program, authorized under the Rehabilitation Act of 1973, as amended.

(c) *Plan of operation* (20 points). The Secretary reviews each application for information that shows the quality of the plan of operation for the project, including—

(1) An effective plan of management delineating the roles of both participating agencies and ensures proper and efficient administration of the project;

(2) A clear description of how the objectives of the project relate to the purpose of the program;

(3) The way the joint applicants plan to use their resources and personnel to achieve each objective;

(4) A description of how all State and other agencies whose cooperation and participation are necessary for statewide implementation are actively collaborating in project management;

(5) A description of how the joint applicants will provide for the direct participation of youth with disabilities and parents in the planning, development, and implementation of the project;

(6) A description of the procedures to be used to ensure that youth and their families who are potentially eligible for the disability programs of the Social Security Administration are provided information, training, and referral services;

(7) A description of how the first year will be used to plan, if necessary, how to implement transition services, the second through fourth years to develop and implement transition services, and the fifth year to evaluate statewide services;

(8) Whether the budget is adequate to support the project and costs are reasonable in relation to the objectives of the project; and

(9) The extent to which grant funds will be used during the planning period and phased out during the evaluation period to ensure the continuation of transition services.

(d) *Quality of key personnel* (25 points, distributed as indicated).

(1) The Secretary reviews each application for information that shows the qualifications of key personnel the applicant plans to use on the project, including information that shows—

(i) The qualifications of the project director (8 points); and

(ii) The qualifications of each of the other key personnel to be used in the project, including experience and training in fields related to the objectives of the project (7 points).

(2) In determining the qualifications of each person referred to in paragraphs (d)(1) (i) and (ii) of this section the Secretary also considers—

(i) The time that each person will commit to the project;

(ii) Experience and training in conducting, documenting, and applying the types of activities to be conducted; and

(iii) Knowledge of the results and findings of relevant projects and potential for application of this information in addressing the need for transitional services to youth with disabilities.

(3) Recruitment of underrepresented populations (10 points). The Secretary reviews each application for information that shows effective efforts are being made to recruit members of underrepresented populations as project staff, including—

(i) Strategies to recruit employees who are members of underrepresented populations, including members of racial or ethnic minority groups and individuals with disabilities; and

(ii) Procedures to provide training and other necessary support to retain and advance qualified personnel from underrepresented populations.

(e) *Evaluation* (10 points). The Secretary reviews each application to determine the quality of the plan for evaluating the project throughout the entire grant, leading to the required fifth year evaluation. The Secretary reviews factors including—

(1) The adequacy of the applicant's plan to determine the effectiveness of the project in achieving measurable changes in State policy, programs, and services that improve systems providing transition services for youth with disabilities.

(2) The adequacy of the applicant's plan to determine the effectiveness and timeliness in completion of the managerial procedures and objectives of the project's plan of operation; and

(3) The procedures for recording, reviewing, analyzing, and interpreting for relevant audiences, data generated through conducting project activities.

(Approved by the Office of Management and Budget under control number 1820–0028)

(Authority: 20 U.S.C. 1425(e))

Subpart D—What Conditions Must Be Met After a Grant?

§ 325.30 What other conditions must be met by a grantee under this program?

(a) The Secretary, if appropriate, requires grantees to prepare reports describing their procedures, findings, and other relevant information in a form that will maximize the dissemination and use of those procedures, findings, and information.

(b) The Secretary requires delivery of those reports, as appropriate, to—

(1) The regional and Federal resource centers, the clearinghouses, and the technical assistance to parents programs assisted under parts C and D of the Act;

(2) The National Diffusion Network;

(3) The ERIC Clearinghouse on the Handicapped and Gifted;

(4) The Child and Adolescent Service Systems Program (CASSP) under the National Institute of Mental Health;

(5) Appropriate parent and professional organizations;

(6) Organizations representing individuals with disabilities; and

(7) Such other networks as the Secretary may determine to be appropriate.

(c) Each grantee shall participate in the evaluation conducted by the institution of higher education or nonprofit public or private organization supported to implement Section 626(f)(3)(A) of the Act.

(Approved by the Office of Management and Budget under control number 1820–0028)

(Authority: 20 U.S.C. 1410(g), 1425(f)(3))

[FR Doc. 91–30365 Filed 12–19–91; 8:45 am]

BILLING CODE 4000–01–M

DEPARTMENT OF EDUCATION

[CFDA No. 84.158]

Secondary Education and Transitional Services for Youth With Disabilities Program; Notice Inviting Applications for New Awards for Fiscal Year (FY) 1992

Purpose of Program: The purpose of this program is to provide Federal assistance to States to develop, implement, and improve systems to provide transition services for youth with disabilities from age 14 through the age they exit school.

Eligible Applicants: Eligible applicants are State educational agencies, State vocational rehabilitation agencies, and other State agencies that provides transition services to individuals leaving school under the Individuals with Disabilities Education Act (IDEA) programs that submit a joint application.

Deadline for Transmittal of Applications: March 13, 1992.

Deadline for Intergovernmental Review: May 13, 1992.

Applications Available: December 20, 1991.

Available Funds: $4,169,000.

Estimated Range of Awards: $400,000–$500,000.

Estimated Size of Awards: $450,000.

Estimated Number of Awards: 9.

Project Period: Up to 60 months.

Applicable Regulations: (a) The Education Department General Administrative Regulations, 34 CFR parts 75, 77, 79, 80, 81, 82, 85, and 86; and (b) the regulations for this program is 34 CFR part 325, as amended and published in this issue of the **Federal Register.**

For Applications or Information Contact: Joseph Clair, Division of Education Services, U.S. Department of Education, 400 Maryland Avenue, SW. (Switzer Building, room 4622), Washington, DC 20202. Telephone: (202) 732–4503 (voice) or (202) 732–1169 (TDD).

Program Authority: 20 U.S.C. 1425(e)

Dated: December 16, 1991.

Robert R. Davila,

Assistant Secretary, Office of Special Education and Rehabilitative Services.

[FR Doc. 91–30366 Filed 12–19–91; 8:45 am]

BILLING CODE 4000–01–M

federal register

Friday
December 20, 1991

Part IV

Department of Labor

Mine Safety and Health Administration

Fee Adjustments for Testing, Evaluation, and Approval of Mining Products; Notice

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Fee Adjustments for Testing, Evaluation, and Approval of Mining Products

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice of fee adjustments.

SUMMARY: This notice revises the Mine Safety and Health Administration's (MSHA) user fees for testing, evaluation, and approval of certain products manufactured for use in underground mines. These fees are based on Fiscal Year 1991 data and reflect changes in approval processing operations as well as costs incurred to process approval actions.

DATES: These fee schedules are effective from January 1, 1992, through December 31, 1992. Approval applications postmarked before January 1, 1992, will be chargeable under the fee schedules as published on December 18, 1990.

FOR FURTHER INFORMATION CONTACT: Robert W. Dalzell, Chief, Approval and Certification Center, R.R. 1, Box 251, Triadelphia, West Virginia 26059.

SUPPLEMENTARY INFORMATION: In general, MSHA has computed the revised fees based on the cost to the government to provide testing, evaluation, and approval of products manufactured for use in underground mines. On May 8, 1987 (52 FR 17506), MSHA published a final rule, 30 CFR Part 5—Fees for Testing, Evaluation, and Approval of Mining Products, which established the specific procedures for fee calculation, administration, and revisions. This revised fee schedule is established in accordance with the procedures of that rule.

Two new approval programs introduced during Fiscal Year 1991 are Acceptances for Monitor and Power Systems (MAPS) and Equipment Covering Material. MAPS approvals are subject to the hourly rates under Other A&CC Services, Action 15 for MAPS, and equipment covering material approvals are subject to the hourly rates under part 18, Action 15. All multiple-shot blasting units must now be submitted under 30 CFR Part 7—Testing by Applicant or Third Party.

Dated: December 13, 1991.

William J. Tattersall,

Assistant Secretary of Mine Safety and Health.

FEE SCHEDULE EFFECTIVE 01-01-92 (BASED ON FY 1991 DATA)

30 CFR part No.	Part and action title	Hourly rate	Flat rate	Application fee
7	Product Testing by Third Party			
	12 Approval Evaluation—Battery Assemblies	$40		$100
	12 Approval Evaluation—Brattice and Ventilation Tubing	41		100
	12 Approval Evaluation—Multiple-Shot Blasting Units	39		100
	14 Approval Extension—Battery Assemblies	36		100
	14 Approval Extension—Brattice and Ventilation Tubing	39		100
	14 Approval Extension—Multiple-Shot Blasting Units	39		100
	40 Stamped Notification Acceptance Program (SNAP)		240	
15	Explosives			
	12 Approval Evaluation [1]	42		100
	Permissibility Tests for Explosives:			
	Weigh-in		420	
	Physical Exam: First size		295	
	Chemical Analysis		1,797	
	Air gap—Minimum Product Firing Temperature		418	
	Air gap—Room Temperature		320	
	Pendulum friction test		148	
	Detonation Rate		320	
	Gallery Test 7		4,917	
	Gallery Test 8		3,537	
	Toxic Gases (Large Chamber)		732	
	Permissibility Tests for Sheathed Explosives:			
	Physical Examination		128	
	Chemical Analysis		1,044	
	Gallery Test 9		1,944	
	Gallery Test 10		1,944	
	Gallery Test 11		1,944	
	Gallery Test 12		1,944	
	Drop Test		648	
	Temperature Effects/Detonation		672	
	Toxic Gases		580	
	14 Approval Extension	42		100
18	Electric Motor Driven Equipment and Accessories			
	12 Approval—Machine Evaluation [1]	42		100
	Approval—Machine Testing:			
	Explosion Test	32		
	Surface/Temperature Test	31		
	Impact Test	31		
	Thermal Shock Test	33		
	Product flame Test	41		
	12 Approval—Instruments (testing included)	37		100
	12 Approval—Shearer Evaluation	42		100
	14 Approval Extension—Machine Evaluation [1]	41		100
	Approval Extension—Machine Testing:			
	Explosion Test	32		
	Surface/Temperature Test	31		
	Impact Test	31		
	Thermal Shock Test	33		
	Product flame Test	41		

FEE SCHEDULE EFFECTIVE 01-01-92 (BASED ON FY 1991 DATA)—Continued

30 CFR part No.	Part and action title	Hourly rate	Flat rate	Application fee
	14 Approval Extension—Instruments (testing included)	37		100
	14 Approval Extension—Shearer Evaluation	39		100
	15 Acceptance Evaluation [1]	39		100
	Acceptance Testing:			
	Explosion Test	32		
	Surface/Temperature Test	31		
	Impact Test	31		
	Thermal Shock Test	33		
	Product flame Test	41		
	Cable/splice test	40		
	Cable Flame Test	41		
	Dielectric Test	43		
	Compressibility test (asbestos substitutes)	41		
	16 Certification Evaluation [1]	36		100
	Certification Testing:			
	Explosion Test	32		
	Surface/Temperature Test	31		
	Impact Test	31		
	Thermal Shock Test	33		
	Product flame Test	41		
	17 Acceptance Extension	38		100
	18 Certification Extension [1]	36		100
	Certification Extension Testing:			
	Explosion Test	32		
	Surface/Temperature Test	31		
	Impact Test	31		
	Thermal Shock Test	33		
	Product flame Test	41		
	21 Field Modification	45		100
	23 Field Approval		81	
	26 Permit—Machines [1]	42		100
	Permit Testing:			
	Explosion Test	32		
	Surface/Temperature Test	31		
	Impact Test	31		
	Thermal Shock Test	33		
	Product flame Test	41		
	26 Permit—Instruments (testing included)	42		100
	30 Intrinsic Safety Determination (testing included)	43		100
	31 Intrinsic Safety Determination Extension (testing included)	42		100
	32 Simplified Certification [1]	36		100
	Simplified Certification Testing:			
	Explosion Test	32		
	Surface/Temperature Test	31		
	Impact Test	31		
	Thermal Shock Test	33		
	Product flame Test	41		
	34 Simplified Certification Extension [1]	36		100
	Simplified Certification Ext. Testing:			
	Explosion Test	32		
	Surface/Temperature Test	31		
	Impact Test	31		
	Thermal Shock Test	33		
	Product flame Test	41		
	40 Stamped Notification Acceptance Program (SNAP)		240	
	41 Longwall Approval	40		100
	42 Longwall Approval Extension	40		100
19	Electric Cap Lamps			
	12 Approval (testing included)	42		100
	14 Approval Extension (testing included)	39		100
	40 Stamped Notification Acceptance Program (SNAP)		240	
20	Electric Mine Lamps			
	12 Approval (testing included)	39		100
	14 Approval Extension (testing included)	38		100
	40 Stamped Notification Acceptance Program (SNAP)		240	
21	Flame Safety Lamps			
	12 Approval (testing included)	39		100
	14 Approval Extension (testing included)	39		100
	40 Stamped Notification Acceptance Program (SNAP)		240	
22	Portable Methane Detectors			
	12 Approval (testing included)	36		100
	14 Approval Extension (testing included)	36		100
	40 Stamped Notification Acceptance Program (SNAP)		240	
23	Telephones and Signaling Devices			
	12 Approval (testing included)	39		100
	14 Approval Extension (testing included)	36		100
	40 Stamped Notification Acceptance Program (SNAP)		240	

FEE SCHEDULE EFFECTIVE 01-01-92 (BASED ON FY 1991 DATA)—Continued

30 CFR part No.	Part and action title	Hourly rate	Flat rate	Application fee
24	Single-Shot Blasting Units			
	12 Approval (testing included)	43		100
	14 Approval Extension (testing included)	43		100
	40 Stamped Notification Acceptance Program (SNAP)		240	
26	Lighting Equipment for Illumination			
	12 Approval (testing included)	42		100
	14 Approval Extension (testing included)	42		100
	40 Stamped Notification Acceptance Program (SNAP)		240	
27	Methane Monitoring Systems			
	16 Certification (testing included)	41		100
	18 Certification Extension (testing included)	36		100
	40 Stamped Notification Acceptance Program (SNAP)		240	
28	D.C. Current Fuses			
	12 Approval (testing included)	44		100
	14 Approval Extension (testing included)	44		100
	40 Stamped Notification Acceptance Program (SNAP)		240	
29	Portable Dust Analyzers and Methane Monitors			
	12 Approval (testing included)	39		100
	14 Approval Extension (testing included)	39		100
	40 Stamped Notification Acceptance Program (SNAP)		240	
31	Diesel Mine Locomotives			
	12 Approval	39		100
	14 Approval Extension	39		100
32	Mobile Diesel-Powered Equipment for Noncoal Mines			
	12 Approval	39		100
	14 Approval Extension	39		100
	16 Certification Evaluation [1]	39		100
	Certification Testing:			
	Emissions Test	41		
	Pre/post test preparation	39		
	18 Certification Extension Evaluation [1]	39		100
	Certification Extension Testing:			
	Emissions Test	41		
	Pre/post test preparation	39		
33	Dust Collectors			
	12 Approval Evaluation without Cert. of Performance [1]	43		100
	Approval testing:			
	Dust Collector Test	46		
	14 Approval Extension Evaluation [1]	42		100
	Approval Extension Testing:			
	Dust Collector Test	46		
	16 Certification Evaluation [1]	42		100
	Certification Testing:			
	Dust Collector Test	46		
	18 Certification Extension [1]	42		100
	Certification Extension Testing:			
	Dust Collector Test	46		
	21 Field Modification	41		100
	29 Dust Collector Approval with Cert. of Performance	43		100
	40 Stamped Notification Acceptance Program (SNAP)		240	
35	Fire-Resistant Hydraulic Fluids			
	12 Approval (Testing included)	39		100
	14 Approval Extension (Testing included)	38		100
36	Mobile Diesel-Powered Equipment			
	12 Approval	43		100
	14 Approval Extension	42		100
	16 Certification—Engine Evaluation [1]	37		100
	Certification—Engine Testing:			
	Emissions Test	46		
	Explosion Test	40		
	Surface Temperature/Safety Controls Test	38		
	Pre/post Test Preparation	45		
	18 Certification Extension—Engine Evaluation [1]	37		100
	Certification Extension—Engine Testing:			
	Emissions Test	46		
	Explosion Test	40		
	Surface Temperature/Safety Controls Test	38		
	Pre/post Test Preparation	45		
	21 Field Modification	43		100
	27 Certification—Diesel Components Evaluation [1]	39		100
	42 Certification—Diesel Components Testing:			
	Emissions Test	46		
	Explosion Test	40		
	Water Consumption/Cooling Efficiency Test	40		
	Surface Temperature/Safety Controls Test	38		
	Pre/post Test Preparation	45		
	28 Certification Extension—Diesel Components Evaluation [1]	40		100

FEE SCHEDULE EFFECTIVE 01-01-92 (BASED ON FY 1991 DATA)—Continued

30 CFR part No.	Part and action title	Hourly rate	Flat rate	Application fee
	Certification Extension—Diesel Components Testing:			
	Emissions Test	46		
	Explosion Test	40		
	Water Consumption/Cooling Efficiency Test	40		
	Surface Temperature/Safety Controls Test	38		
	Pre/post Test Preparation	45		
	40 Stamped Notification Acceptance Program (SNAP)		240	
74	Coal Mine Dust Personal Sampler Units			
	12 Approval	39		100
	Other A&CC Services			
	15 Acceptance—Overcurrent Relays (Testing included)	39		100
	15 Statement of Test and Evaluation (ST&E)		35	100
	15 Monitor and Power System (MAPS) (Testing included)	39		100
	15 Acceptance—Ground Check Monitor/Ground Wire Devices (Testing included)	40		100
	17 Acceptance Extension—Overcurrent Relays	39		100
	17 Acceptance Extension—Interim Criteria	39		100
	17 Statement of Test and Evaluation (ST&E) Extension		20	
	17 Acceptance Extension—Ground Check Monitor/Gr. Wire Devices	39		100
	20 Stamped Revision Acceptance (SRA) [2]		205	
	24 Acceptance—Panic Bar	38		100
	33 Generic Statement of Test and Evaluation (ST&E)	39		100
	37 Acceptance—Interim Criteria [1]	38		100
	Interim Criteria Testing:			
	Product Flame Test	40		
	40 Stamped Notification Acceptance (SNAP)/Gr. Check Monitor and Ground Wire Device		240	
	40 Stamped Notification Acceptance (SNAP) ST&E		28	
	41 Approval—Longwall Area Lighting	40		100
	42 Approval Extension—Longwall Area Lighting	39		100
	50 Mine Wide Monitoring System (MWMS) Evaluation		283	
	52 Mine Wide Monitoring System (MWMS) Barrier Classification		155	
	54 Mine Wide Monitoring System (MWMS) Senior Classification		163	
	00 Retesting for approval as a result of post-approval product audit [3]			

[1] Note: Full approval fee consists of evaluation cost plus applicable test costs.
[2] Note: Fee covers SRA application accompanied by up to 5 documents.
[3] Note: Fee based upon the approval schedule in effect at the time of retest.

Note: When testing and evaluation is required at locations other than MSHA's premises, the applicant shall reimburse MSHA for traveling, subsistence, and incidental expenses of MSHA's representation in accordance with standardized government travel regulations. This reimbursement is in addition to the fees charged for evaluation and testing.

[FR Doc. 91-30411 Filed 12-19-91; 8:45 am]
BILLING CODE 4510-43-M

federal register

Friday
December 20, 1991

Part V

Department of the Interior

Bureau of Indian Affairs

List of Rejected Statute of Limitations Claims; Notice

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

List of Rejected Statute of Limitations Claims

Dated: December 16, 1991.

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of rejected claims.

SUMMARY: This notice lists certain potential pre-1966 Indian damage claims which have been rejected for litigation by the Secretary of the Interior pursuant to the Indian Claims Limitation Act of 1982. This notice also contains a list of claims which the Bureau of Indian Affairs considers resolved.

DATES: To file an action in court, on any claim contained on the list of rejected claims, tribes, groups, and individual Indians must file such action no later than December 20, 1992.

FOR FURTHER INFORMATION CONTACT:

Aberdeen Area Director, Bureau of Indian Affairs, 115 4th Avenue SE., Aberdeen, South Dakota 57401–4382, Telephone (605) 226–7343;

Albuquerque Area Director, Bureau of Indian Affairs, 615 1st Street NW., Box 26567, Albuquerque, New Mexico 87125–6567, Telephone (505) 766–3170;

Anadarko Area Director, Bureau of Indian Affairs, WCD Office Complex, Box 368, Anadarko, Oklahoma 73005–0368, Telephone (405) 247–6673;

Billings Area Director, Bureau of Indian Affairs, 316 North 26th Street, Billings, Montana 59101–1397, Telephone (406) 657–6315;

Eastern Area Director, Bureau of Indian Affairs, 3701 N. Fairfax Drive, suite 260/Mailroom, Arlington, VA 22203, Telephone (703) 235–2571;

Juneau Area Director, Bureau of Indian Affairs, P.O. Box 25520, Juneau, Alaska 99802–5520, Telephone (907) 586–7177;

Minneapolis Area Director, Bureau of Indian Affairs, 331 Second Avenue South, Minneapolis, Minnesota 55401–2241, Telephone (612) 349–3631;

Muskogee Area Director, Bureau of Indian Affairs, 5th & West Okmulgee, Muskogee, OK 74401–4898, Telephone (918) 687–2296;

Navajo Area Director, Bureau of Indian Affairs, P.O. Box 1060, Gallup, NM 87305–1060, Telephone (505) 863–9501;

Phoenix Area Director, Bureau of Indian Affairs, 1 North First Street, P.O. Box 10, Phoenix, Arizona 85001–0010, Telephone (602) 241–2305;

Portland Area Director, Bureau of Indian Affairs, 911 NE 11th Ave., Portland, OR 97232–4169, Telephone (503) 231–6702;

Sacramento Area Director, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, California 95825–1884, Telephone (916) 978–4691.

SUPPLEMENTARY INFORMATION: The Indian Claims Limitation Act of 1982, Public Law 97–394 (96 Stat. 1966, 1976) extends the statute of limitations governing pre-1966 Indian damage claims (28 U.S.C. 2415) which was due to expire on December 31, 1982. A claim subject to the statute of limitations is an Indian claim for money damages which arose prior to July 18, 1966. Claims against the United States are not governed by this law, only money damage claims against persons, corporations, states, or any other entities except the Federal Government. Claims for title to land are also not governed by this statute of limitations. This notice is required by section 5(c) of the Act.

Pursuant to sections 3 and 4 of the Indian Claims Limitation Act of 1982, lists of all potential Indian damage claims, which had at any time been identified by or submitted to the Bureau of Indian Affairs under the Department of the Interior's Statute of Limitations Program, were published in the **Federal Register** at 48 FR 13698, on March 31, 1983, amended at 48 FR 15008, on April 6, 1983; and at 48 FR 51204, on November 7, 1983, amended at 49 FR 518, on January 4, 1984. Excluded from these lists were claims which were erroneously identified as claims and those which had no legal merit whatsoever.

When rejecting any claim or category of claims included on the published lists, the Secretary must send a report to the appropriate tribe whose rights or the rights of whose members could be affected by the rejection. The report must identify each separate claim being rejected, list the names of potential plaintiffs and defendants, if known or reasonably ascertainable, and briefly set forth the reason or reasons for rejection. A written notice of rejection must be sent to individual Indian claimants if their identities and addresses are known or reasonably ascertainable from Bureau of Indian Affairs records. After a report has been forwarded to a tribe, the Secretary must publish a notice in the **Federal Register** identifying the claims covered in the report. By the terms of the Indian Claims Limitation Act of 1982, any right of action on any claim appearing on the following list of claims, which have been rejected and reported accordingly by the Secretary, shall be barred unless a complaint is filed in accordance with the date established in the "**DATE**" section of this notice. A list of claims which the Bureau of Indian Affairs considers resolved follows the list of rejected claims.

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

Eddie F. Brown,

Assistant Secretary—Indian Affairs.

BILLING CODE 4310-02-M

MINNEAPOLIS AREA REJECTED CLAIMS:

F53-407-0303	F53-407-0534A			

MUSKOGEE AREA REJECTED CLAIMS:

G07-908-0078	G09-907-0003			
G09-907-0007		G09-907-0015	G09-907-0019	
	G09-907-0028	G09-907-0030	G09-907-0037	G09-907-0038
G09-907-0039	G09-907-0040	G09-907-0041	G09-907-0043	G09-907-0044
G09-907-0045	G09-907-0046	G09-907-0047	G09-907-0048	G09-907-0051
G09-907-0052	G09-907-0053	G09-907-0054	G09-907-0058	G09-907-0059
G09-907-0060	G09-907-0061	G09-907-0065		G09-907-0067
G09-907-0068	G09-907-0069	G09-907-0070		G09-907-0071
	G09-907-0072	G09-907-0073	G09-907-0074	G09-907-0075
G09-907-0076	G09-907-0078	G09-907-0079	G09-907-0081	G09-907-0082
G09-907-0083	G09-907-0084	G09-907-0085	G09-907-0086	G09-907-0087
G09-907-0088	G09-907-0089	G09-907-0091	G09-907-0093	G09-907-0096
G09-907-0097	G09-907-0099	G09-907-0100	G09-907-0101	G09-907-0102
G09-907-0106	G09-907-0107	G09-907-0110	G09-907-0111	G09-907-0114
G09-907-0115	G09-907-0117	G09-907-0119	G09-907-0120	G09-907-0129
G09-907-0134	G09-907-0137	G09-907-0139	G09-907-0143	G09-907-0149

ALBUQUERQUE AREA REJECTED CLAIMS:

M20-703-0001	M20-703-0007	M20-703-0008	M20-703-0009	M20-703-0010
M20-703-0014	M20-703-0017	M20-703-0018	M20-704-0001	M20-704-0003
M20-704-0006	M20-704-0007	M20-704-0008	M20-704-0009	M20-704-0010
M20-704-0011	M20-706-0001	M20-706-0002	M20-706-0003	M20-706-0004
M20-706-0005	M20-706-0006	M20-706-0009	M20-706-0011	M20-706-0013
M20-706-0014	M20-712-0003	M20-712-0005	M20-712-0009	M20-712-0010
M20-712-0015	M20-720-0003	M20-720-0004	M20-720-0005	M25-709-0014
M25-709-0021	M25-709-0052	M25-709-0053	M25-709-0054	M25-709-0055
M25-709-0056	M25-709-0057	M25-709-0058	M25-713-0005	M25-713-0065
M25-713-0066	M25-713-0137	M25-713-0146	M25-713-0147	M25-714-0138
M25-714-0400	M25-716-0096	M25-716-0100	M25-716-0101	M60-702-0031
M60-702-0032	M60-702-0034	M60-702-0035	M60-702-0036	M60-702-0037
M60-702-0038	M60-702-0039	M60-702-0040	M60-702-0041	M60-702-0042
M60-702-0043	M60-702-0044	M60-702-0046	M60-702-0047	M60-702-0053
M60-702-0054	M60-702-0055	M60-702-0056	M60-702-0057	M60-702-0141
M60-702-0142	M60-702-0143	M60-702-0144	M60-702-0145	M60-702-0146
M60-702-0147	M60-702-0148	M60-702-0149	M60-702-0150	M60-702-0151
M60-702-0152	M60-702-0153	M60-702-0154		

PORTLAND AREA REJECTED CLAIMS:

P00-000-0070	P00-000-0074	P03-101-0016	P03-101-0081	P03-101-0093
P03-101-0094	P03-101-0095	P03-101-0096	P03-101-0097	P03-101-0098
P03-101-0099	P03-101-0100	P03-101-0101	P03-101-0102	P03-101-0146
P03-101-0147	P03-101-0148	P03-101-0149	P03-101-0150	P03-101-0151
P03-101-0152	P03-101-0153	P03-101-0154	P03-101-0155	P03-101-0156
P03-101-0157	P03-101-0158	P03-101-0159	P03-101-0160	P03-101-0161
P03-101-0162	P03-101-0163	P03-101-0164	P03-101-0165	P03-101-0251
P03-101-0252	P03-101-0253	P03-101-0254	P03-101-0257	P03-101-0258
P03-101-0259	P03-101-0260	P03-101-0261	P03-101-0262	P03-101-0266
P03-101-0267	P03-101-0268	P03-101-0269	P03-101-0270	P03-101-0271
P03-101-0272	P03-101-0273	P03-101-0275	P03-101-0292	P03-101-0294
P03-101-0300	P03-101-0302	P05-181-0009	P05-181-0009A	P05-181-0009B

PORTLAND AREA REJECTED CLAIMS (CONTINUED):

P05-181-0009C	P05-181-0009D	P05-181-0009E	P05-181-0009F	P05-181-0009G
P05-181-0009H	P05-181-0009I	P05-181-0009J	P05-181-0009K	P05-181-0009L
P05-181-0009M	P05-181-0009N	P05-181-0009O	P05-181-0009P	P05-181-0009Q
P05-181-0009R	P05-181-0009S	P05-181-0009T	P05-181-0009U	P05-181-0009V
P05-181-0009W	P05-181-0009X	P05-181-0009Y	P05-181-0025	P05-181-0026
P05-181-0051	P05-181-0052	P05-181-0055	P05-181-0056	P05-181-0056A
P05-181-0057	P05-181-0057A	P05-181-0058	P05-181-0059	P05-181-0061
P05-181-0062	P05-181-0063	P05-181-0064	P05-181-0065	P05-181-0066
P05-181-0067	P05-181-0068	P05-181-0069	P05-181-0070	P05-181-0071
P05-181-0073	P05-181-0074	P05-181-0075	P05-181-0076	P05-181-0077
P05-181-0078	P05-181-0080	P05-181-0082	P05-181-0085	P05-181-0086
P05-181-0087	P05-181-0088	P05-181-0089	P05-181-0090	P05-181-0091
P05-181-0092	P05-181-0093	P05-181-0094	P05-181-0095	P05-181-0096
P05-181-0097	P05-181-0098	P05-181-0099	P05-181-0109	P05-182-0032
P05-182-0032A	P05-182-0032B	P05-182-0032C	P05-182-0032D	P05-182-0032E
P05-182-0032F	P05-182-0032G	P05-182-0032H	P05-182-0032I	P05-182-0032J
P05-182-0032K	P05-182-0032L	P05-182-0032M	P05-182-0032N	P05-182-0032O
P05-182-0032P	P05-182-0032Q	P05-182-0034	P05-182-0035	P05-182-0036
P05-182-0038	P05-182-0039	P05-182-0040	P05-182-0042	P05-182-0044
P05-182-0046	P05-182-0047	P05-182-0048	P05-182-0049	P05-182-0050
P05-182-0051	P05-182-0052	P05-182-0053	P05-182-0054	P05-182-0055
P05-182-0056	P05-182-0057	P05-182-0058	P05-182-0059	P05-182-0060
P05-182-0061	P05-182-0062	P05-182-0064	P05-182-0065	P05-182-0066
P05-182-0068	P05-182-0112	P05-182-0129	P05-182-0153	P05-182-0158
P05-182-0161	P05-182-0169	P05-182-0180	P05-182-0180A	P05-182-0180C
P05-182-0180D	P05-182-0180E	P05-182-0180F	P05-182-0180G	P05-182-0180H
P05-182-0180I	P05-182-0180J	P05-182-0180K	P05-182-0180L	P05-182-0180M
P05-182-0180N	P05-182-0180O	P05-182-0180P	P05-182-0180Q	P05-182-0180R
P05-182-0180S	P05-182-0180T	P05-182-0180U	P05-182-0180V	P05-182-0180W
P05-182-0180X	P05-182-0180Y	P05-182-0180Z	P05-182-0181	P05-182-0181A
P05-182-0181B	P05-182-0181C	P05-182-0181D	P05-182-0181E	P05-182-0181J
P05-182-0182	P05-182-0183	P05-182-0184	P05-182-0186	P05-182-0187
P05-182-0188	P05-182-0189	P05-182-0190	P05-182-0191	P05-182-0192
P05-182-0194	P05-182-0196	P05-182-0197	P05-182-0198	P07-143-0007
P07-143-0023	P07-143-0024	P07-143-0025	P07-143-0090	P09-144-0028
P09-144-0038	P10-107-0006	P10-107-0007	P10-107-0008	P10-107-0009
P10-109-0006	P10-109-0008	P10-109-0009	P10-109-0010	P10-109-0011
P10-109-0019	P10-110-0022	P10-110-0024	P10-110-0025	P10-110-0026
P10-114-0003	P10-114-0005	P10-122-0016	P11-124-0031	P11-124-0036
P13-203-0003	P13-203-0004	P13-203-0005	P13-203-0006	P13-203-0007
P13-203-0011	P13-203-0012	P13-203-0013	P13-203-0014	P13-203-0015
P13-203-0016	P13-203-0017	P13-203-0018	P13-203-0019	P13-203-0023
P13-203-0028	P13-203-0055	P13-203-0057	P13-203-0060	P13-203-0072
P13-203-0077	P13-203-0079	P13-203-0092	P13-203-0102	P13-203-0111
P13-203-0112	P13-203-0114	P13-203-0115	P13-203-0116	P13-203-0118
P13-203-0120	P13-203-0121	P13-203-0122	P13-203-0123	P13-203-0125
P13-203-0126	P13-203-0129	P13-203-0130	P13-203-0131	P13-203-0132
P13-203-0134	P13-203-0136	P13-203-0140	P13-203-0142	P13-203-0143
P13-203-0145	P13-203-0146	P13-203-0147	P13-203-0148	P13-203-0150
P13-203-0151	P13-203-0152	P13-203-0153	P13-203-0154	P13-203-0155
P13-203-0156	P13-203-0159	P13-203-0160	P13-203-0161	P13-203-0162
P13-203-0163	P13-203-0164	P13-203-0165	P13-203-0167	P13-203-0168
P13-203-0169	P13-203-0437	P13-203-1048	P13-203-1049	P13-203-1462
P13-203-1470	P13-203-1471			

ANADARKO AREA RESOLVED CLAIMS:

B04-862-0134	B04-862-0137	B04-862-0138	B04-862-0139	B04-862-0141
B04-862-0142	B04-862-0143	B04-862-0144	B04-862-0145	

BILLINGS AREA RESOLVED CLAIMS:

C51-201-1481	C51-201-1491	C52-202-0058	C52-202-0077	C52-202-0079
C52-202-0084	C55-204-0040	C55-204-0041	C55-204-0042	C55-204-0044
C55-204-0046	C55-204-0047	C55-204-0049	C55-204-0050	C55-204-0051
C55-204-0052	C55-204-0056	C55-204-0057	C55-204-0065	C55-204-0066
C55-204-0070	C55-204-0075	C55-204-0076	C55-204-0077	C55-204-0078
C55-204-0079	C55-204-0081	C55-204-0082	C55-204-0083	C55-204-0084
C55-204-0085	C55-204-0092	C55-204-0095	C55-204-0107	C55-204-0108
C55-204-0109	C55-204-0116			

MINNEAPOLIS AREA RESOLVED CLAIMS:

F53-405-0034	F53-405-0035	F53-405-0036	F53-405-0037	F53-405-0038
F53-405-0039	F53-405-0040	F53-405-0041	F53-405-0042	F55-430-0022
F55-431-0002	F55-435-0025	F55-439-0064	F55-439-0098	F55-439-0100

ALBUQUERQUE AREA RESOLVED CLAIMS:

M20-705-0024	M20-705-0025	M20-705-0035	M20-711-0048	M20-711-0049
M20-711-0063	M20-711-0071	M20-711-0086	M20-711-0101	M25-708-0002
M25-708-0005	M25-708-0006	M25-708-0007	M25-708-0008	M25-708-0009
M25-708-0010	M25-708-0011	M25-713-0138	M25-713-0139	M25-713-0140
M25-713-0141	M45-751-0004	M45-751-0005	M45-751-0006	M45-751-0007
M45-751-0008	M45-751-0009	M45-751-0010	M45-751-0012	M45-751-0013
M45-751-0014	M45-751-0015	M45-751-0016		

PORTLAND AREA RESOLVED CLAIMS:

P03-101-0305	P06-117-0029	P06-117-0032	P11-124-0050

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federal register

Friday
December 20, 1991

Part VI

Department of Energy

Public Utility Regulatory Policies Act; Gas and Electric Utilities Covered in 1992; Notice

DEPARTMENT OF ENERGY

[Docket No. FE-R-79-43B]

Office of Fossil Energy; Electric and Gas Utilities Covered in 1992 by Titles I and III of the Public Utility Regulatory Policies Act of 1978 and Requirements for State Regulatory Authorities to Notify the Department of Energy

AGENCY: Office of Fossil Energy, Department of Energy.

ACTION: Notice.

SUMMARY: Sections 102(c) and 301(d) of the Public Utility Regulatory Policies Act of 1978 (PURPA) require the Secretary of Energy to publish a list, before the beginning of each calendar year, identifying each electric utility and gas utility to which Titles I and III of PURPA apply during such calendar year. The 1992 list is published here as two separate tabulations. Appendix A lists the covered utilities by State and appendix B lists them alphabetically.

Each State regulatory authority is required, pursuant to sections 102(c) and 301(d) of PURPA, to notify the Secretary of Energy of each electric utility and gas utility on the list for which such State regulatory authority has ratemaking authority. In addition, written comments are requested on the accuracy of the list of electric utilities and gas utilities.

DATES: Notifications by State regulatory authorities and written comments must be received by no later than 4:30 p.m. on February 15, 1992.

ADDRESSES: Notifications and written comments should be forwarded to: Department of Energy, Office of Coal and Electricity, FE–52, 1000 Independence Avenue, SW., room 3F–070, Docket No. FE–R–79–43B, Washington, DC 20585.

FOR FURTHER INFORMATION CONTACT: Steven Mintz, Office of Coal and Electricity, Fossil Energy, Department of Energy, 1000 Independence Avenue SW., room 3F–070, FE–52, Washington, DC 20585, Telephone 202/586–9506.

SUPPLEMENTARY INFORMATION:

I. Background

Pursuant to sections 102(c) and 301(d) of PURPA, Public Law 95–617, 92 Stat. 3117 *et seq.* (16 U.S.C. 2601 *et seq.*), hereinafter referred to as the "Act," the Department of Energy (DOE) is required to publish a list of utilities to which titles I and III of PURPA apply in 1992.

State regulatory authorities are required by the Act cited above to notify the Secretary of Energy as to their ratemaking authority over the listed utilities. The inclusion or exclusion of any utility on or from the list does not affect the legal obligations of such utility or the responsible authority under the Act.

The term "State regulatory authority" means any State, including the District of Columbia and Puerto Rico, or a political subdivision thereof, and any agency or instrumentality, which has authority to fix, modify, approve, or disapprove rates with respect to the sale of electric energy or natural gas by any utility (other than such State agency). In the case of a utility for which the Tennessee Valley Authority (TVA) has ratemaking authority, the term "State regulatory authority" means the TVA.

Title I of PURPA sets forth ratemaking and regulatory policy standards with respect to electric utilities. Section 102(c) of title I requires the Secretary of Energy to publish a list, before the beginning of each calendar year, identifying each electric utility to which title I applies during such calendar year. An electric utility is defined as any person, State agency, or Federal agency that sells electric energy. An electric utility is covered by title I for any calendar year if it had total sales of electric energy for purposes other than resale in excess of 500 million kilowatt-hours during any calendar year beginning after December 31, 1975, and before the immediately preceding calendar year. An electric utility is covered in 1992 if it exceeded the threshold in any year from 1976 through 1990.

Title III of PURPA addresses ratemaking and other regulatory policy standards with respect to natural gas utilities. Section 301(d) of title III requires the Secretary of Energy to publish a list, before the beginning of each calendar year, identifying each gas utility to which title III applies during each calendar year. A gas utility is defined as any person, State agency, or Federal agency, engaged in the local distribution of natural gas and the sale of natural gas to any ultimate consumer of natural gas. A gas utility is covered by title III if it had total sales of natural gas for purposes other than resale in excess of 10 billion cubic feet during any calendar year beginning after December 31, 1975, and before the immediately preceding calendar year. A gas utility is covered in 1992 if it exceeded the threshold in any year from 1976 through 1990.

In compiling the list published today, the DOE revised the 1991 list (55 FR 52016, December 18, 1990) upon the assumption that all entities included on the 1991 list are properly included on the 1992 list unless the DOE has information to the contrary. In doing this, the DOE took into account information included in public documents regarding entities which exceeded the PURPA thresholds for the first time in 1990. The DOE believes that it will become aware of any errors or omissions in the list published today by means of the comment process called for by this Notice. The DOE will, after consideration of any comment and other information available to the DOE, provide written notice of any further additions or deletions to the list.

II. Notification and Comment Procedures

No later than 4:30 p.m. on February 15, 1992, each State regulatory authority must notify the Department of Energy in writing of each utility on the list over which it has ratemaking authority. Five copies of such notification should be submitted to the address indicated in the "**ADDRESSES**" section of this Notice and should be identified on the outside of the envelope and on the document with the designation "Docket No. FE–R–79–43B." Such notification should include:

1. A complete list of electric utilities and gas utilities over which the State regulatory authority has ratemaking authority;

2. Legal citations pertaining to the ratemaking authority of the State regulatory authority; and

3. For any listed utility known to be subject to other ratemaking authorities within the State for portions of its service area, a precise description of the portion to which such notification applies.

All interested persons, including State regulatory authorities, are invited to comment in writing, no later than 4:30 p.m. on February 15, 1992, on any errors or omissions with respect to the list. Two copies of such comments should be sent to the address indicated in the "**ADDRESSES**" section of this Notice and should be identified on the outside of the envelope and on the document with the designation "Docket No. FE–R–79–43B." Written comments should include the commenter's name, address and telephone number.

All notifications and comments received by the DOE will be made available, upon request, for public inspection in the Freedom of Information Reading Room, room 1E–190, 1000 Independence Avenue, SW., Washington, DC 20585, between the hours of 9 a.m. and 4 p.m. Monday through Friday, except Federal holidays.

III. List of Electric Utilities and Gas Utilities

Appendices A and B contain two different tabulations of the utilities that meet PURPA coverage requirements. As stated above, the inclusion or exclusion of any utility on or from the lists does not affect its legal obligations or those of the responsible State regulatory authority under PURPA.

Appendix A contains a list of utilities which are covered by PURPA. These utilities are grouped by State and by the regulatory authority within each State. Also included in this list are utilities which are covered by PURPA but which are not regulated by the State regulatory authority. This tabulation, including explanatory notes, is based on information provided to the DOE by State regulatory authorities in response to the December 18, 1990, **Federal Register** notice (55 FR 52016) requiring each State regulatory authority to notify the DOE of each utility on the list over which it has ratemaking authority, public comments received with respect to that notice, and information subsequently made available to the DOE.

The utilities classified in appendix A as not regulated by the State regulatory authority in fact may be regulated by local municipal authorities. These municipal authorities would be State agencies as defined by PURPA and thus have responsibilities under PURPA identical to those of the State regulatory authority. Therefore, each such municipality is to notify the DOE of each utility on the list over which it has ratemaking authority.

In appendix B, the utilities are listed alphabetically, subdivided into electric utilities and gas utilities, and further subdivided by type of ownership: Investor-owned utilities, publicly-owned utilities, and rural cooperatives.

The changes to the 1991 list of electric and gas utilities are as follows:

Additions:

Arkansas Valley Electric Cooperative Corp. (AR)
City of Bryan (TX)
Cajun Electric Power Cooperative (LA)
Carroll Electric Cooperative Corporation (AR)
Clinton Utilities Board (TN)
Cullman Electric Cooperative (AL)
Linn County RECA (IA)
Mississippi County Electric Cooperative Corp. (AR)
Oregon Trail Electric (OR)
Tri-County Electric Cooperative, Inc. (TX)

(Public Utility Regulatory Policies Act of 1978, Pub. L. 95–617, 92 Stat. 3117 *et seq.* (16 U.S.C. 2601 *et seq.*)).

Issued in Washington, DC on December 12, 1991.

Clifford P. Tomaszewski,

Acting Deputy Assistant Secretary for Fuels Programs, Office of Fossil Energy.

Appendix A

All gas utilities listed below had natural gas sales, for purposes other than resale, in excess of 10 billion cubic feet in any year from 1976–1990.

All electric utilities listed below had electric energy sales, for purposes other than resale, in excess of 500 million kilowatt-hours in any year from 1976–1990.

State: Alabama

Regulatory Authority: Alabama Public Service Commission.

Gas Utilities

Investor-Owned:
Alabama Gas Corporation
Mobile Gas Service Corporation

Electric Utilities

Investor-Owned:
Alabama Power Company

The following covered utilities within the State of Alabama are not regulated by the Alabama Public Service Commission:

Electric Utilities

Publicly-Owned:
Athens Utilities
Decatur Electric Department
Dothan Electric Department
Florence Electric Department
Huntsville Utilities
Rural Electric Cooperatives:
Cullman Electric Cooperative
Joe Wheeler Electric Membership Corporation
Rural Electric System

State: Alaska

Regulatory Authority: Alaska Public Utilities Commission.

Gas Utilities

Investor-Owned:
Enstar Natural Gas Company

Electric Utilities

Rural Electric Cooperatives:
Chugach Electric Association
Publicly-Owned:
Anchorage Municipal Light & Power Department

State: Arizona

Regulatory Authority: Arizona Corporation Commission.

Gas Utilities

Investor-Owned:
Southern Union Gas Company
Southwest Gas Corporation

Electric Utilities

Investor-Owned:
Arizona Public Service Company
Tucson Electric Power Company
Publicly-Owned:
Trico Electric Cooperative, Inc.
Rural Electric Cooperative:
Duncan Valley Electric Cooperative, Inc.

The following covered utilities within the State of Arizona are not regulated by the Arizona Corporation Commission:

Electric Utilities

Publicly-Owned:
Salt River Project Agricultural Improvement and Power District

State: Arkansas

Regulatory Authority: Arkansas Public Service Commission.

Gas Utilities

Investor-Owned:
Arkansas-Louisiana Gas Company
Arkansas-Oklahoma Gas Corporation
Arkansas Western Gas Company

Electric Utilities

Investor-Owned:
Arkansas Power and Light Company
Empire District Electric Company
Oklahoma Gas and Electric Company
Southwestern Electric Power Company
Rural Electric Cooperatives:
Arkansas Valley Electric Cooperative Corporation
Carroll Electric Cooperative Corporation
First Electric Cooperative Corporation
Mississippi County Electric Cooperative Corporation

The following covered utility within the State of Arkansas in not regulated by the Arkansas Public Service Commission:

Publicly-Owned:
North Little Rock Electric Department

State: California

Regulatory Authority: California Public Utilities Commission.

Gas Utilities

Investor-Owned:
Pacific Gas and Electric Company
San Diego Gas and Electric Company
Southern California Gas Company
Southwest Gas Corporation

Electric Utilities

Investor-Owned:

Pacific Gas and Electric Company
Pacific Power and Light Company
San Diego Gas and Electric Company
Sierra Pacific Power Company
Southern California Edison Company

The following covered utilities within the State of California are not regulated by the California Public Utilities Commission:

Electric Utilities

Publicly-Owned:
Anaheim Public Utilities Department
Burbank Public Service Department
Glendale Public Service Department
Imperial Irrigation District
Los Angeles Department of Water and Power
Modesto Irrigation District
Palo Alto Electric Utility
Pasadena Water and Power Department
Riverside Public Utilities
Sacramento Municipal Utility District
Santa Clara Electric Department
Turlock Irrigation District
Vernon Municipal Light Department

Gas Utilities

Publicly-Owned:
Long Beach Gas Department

State: Colorado

Regulatory Authority: Colorado Public Utilities Commission.

Gas Utilities

Investor-Owned:
Greeley Gas Company
Kansas-Nebraska Natural Gas Company
People's Natural Gas Company, Division of Utilicorp United, Inc.
Public Service Company of Colorado
Publicly-Owned:
Colorado Springs Department of Utilities (Jurisdiction only sales to another gas utility)

Electric Utilities

Investor-Owned:
Public Service Company of Colorado
Southern Colorado Power, Division of Centel

The following covered utilities within the State of Colorado are not regulated by the Colorado Public Utilities Commission:

Gas Utilities

Publicly-Owned:
Colorado Springs Department of Utilities (except sales to another gas utility)

Electric Utilities

Publicly-Owned:
Colorado Springs Department of Utilities
Rural Electric Cooperatives:
Intermountain Rural Association
Moon Lakes Electric Association

State: Connecticut

Regulatory Authority: Connecticut Department of Public Utility Control.

Gas Utilities

Investor-Owned:
Connecticut Natural Gas Corporation
Southern Connecticut Gas Company
Yankee Gas Service Company

Electric Utilities

Investor-Owned:
Connecticut Light and Power Company
United Illuminating Company
Publicly-Owned:
Groton Public Utilities

State: Delaware

Regulatory Authority: Delaware Public Service Commission.

Gas Utilities

Investor-Owned:
Delmarva Power and Light Company

Electric Utilities

Investor-Owned:
Delmarva Power and Light Company

State: District of Columbia

Regulatory Authority: Public Service Commission of the District of Columbia.

Gas Utilities

Investor-Owned:
Washington Gas Light Company

Electric Utilities

Investor-Owned:
Potomac Electric Power Company

State: Florida

Regulatory Authority: Florida Public Service Commission.

Gas Utilities

Investor-Owned:
City Gas Company of Florida
Peoples Gas System

Electric Utilities

Investor-Owned:
Florida Power and Light Company
Florida Power Company
Gulf Power Company
Tampa Electric Company

The Florida Public Service Commission has rate structure jurisdiction over the following utilities:

Publicly-Owned:
Gainesville Regional Utilities
Jacksonville Electric Company
Kissimmee Utility Authority
Lakeland Department of Electric and Water
Ocala Electric Authority
Orlando Utilities Commission
Tallahassee, City of
Rural Electric Cooperatives:
Clay Electric Cooperative
Lee County Electric Cooperative
Sumter Electric Cooperative, Inc.
Withlacoochee River Electric Cooperative

State: Georgia

Regulatory Authority: Georgia Public Service Commission.

Gas Utilities

Investor-Owned:
Atlanta Gas Light Company
United Cities Gas Company

Electric Utilities

Investor-Owned:
Georgia Power Company
Savannah Electric and Power Company

The following utilities within the State of Georgia are not regulated by the Georgia Public Service Commission:

Electric Utilities

Publicly-Owned:
Albany Water, Gas & Light Commission
Dalton Water, Light & Sink
Rural Electric Cooperatives:
Cobb Electric Membership Corporation
Flint Electric Membership Corporation
GreyStone Power Electric Membership Corporation
Jackson Electric Membership Corporation
North Georgia Electric Membership Corporation
Swanee Electric Membership Corporation
Walton Electric Membership Corporation

State: Hawaii

Regulatory Authority: Hawaii Public Utilities Commission.

Electric Utilities

Investor-Owned:
Hawaii Electric Light Company
Hawaiian Electric Company, Inc.
Maui Electric Company

State: Idaho

Regulatory Authority: Idaho Public Utilities Commission

Gas Utilities

Investor-Owned:
Intermountain Gas Company
Washington Water Power Company

Electric Utilities

Investor-Owned:
Idaho Power Company
Pacific Power and Light Company
Utah Power and Light Company
Washington Water Power Company

State: Illinois

Regulatory Authority: Illinois Commerce Commission.

Gas Utilities

Investor-Owned:
Central Illinois Light Company
Central Illinois Public Service Company
Illinois Power Company
Iowa-Illinois Gas and Electric Company
North Short Gas Company
Northern Illinois Gas Company
Panhandle Eastern Pipeline Company
Peoples Gas, Light, and Coke Company

Electric Utilities

Investor-Owned:
Central Illinois Light Company
Central Illinois Public Service Company
Commonwealth Edison Company
Interstate Power Company
Iowa-Illinois Gas and Electric Company
Union Electric Company

The following covered utility within the State of Illinois is not regulated by the Illinois Commerce Commission:

Electric Utilities

Publicly-Owned:
Springfield Water, Light and Power Department

State: Indiana

Regulatory Authority: Indiana Utility Regulatory Commission.

Gas Utilities

Investor-Owned:
Indiana Gas Company
Northern Indiana Public Service Company
Southern Indiana Gas and Electric Company
Publicly-Owned:
Citizens Gas and Coke Utility

Electric Utilities

Investor-Owned:
Indiana and Michigan Power Company
Indianapolis Power and Light Company
Northern Indiana Public Service Company
PSI Energy
Southern Indiana Gas and Electric Company
Publicly-Owned:
Richmond Power and Light

State: Iowa

Regulatory Authority: Iowa Utilities board.

Gas Utilities

Investor-Owned:
Interstate Power Company
Iowa Electric Light and Power Company
Iowa-Illinois Gas and Electric Company
Iowa Southern Utilities Company
Midwest Gas, Division of Iowa Public Service Company
Peoples Natural Gas Company, Division of Utilicorp United, Inc.
United Cities Gas Company, Great River Division

Electric Utilities

Investor-Owned:
Interstate Power company
Iowa Electric Light and Power Company
Iowa-Illinois Gas and Electric Company
Iowa Power Incorporated
Iowa Southern Utilities Company
IPS Electric, Division of Iowa Public Service Company
Union Electric Company
Rural Electric Cooperatives:
Linn County RECA

The Iowa Utilities Board has service and safety regulation over the following utilities:

Publicly-Owned
Muscatine Power and Water
Omaha Public Power District

State: Kansas

Regulatory Authority: Kansas State Corporation Commission

Gas Utilities

Investor-Owned:
Anadarko Production Company
Arkansas-Louisiana Gas Company
Gas Service Company
Greeley Gas Company
Kansas-Nebraska Natural Gas Company
Kansas Power and Light Company
Panhandle Eastern Pipeline Company
Peoples Natural Gas Company, Division of Utilicorp United, Inc.
Union Gas System Inc.

Electric Utilities

Investor-Owned:
Empire District Electric Company
Kansas City Power and Light Company
Kansas Gas and Electric Company
Kansas Power and Electric Company
Southwestern Public Service Company
Western Power Division of Centel
Rural Electric Cooperatives:
Midwest Energy Incorporated

The following covered utility within the State of Kansas is not regulated by the Kansas State Corporation Commission:

Electric Utilities

Publicly-Owned:
Kansas City Board of Public Utilities

State: Kentucky

Regulatory Authority: Kentucky Energy Regulatory Commission.

Gas Utilities

Investor-Owned:
Columbia Gas of Kentucky, Inc.
Louisville Gas and Electric Company
Union Light, Heat and Power Company
Western Kentucky Gas Company

Electric Utilities

Investor-Owned:
Kentucky Power Company
Kentucky Utilities Company
Louisville Gas and Electric Company
Union Light, Heat and Power Company
Rural Electric Cooperatives:
Green River Electric Corporation
Henderson-Union Rural Electric Cooperative Corporation

The following covered utilities within the State of Kentucky are not regulated by the Kentucky Energy Regulatory Commission:

Bowling Green Municipal Utilities
Owensboro Municipal Utilities
Pennyrile Rural Electric Cooperative Corporation
Warren Rural Electric Cooperative Corporation
West Kentucky Rural Electric Cooperative Corporation

State: Louisiana

Regulatory Authority: Louisiana Public Service Commission

Gas Utilities

Investor-Owned:
Arkansas-Louisiana Gas Company
Entex, Inc.
Gulf States Utilities Company
Louisiana Gas Service Company
Trans Louisiana Gas Company
Publicly-Owned:
New Orleans Public Service, Inc.

Electric Utilities

Investor-Owned:
Central Louisiana Electric Company
Gulf States Utilities Company
Louisiana Power and Light Company

(West Bank)
Southwestern Electric Power Company
Rural Electric Cooperatives:
Cajun Electric Power Cooperative
Dixie Electric Membership Corporation
Southwest Louisiana Electric Membership Corporation

The following covered utilities within the State of Louisiana are not regulated by the Louisiana Public Service Commission:

Electric Utilities

Publicly-Owned:
Lafayette Utilities System
New Orleans Public Service, Inc.

State: Maine

Regulatory Authority: Maine Public Utilities Commission.

Electric Utilities

Investor-Owned:
Bangor Hydro-Electric Company
Central Maine Power Company

State: Maryland

Regulatory Authority: Maryland Public Service Commission.

Gas Utilities

Investor-Owned:
Baltimore Gas and Electric Company
Washington Gas Light Company

Electric Utilities

Investor-Owned:
Baltimore Gas and Electric Company
Conowingo Power Company
Delmarva Power and Light—Company of Maryland
Potomac Edison Company
Potomac Electric Power Company
Rural Electric Cooperatives:
Southern Maryland Electric Cooperative, Inc.

State: Massachusetts

Regulatory Authority: Massachusetts Department of Public Utilities.

Gas Utilities

Investor-Owned:
Bay State Gas Company
Boston Gas Company
Colonial Gas Energy System
Commonwealth Gas Company

Electric Utilities

Investor-Owned:
Boston Edison Company
Cambridge Electric Light Company
Commonwealth Electric Company
Eastern Electric Company
Western Massachusetts Electric Company

State: Michigan

Regulatory Authority: Michigan Public Service Commission.

Gas Utilities

Investor-Owned:
Consumers Power Company
Michigan Consolidated Gas Company
Michigan Gas Company
Southeastern Michigan Gas Company
Wisconsin Public Service Corporation

Electric Utilities

Investor-Owned:
Consumers Power Company
Detroit Edison Company
Indiana and Michigan Electric Company
Michigan Power Company
Northern States Power
Upper Peninsula Power Company
Wisconsin Electric Power Company
Wisconsin Public Service Corporation

The following covered utilities within the State of Michigan are not regulated by the Michigan Public Service Commission:

Gas Utilities

Investor-Owned:
Battle Creek Gas Company

Electric Utilities

Publicly-Owned:
Lansing Board of Water and Light

State: Minnesota

Regulatory Authority: Minnesota Public Utility Commission.

Gas Utilities

Investor-Owned:
Interstate Power Company
Midwest Gas, Division of Iowa Public Service Company
Minnegasgo—Division of Arkla, Inc.
Northern Minnesota Utilities-Division of UtiliCorp United, Inc.
Northern States Power Company
Peoples Natural Gas Company—. Division of UtiliCorp United, Inc.

Electric Utilities

Investor-Owned:
Interstate Power Company
Minnesota Power and Light Company
Northern States Power Company
Otter Tail Power Company
Rural Electric Cooperative:
Dakota Electric Association

The following covered utilities within the State of Minnesota are not regulated by the Minnesota Public Service Commission:

Electric Utilities

Publicly-Owned:
Rochester Department of Public Utilities
Rural Electric Cooperatives:
Anoka Electric Cooperative

State: Mississippi

Regulatory Authority: Mississippi Public Service Commission.

Gas Utilities

Investor-Owned:
Entex, Inc.
Mississippi Valley Gas Company

Electric Utilities

Investor-Owned:
Mississippi Power and Light Company
Mississippi Power Company

The following covered utilities within the State of Mississippi are not regulated by the Mississippi Public Service Commission:

Electric Utilities

Rural Electric Cooperatives:
Alcorn County Electric Power Association
Coast Electric Power Association
4-County Electric Power Association
Singing River Electric Power Association
Southern Pine Electric Power Association
Tombigbee Electric Power Association
Tupelo Water & Light Department

State: Missouri

Regulatory Authority: Missouri Public Service Commission.

Gas Utilities

Investor-Owned:
Associated Natural Gas Company
Gas Service Company
Kansas Power & Light Company
Laclede Gas Company Consolidated
Missouri Public Service Company
Union Electric Company

Electric Utilities

Investor-Owned:
Arkansas Power & Light Company
Citizens Electric Company
Empire District Electric Company
Kansas City Power and Light Company
Missouri Public Service Company
St. Joseph Light and Power Company
Union Electric Company

The following covered utilities within the State of Missouri are not regulated by the Missouri Public Service Commission:

Gas Utilities

Investor-Owned:
Williams Natural Gas Company
Publicly: Owned:
Springfield City Utilities

Electric Utilities

Publicly-Owned:
Independence Power and Light Department
Springfield City Utilities

State: Montana

Regulatory Authority: Montana Public Service Commission.

Gas Utilities

Investor-Owned:
Montana-Dakota Utilities Company
Montana Power Company

Electric Utilities

Investor-Owned:
Black Hills Power and Light Company
Montana-Dakota Utilities Company
Montana Power Company
Pacific Power and Light Company
Washington Water Power Company

State: Nebraska

Regulatory Authority—Nebraska Public Service Commission.

The Commission does not regulate the rates and service of the gas and electric utilities of the State of Nebraska.

The following covered utilities within the State of Nebraska are not regulated by the Nebraska Public Service Commission:

Electric Utilities

Publicly-Owned:
Lincoln Electric System
Nebraska Public Power District
Omaha Public Power District

Gas Utilities

Investor-Owned:
Gas Service Company
Iowa Electric Light and Power Company
Midwest Gas, division of Iowa Public Service Company
Minnegasco—Division of Arkla, Inc.
Northwestern Public Service Company
Peoples Natural Gas Company, Division of Utilicorp United, Inc.

The governing body of each Nebraska municipality exercises ratemaking jurisdiction over gas utility rates, operations and services provided by a gas utility within its city or town limits. These municipal authorities would be State agencies as defined by PURPA, and thus have responsibilities under PURPA identical to those of the State regulatory authority.

Publicly-Owned:
Metropolitan Utilities District of Omaha

State: Nevada

Regulatory Authority: Nevada Public Service Commission.

Gas Utilities

Investor-Owned:
Southwest Gas Corporation

Electric Utilities

Investor: Owned:
Idaho Power Company
Nevada Power Company
Sierra Pacific Power Company

State: New Hampshire

Regulatory Authority: New Hampshire Public Utilities Commission.

Gas Utilities

Investor-Owned:
EnergyNorth Natural Gas, Inc.

Electric Utilities

Investor-Owned:
Public Service Company of New Hampshire

Rural Electric Cooperatives:
New Hampshire Electric Cooperative, Inc.

State: New Jersey

Regulatory Authority: New Jersey Board of Public Utilities.

Gas Utilities

Investor-Owned:
Elizabethtown Gas Company
New Jersey Natural Gas Company
Public Service Electric and Gas Company
South Jersey Gas Company

Electric Utilities

Investor-Owned:
Atlantic City Electric Company
Jersey Central Power and Light Company
Public Service Electric and Gas Company
Rockland Electric Company

State: New Mexico

Regulatory Authority: New Mexico Public Service Commission.

Gas Utilities

Investor-Owned:
Gas Company of New Mexico

Electric Utilities

Investor-Owned:
El Paso Electric Company
Public Service Company of New Mexico
Southwestern Public Service Company
Texas-New Mexico Power Company

Rural Electric Cooperative:
Duncan Valley Electric Cooperative, Inc.
Lea County Electric Cooperative, Inc.

State: New York

Regulatory Authority: New York Public Service Commission.

Gas Utilities

Investor-Owned:
Brooklyn Union Gas Company
Columbia Gas of New York, Inc.
Consolidated Edison Company of New York
Long Island Lighting Company
National Fuel Gas Distribution Corporation
New York State Electric and Gas Corporation
Niagara Mohawk Power Corporation
Orange and Rockland Utilities
Rochester Gas and Electric Corporation

Electric Utilities

Investor-Owned:
Central Hudson Gas and Electric Corporation
Consolidated Edison Company of New York
Long Island Lighting Company
New York State Electric and Gas Corporation
Niagara Mohawk Power Corporation
Orange and Rockland Utilities
Rochester Gas and Electric Corporation

The following covered utility within the State of New York is not regulated by the New York Public Service Commission:

Electric Utilities

Publicly-Owned:
Power Authority of New York

State: North Carolina

Regulatory Authority: North Carolina Utilities Commission.

Gas Utilities

Investor-Owned:
North Carolina Natural Gas Corporation
Piedmont Natural Gas Company
Public Service Company, Inc. of North Carolina

Electric Utilities

Investor-Owned:
Carolina Power and Light Company
Duke Power Company
Nantahala Power & Light Company
Virginia Electric and Power Company

The following covered utilities within the State of North Carolina are not regulated by the North Carolina Utilities Commission:

Electric Utilities

Publicly-Owned:
Fayetteville Public Works

Commission
Greenville Utilities Commission
High Point Electric Utility Department
Rocky Mount Public Utilities
Wilson Utilities Department
Rural Electric Cooperatives:
Blue Ridge Electric Membership Corporation
Rutherford Electric Membership Corporation

State: North Dakota

Regulatory Authority: North Dakota Public Service Commission.

Gas Utilities

Investor-Owned:
Montana Dakota Utilities Company
Northern States Power Company

Electric Utilities

Investor-Owned:
Montana Dakota Utilities Company
Northern States Power Company
Otter Tail Power Company

State: Ohio

Regulatory Authority: Ohio Public Utilities Commission.

Gas Utilities

Investor-Owned:
Cincinnati Gas and Electric Company
Columbia Gas of Ohio, Inc.
Dayton Power and Light Company
East Ohio Gas Company
National Gas and Oil Company
West Ohio Gas Company

Electric Utilities

Investor-Owned:
Cincinnati Gas an Electric Company
Cleveland Electric Illuminating Company
Columbus and Southern Ohio Electric Company
Dayton Power and Light Company
Monongahela Power Company
Ohio Edison Company
Ohio Power Company
Toledo Edison Company

The following covered utilities within the State of Ohio are not regulated by the Ohio Public Utilities Commission:

Electric Utilities

Publicly-Owned:
Cleveland Division of Light and Power
Rural Electric Cooperative:
South Central Power Company

State: Oklahoma

Regulatory Authority: Oklahoma Corporation Commission.

Gas Utilities

Investor-Owned:
Arkansas-Louisiana Gas Company
Arkansas-Oklahoma Gas Corporation
Gas Service Company
Lone Star Gas Company
Oklahoma Natural Gas Company
Southern Union Gas Company
Union Gas System, Inc.

Electric Utilities

Investor-Owned:
Empire District Electric Company
Oklahoma Gas and Electric Company
Public Service Company of Oklahoma
Southwestern Public Service Company
Rural Electric Cooperative:
Cotton Electric Cooperative

Gas Utilities

Investor-Owned:
Cities Service Gas Company

State: Oregon

Regulatory Authority: Public Utility Commission of Oregon.

Gas Utilities

Investor-Owned:
Cascade Natural Gas Corporation
Northwest Natural Gas Company

Electric Utilities

Investor-Owned:
Idaho Power Company
Pacific Power and Light Company
Portland General Electric Company

The following covered utilities within the State of Oregon are not regulated by the Public Utility Commission of Oregon:

Electric Utilities

Publicly-Owned:
Central Lincoln People's Utility District
Clatskanie People's Utility District
Eugene Water and Electric Board
Springfield Utility Board
Rural Electric Cooperatives:
Oregon Trail Electric
Umatilla Electric Cooperative Association

State: Pennsylvania

Regulatory Authority: Pennsylvania Public Utility Commission.

Gas Utilities

Investor-Owned:
Carnegie Natural Gas Company
Columbia Gas of Pennsylvania, Inc.
Equitable Gas Company
National Fuel Gas Distribution Corporation
North Penn Gas Company
Pennsylvania Gas and Water Company
Peoples Natural Gas Company
Philadelphia Electric Company
T.W. Phillips Gas and Oil Company
UGI Corporation

Electric Utilities

Investor-Owned:
Duquesne Light Company
Metropolitan Edison Company
Pennsylvania Electric Company
Pennsylvania Power Company
Pennsylvania Power and Light Company
Philadelphia Electric Company
UGI—Luzerne Electric Company
West Penn Power Company

The following covered utility within the State of Pennsylvania is not regulated by the Pennsylvania Public Utility Commission:

Gas Utilities

Publicly-Owned:
Philadelphia Gas Works

State: Puerto Rico

Regulatory Authority: Puerto Rico Public Service Commission.

The following covered utility within Puerto Rico is not regulated by the Puerto Rico Public Service Commission:

Electric Utilities

Publicly-Owned:
Puerto Rico Electric Power Authority

State: Rhode Island

Regulatory Authority: Rhode Island Public Utilities Commission.

Gas Utilities

Investor-Owned:
Providence Gas Company

Electric Utilities

Investor-Owned:
Blackstone Valley Electric Company
Narragansett Electric Company

State: South Carolina

Regulatory Authority: South Carolina Public Service Commission.

Gas Utilities

Investor-Owned:
Carolina Pipeline Company
Piedmont Natural Gas Company
South Carolina Electric and Gas Company

Electric Utilities

Investor-Owned:
Carolina Power and Light Company
Duke Power Company
South Carolina Electric and Gas Company

The following covered utilities within the State of South Carolina are not regulated by the South Carolina Public Service Commission:

Electric Utilities

Publicly-Owned:

South Carolina Public Service Authority
Rural Electric Cooperatives:
Berkeley Electric Cooperatives, Inc.
Palmetto Electric Cooperatives, Inc.

State: South Dakota

Regulatory Authority: South Dakota Public Utilities Commission.

Gas Utilities

Investor-Owned:
Midwest Gas, division of Iowa Public Service Company
Minnegasco, Inc.
Montana-Dakota Utilities Company
Northwestern Public Service Company

Electric Utilities

Investor-Owned:
Black Hills Power and Light Company
IPS Electric, division of Iowa Public Service Company
Montana-Dakota Utilities Company
Northern States Power Company
Northwestern Public Service Company
Otter Tail Power Company

The following covered utility within the State of South Dakota is not regulated by the South Dakota Public Service Commission:

Electric Utilities

Publicly-Owned:
Nebraska Public Power District

State: Tennessee

Regulatory Authority: Tennessee Public Service Commission.

Gas Utilities

Investor-Owned:
Chattanooga Gas Company
Nashville Gas Company

Electric Utilities

Investor-Owned;
Kingsport Power Company

The following covered utilities within the state of Tennessee are not regulated by the Tennessee Public Service Commission.

Electric Utilities

Publicly-Owned:
Bristol Tennessee Electric System
Chattanooga Electric Power Board
Clarksville Department of Electricity
Cleveland Utilities
Greeneville Light and Power System
Jackson Utility Division—Electric Department
Johnson City Power Board
Knoxville Utilities Board
Lenoir City Utilities Board
Memphis Light, Gas and Water Division
Murfreesboro Electric Department
Nashville Electric Service
Sevier County Electric System
Rural Electric Cooperatives:
Appalachian Electric Cooperative
Cumberland Electric Membership Corporation
Duck River Electric Membership Cooperative
Gibson County Electric Membership Corporation
Meriwether Lewis Electric Cooperative
Middle Tennessee Electric Membership Corporation
Southwest Tennessee Electric Membership Corporation
Tri-County Electric Membership Corporation
Upper Cumberland Electric Membership Corporation
Volunteer Electric Cooperative

Gas Utilities

Publicly-Owned;
Memphis Light, Gas and Water Division

State: Tennessee

Regulatory Authority: Tennessee Valley Authority.

Electric Utilities

Public-Owned:
Bowling Green Municipal Utilities
Bristol Tennessee Electric System
Chattanooga Electric Power Board
Clarksville Department of Electricity
Cleveland Utilities
Clinton Utilities Board
Decatur Electric Department
Florence Electric Department
Greeneville Light and Power System
Huntsville Utilities
Jackson Utility Division-Electric Department
Johnson City Power Board
Knoxville Utilities Board
Lenoir City Utilities Board
Memphis Light, Gas and Water Division
Morrisstown Power System
Murfreesboro Electric Department
Nashville Electric Service
Sevier County Electric System
Rural Electric Cooperatives:
Alcorn County Electric Company Association
Appalachian Electric Cooperative
Cumberland Electric Membership Corporation
Duck River Electric Membership Corporation
4-County Electric Power Association
Gibson County Electric Membership Corporation
Holston Electric Cooperative
Joe Wheeler Electric Membership Corporation
Meriwether Lewis Electric Cooperative
Middle Tennessee Electric Membership Corporation
North Georgia Electric Membership Corporation
Pennyrile Rural Electric Cooperative Corporation
Sequachee Valley Electric Cooperative
Southwest Tennessee Electric Membership Corporation
Tombigbee Electric Power Association
Tri-County Electric Membership Corporation
Upper Cumberland Electric Membership Corporation
Volunteer Electric Cooperative
Warren Rural Electric Cooperative Corporation
West Kentucky Rural Electric Cooperative Corporation

State: Texas

Regulatory Authority: Texas Public Utility Commission.

Electric Utilities

Investor-Owned:
Central Power and Light Company
El Paso Electric Company
Gulf States Utilities Company
Houston Lighting and Power Company
Southwestern Electric Power Company
Southwestern Electric Service Company
Southwestern Public Service Company
Texas-New Mexico Power Company
TU Electric
West Texas Utilities Company
Publicly-Owned;
Brownsville PUB
Lower Colorado River Authority
Rural Electric Cooperatives;
Bluebonnet Electric Cooperative, Inc.
Guadalupe Valley Electric Cooperative, Inc.
Pedernales Electric Cooperative, Inc.
Sam Houston Electric Cooperative, Inc.
Tri-County Electric Cooperative, Inc.

The governing body of each Texas municipally exercises exclusive original jurisdiction over electric utility rates, operations and services provided by an electric utility (whether privately owned or publicly owned), within its city or town limits, unless the municipality has surrendered this jurisdiction to the Texas Public Utility Commission. The Commission hears *de novo* appeals from the decision of such municipalities. These municipal authorities would be State agencies as defined by PURPA, and thus have responsibilities under

PURPA identical to those of a State regulatory authority.

The municipality owned electric utilities listed below are not under the commission's original ratemaking jurisdiction:

Electric Utilities

Publicly-Owned:
Austin Electric Department
Bryan, City of
Garland Electric Department
Lubbock Power and Light
San Antonio City Public Service Board

State: Texas

Regulatory Authority: Railroad Commission of Texas.

Gas Utilities

Investor-Owned:
Atmos Energy Corporation
Entex, Inc.
Lone Star Gas Company, a division of ENSEARCH Corporation
Southern Union Company

The governing body of each Texas municipality exercises exclusive original ratemaking jurisdiction over gas utility rates, operations, and services provided by a gas utility within its city or town limits subject to appellate review by the Railroad Commission of Texas. These municipal authorities would be State agencies as defined by PURPA and thus have responsibilities under PURPA identical to those of a State regulatory authority.

The following covered utilities within the State of Texas are not regulated by the Railroad Commission of Texas. (The Railroad Commission's appellate authority does not extend to municipally owned gas utilities.)

Gas Utilities

Publicly-Owned:
City Public Service Board (San Antonio)

State: Utah

Regulatory Authority: Utah Public Service Commission.

Gas Utilities

Investor-Owned:
Mountain Fuel Supply Company

Electric Utilities

Investor-Owned:
Utah Power and Light Company
Rural Electric Cooperatives:
Atmos Energy Corporation
Moon Lake Electric Association

State: Vermont

Regulatory Authority: Vermont Public Service Board.

Electric Utilities

Investor-Owned:
Central Vermont Public Service Corporation
Green Mountain Power Corporation
Public Service Company of New Hampshire

State: Virginia

Regulatory Authority: Virginia State Corporation Commission.

Gas Utilities

Investor-Owned:
Columbia Gas of Virginia, Inc.
Commonwealth Gas Services, Inc.
Northern Virginia Natural Gas
Virginia Natural Gas

Electric Utilities

Investor-Owned:
Appalachian Power Company
Delmarva Power and Light Company
Old Dominion Power Company
Potomac Edison Company
Virginia Electric and Power Company
Rural Electric Cooperatives:
Northern Virginia Electric Cooperative
Rappahannock Electric Cooperative

The following covered utilities within the State of Virginia are not regulated by the Virginia State Corporation Commission:

Gas Utilities

Publicly-Owned:
City of Richmond, Virginia, Department of Public Utilities

Electric Utilities

Publicly-Owned:
Danville Water, Gas & Electric

State: Washington

Regulatory Authority: Washington Utilities and Transportation Commission.

Gas Utilities

Investor-Owned:
Cascade Natural Gas Corporation
Northwest Natural Gas Company
Washington Natural Gas Company
Washington Water Power Company

Electric Utilities

Investor-Owned:
Pacific Power & Light Company
Puget Sound Power & Light Company
Washington Water Power Company

The following covered utilities within the State of Washington are not regulated by the Washington Utilities and Transportation Commission:

Electric Utilities

Publicly-Owned:
Port Angeles Light and Water Department
Public Utility District No. 1 of Benton County
Public Utility District No. 1 of Chelan County
Public Utility District No. 1 of Clark County
Public Utility District No. 1 of Cowlitz County
Public Utility District No. 1 of Douglas County
Public Utility District No. 1 of Franklin County
Public Utility District No. 1 of Grays County
Public Utility District No. 1 of Lewis County
Public Utility District No. 1 of Snohomish County
Public Utility District No. 2 of Grant County
Richland Energy Service Department
Seattle City Light Department
Tacoma Public Utilities—Light Division

State: West Virginia

Regulatory Authority: West Virginia Public Service Commission.

Gas Utilities

Investor-Owned:
Equitable Gas Company
Hope Gas Incorporated
Mountaineer Gas Company

Electric Utilities

Investor-Owned:
Appalachian Power Company
Monongahela Power Company
Potomac Edison Company
Wheeling Electric Company

State: Wisconsin

Regulatory Authority: Wisconsin Public Service Commission.

Gas Utilities

Investor-Owned:
Madison Gas and Electric Company
Northern States Power Company
Wisconsin Fuel and Light Company
Wisconsin Gas Company
Wisconsin Natural Gas Company
Wisconsin Power and Light Company
Wisconsin Public Service Corporation

Electric Utilities

Investor-Owned:
Madison Gas and Electric Company
Northern States Power Company
Wisconsin Electric Power Company
Wisconsin Power and Light Company
Wisconsin Public Service Corporation

State: Wyoming

Regulatory Authority: Wyoming Public Service Commission.

Gas Utilities

Investor-Owned:
- Cheyenne Light, Fuel and Power Company
- Kansas-Nebraska Natural Gas Company
- Montana-Dakota Utilities Company
- Mountain Fuel Supply Company

Electric Utilities

Investor-Owned:
- Black Hills Power and Light Company
- Montana-Dakota Utilities Company
- Pacific Power and Light Company
- Utah Power and Light Company

Rural Electric Cooperative:
- Tri-County Electric Association, Inc.

Appendix B

Electric Utilities

All utilities listed below had electric energy sales, for purposes other than resale, in excess of 500 million kilowatt hours in any year from 1976–1990. The utilities listed more than once have sales in more than one State, and those States are indicated by abbreviations in parentheses.

Investor-Owned:
- Alabama Power Company
- Appalachian Power Company (VA)
- Appalachian Power Company (WV)
- Arizona Public Service Company
- Arkansas Power & Light Company (AR)
- Arkansas Power & Light Company (MO)
- Atlantic City Electric Company
- Baltimore Gas & Electric Company
- Bangor Hydro-Electric Company
- Black Hills Power & Light Company (MT)
- Black Hills Power & Light Company (SD)
- Black Hills Power & Light Company (WY)
- Blackstone Valley Electric Company
- Boston Edison Company
- Cambridge Electric Light Company
- Carolina Power & Light Company (NC)
- Carolina Power & Light Company (SC)
- Central Hudson Gas & Electric Company
- Central Illinois Light Company
- Central Illinois Public Service Company
- Central Louisiana Electric Company
- Central Maine Power Company
- Central Power & Light Company
- Central Vermont Public Service Corporation
- Cincinnati Gas & Electric Company
- Citizens Electric Corporation
- Cleveland Electric Illuminating Company
- Columbus and Southern Ohio Electric Company
- Commonwealth Edison Company
- Commonwealth Electric Company
- Connecticut Light & Power Company
- Conowingo Power Company
- Consolidated Edison Company of New York
- Consumers Power Company
- Dayton Power & Light Company
- Delmarva Power & Light Company (DE)
- Delmarva Power & Light Company (VA)
- Delmarva Power & Light Company of Maryland
- Detroit Edison Company
- Duke Power Company (NC)
- Duke Power Company (SC)
- Duquesne Light Company
- Eastern Electric Company
- El Paso Electric Company (NM)
- El Paso Electric Company (TX)
- Empire District Electric Company (AR)
- Empire District Electric Company (KS)
- Empire District Electric Company (MO)
- Empire District Electric Company (OK)
- Florida Power Corporation
- Florida Power & Light Company
- Georgia Power Company
- Green Mountain Power Company
- Gulf Power Company
- Gulf States Utilities Company (LA)
- Gulf States Utilities Company (TX)
- Hawaii Electric Light Company
- Hawaiian Electric Company Inc.
- Houston Lighting and Power Company
- Idaho Power Company (ID)
- Idaho Power Company (NV)
- Idaho Power Company (OR)
- Illinois Power Company
- Indiana & Michigan Power Company (IN)
- Indiana & Michigan Power Company (MI)
- Indianapolis Power & Light Company
- Interstate Power Company (IA)
- Interstate Power Company (IL)
- Interstate Power Company (MN)
- Iowa-Illinois Gas & Electric Company (IA)
- Iowa-Illinois Gas & Electric Company (IL)
- Iowa Power Incorporated
- Iowa Southern Utilities Company
- IPS Electric, division of Iowa Public Service Co. (IA)
- IPS Electric, division of Iowa Public Service Co. (SD)
- Jersey Central Power & Light Company
- Kansas City Power & Light Company (KS)
- Kansas City Power & Light Company (MO)
- Kansas Gas & Electric Company
- Kansas Power & Light Company
- Kentucky Power Company
- Kentucky Utilities Company
- Kingsport Power Company
- Long Island Lighting Company
- Louisiana Power & Light Company
- Louisville Gas & Electric Company
- Madison Gas & Electric Company
- Massachusetts Electric Company
- Maui Electric Company
- Metropolitan Edison Company
- Michigan Power Company
- Minnesota Power & Light Company
- Mississippi Power Company
- Mississippi Power & Light Company
- Missouri Public Service Company
- Monongahela Power Company (OH)
- Monongahela Power Company (WV)
- Montana-Dakota Utilities Company (MT)
- Montana-Dakota Utilities Company (ND)
- Montana-Dakota Utilities Company (SD)
- Montana-Dakota Utilities Company (WY)
- Montana Power Company
- Nantahala Power & Light Company
- Narragansett Electric Company
- Nevada Power Company
- New Orleans Public Service, Inc.
- New York State Electric & Gas Corporation
- Niagara Mohawk Power Company
- Northern Indiana Public Service Company
- Northern States Power Company (MI)
- Northern States Power Company (MN)
- Northern States Power Company (ND)
- Northern States Power Company (SD)
- Northern States Power Company (WI)
- Northwestern Public Service Company
- Ohio Edison Company
- Ohio Power Company
- Oklahoma Gas & Electric Company (AR)
- Oklahoma Gas & Electric Company (OK)
- Old Dominion Power Company
- Orange & Rockland Utilities
- Otter Tail Power Company (MN)
- Otter Tail Power Company (ND)
- Otter Tail Power Company (SD)
- Pacific Gas & Electric Company
- Pacific Power & Light Company (CA)
- Pacific Power & Light Company (ID)
- Pacific Power & Light Company (MT)
- Pacific Power & Light Company (OR)
- Pacific Power & Light Company (WA)
- Pacific Power & Light Company (WY)
- Pennsylvania Electric Company
- Pennsylvania Power & Light Company
- Pennsylvania Power Company
- Philadelphia Electric Company
- Portland General Electric Company
- Potomac Edison Company (MD)
- Potomac Edison Company (VA)
- Potomac Edison Company (WV)

Potomac Electric Power Company (DC)
Potomac Electric Power Company (MD)
PSI Energy (IN)
Public Service Company of Colorado
Public Service Company of New Hampshire (NH)
Public Service Company of New Hampshire (VT)
Public Service Company of New Mexico
Public Service Company of Oklahoma
Public Service Electric and Gas Company
Puget Sound Power & Light Company
Rochester Gas & Electric Corporation
Rockland Electric Company
St Joseph Light & Power Company
San Diego Gas & Light Company
Savannah Electric & Power Company
Sierra Pacific Power Company (CA)
Sierra Pacific Power Company (NV)
South Carolina Electric & Gas Company
Southern California Edison Company
Southern Colorado Power Division of Centel (CO)
Southern Indiana Gas & Electric Company
Southwestern Electric Power Company (AR)
Southwestern Electric Power Company (LA)
Southwestern Electric Power Company (TX)
Southwestern Electric Service Company
Southwestern Public Service Company (KS)
Southwestern Public Service Company (NM)
Southwestern Public Service Company (OK)
Southwestern Public Service Company (TX)
Tampa Electric Company
Texas-New Mexico Power Company
Toledo Edison Company
TU Electric
Tucson Electric Power Company
UGI-Luzerne Electric Division
Union Electric Company (IA)
Union Electric Company (IL)
Union Electric Company (MO)
Union Light, Heat & Power Company
United Illuminating Company
Upper Penninsula Power Company
Utah Power & Light Company (ID)
Utah Power & Light Company (UT)
Utah Power & Light Company (WY)
Virginia Electric & Power Company (NC)
Virginia Electric & Power Company (VA)
Washington Water Power Company (ID)
Washington Water Power Company (MT)
Washington Water Power Company (WA)
West Penn Power Company
West Texas Utilities Company
Western Massachusetts Electric Company
Western Power Division of Centel (KS)
Wheeling Electric Company
Wisconsin Electric Power Company (MI)
Wisconsin Electric Power Company (WI)
Wisconsin Power & Light Company
Wisconsin Public Service Corporation (MI)
Wisconsin Public Service Corporation (WI)

Publicly-Owned:
Albany Water, Gas & Light Commission (GA)
Anaheim Public Utilities Department (CA)
Anchorage Municipal Light & Power Department (AK)
Athens Utilities (AL)
Austin Electric Department (TX)
Bowling Green Municipal Utilities (KY)
Bristol Tennessee Electric System (TN)
Brownsville Public Utility Board (TX)
Bryan, City of (TX)
Burbank Public Service Department (CA)
Central Lincoln People's Utility District (OR)
Chattanooga Electric Power Board (TN)
Clarksville Department of Electricity (TN)
Clatskanie People's Utility District (OR)
Cleveland Division of Light & Power (OH)
Cleveland Utilities (TN)
Clinton Utilities Board (TN)
Colorado Springs Department of Utilities (CO)
Dalton Water, Light & Sink (CA)
Danville Water, Gas & Electric (VA)
Decatur Electric Department (AL)
Dothan Electric Department (AL)
Eugene Water & Electric Board (OR)
Fayetteville Public Works Commission (NC)
Florence Electric Department (AL)
Gainesville Regional Utilities (FL)
Garland Electric Department (TX)
Glendale Public Service Department (CA)
Greenville Light & Power System (TN)
Greenville Utilities Commission (NC)
Groton Public Utilities (CT)
High Point Electric Utility Dept. (NC)
Huntsville Utilities (AL)
Imperial Irrigation District (CA)
Independence Power & Light Department (MO)
Jackson Utility Division-Electric Department (TN)
Jacksonville Electric Authority (FL)
Johnson City Power Board (TN)
Kansas City Board of Public Utilities (KS)
Kissimmee Utility Authority (FL)
Knoxville Utilities Board (TN)
Lafayette Utilities System (LA)
Lakeland Department of Electric and Water (FL)
Lansing Board of Water and Light (MI)
Lenoir City Utilities Board (TN)
Lincoln Electric System (NE)
Los Angeles Department of Water and Power (CA)
Lower Colorado River Authority (TX)
Lubbock Power & Light (TX)
Memphis Light, Gas & Water Division (TN)
Modesto Irrigation District (CA)
Morristown Power System (TN)
Murfreesboro Electric Dept. (TN)
Muscatine Power & Water (IA)
Nashville Electric Service (TN)
Nebraska Public Power District (NE)
Nebraska Public Power District (SD)
North Little Rock Electric Department (AR)
Ocala Electric Authority (FL)
Omaha Public Power District (IA)
Omaha Public Power District (NE)
Orlando Utilities Commission (FL)
Owensboro Municipal Utilities (KY)
Palo Alto Electric Utility (CA)
Pasadena Water & Power Department (CA)
Power Authority of New York (NY)
Port Angeles Light & Water Department (WA)
Public Utility District No. 1 of Benton County (WA)
Public Utility District No. 1 of Chelan County (WA)
Public Utility District No. 1 of Clark County (WA)
Public Utility District No. 1 of Cowlitz County (WA)
Public Utility District No. 1 of Douglas County (WA)
Public Utility District No. 1 of Franklin County (WA)
Public Utility District No. 1 of Grays Harbor County (WA)
Public Utility District No. 1 of Lewis County (WA)
Public Utility District No. 1 of Snohomish County (WA)
Public Utility District No. 2 of Grant County (WA)
Puerto Rico Electric Power Authority
Richland Energy Services Department (WA)
Richmond Power & Light (IN)
Riverside Public Utilities (CA)
Rochester Department of Public Utilities (MN)

Rocky Mount Public Utilities (NC)
Sacramento Municipal Utility District (CA)
Salt River Project Agricultural Improvement and Power District (AZ)
San Antonio City Public Service Board (TX)
Santa Clara Electric Department (CA)
Seattle City Light Department (WA)
Sevier County Electric System (TN)
South Carolina Public Service Authority
Springfield City Utilities (MO)
Springfield Utility Board (OR)
Springfield Water, Light & Power Department (IL)
Tacoma Public Utilities—Light Division (WA)
Trico Electric Cooperative, Inc. (AZ)
Tallahassee, City of (FL)
Tupelo Water & Light Department (MS)
Turlock Irrigation District (CA)
Vernon Municipal Light Department (CA)
Wilson Utilities Department (NC)

Rural Electric Cooperatives:
Alcorn County Electric Power Association (MN)
Anoka Electric Cooperative (MN)
Appalachian Electric Cooperative (TN)
Arkansas Valley Electric Cooperative Corporation (AR)
Berkeley Electric Cooperative (SC)
Bluebonnet Electric Cooperatives, Inc., (TX)
Blue Ridge Electric Membership Corporation (NC)
Cajun Electric Power Cooperative (LA)
Carroll Electric Cooperative Corporation (AR)
Chugach Electric Cooperative (AK)
Clay Electric Cooperative (FL)
Coast Electric Power Association (MS)
Cobb Electric Membership Corporation (GA)
Cotton Electric Cooperative (OK)
Cullman Electric Cooperative (AL)
Cumberland Electric Membership Corporation (TN)
Dakota Electric Association (NM)
Dixie Electric Membership Corporation (LA)
Duck River Electric Membership Corporation (TN)
Duncan Valley Electric Cooperative, Inc. (AZ, NM)
First Electric Cooperative Corporation (AR)
Flint Electric Membership Corporation (GA)
4-County Electric Power Association (MS)
Gibson County Electric Membership (TN)
Green River Electric Corporation (KY)
GreyStone Power Corporation (GA)
Guadalupe Valley Electric Cooperative, Inc. (TX)
Henderson-Union Rural Electric Cooperative Corporation
Holston Electric Cooperative (TN)
Intermountain Rural Electric (CO)
Jackson Electric Membership Corporation (GA)
Joe Wheeler Electric Membership Corporation (AL)
Lea County Electric Cooperative, Inc. (NM)
Lee County Electric Cooperative (FL)
Linn County Rural Electric Cooperative Association (IA)
Meriwether Lewis Electric Cooperative (TN)
Middle Tennessee Electric Membership Corporation (TN)
Midwest Energy Incorporated (KS)
Mississippi County ECC (AR)
Moon Lake Electric Association (CO)
New Hampshire Electric Cooperative, Inc. (NH)
Northern Virginia Electric Cooperative (VA)
North Georgia Electric Membership Corporation (GA)
Oregon Trail Electric
Palmetto Electric Cooperative, Inc. (SC)
Pedernales Electric Cooperative Corporation, Inc. (TX)
Pennyrile Rural Electric Cooperative Corporation (KY)
Rappahannock Electric Cooperative (VA)
Rural Electric System (AL)
Rutherford Electric Membership Corporation (NC)
Sam Houston Electric Cooperative, Inc. (TX)
Sawnee Electric Membership Corporation (GA)
Sequachee Valley Electric Cooperative (TN)
Singing River Electric Power Association (MS)
South Central Power Company (OH)
Southern Maryland Electric Cooperative, Inc. (MD)
Southern Pine Electric Power Association (MS)
Southwest Louisiana Electric Membership Corporation (LA)
Southwest Tennessee Electric Membership Corporation (TN)
Sumter Electric Cooperative (FL)
Tombigbee Electric Power Association (MS)
Tri-County Electric Association, Inc. (WY)
Tri-County Electric Cooperative, Inc. (TX)
Tri-County Electric Membership Corporation (TN)
Umatilla Electric Cooperative Association (OR)
Upper Cumberland Electric Membership Corporation (TN)
Volunteer Electric Cooperative (TN)
Walton Electric Membership Corporation (GA)
Warren Rural Electric Cooperative Corporation (KY)
West Kentucky Rural Electric Cooperative Corporation (KY)
Withlacoochee River Electric Cooperative (FL)

Federal Agencies:
Bonneville Power Administration (OR)
Tennessee Valley Authority (TN)
Western Area Power Administration (CO)

Gas Utilities

All gas utilities listed below had natural gas sales, for purposes other than resale, in excess of 10 billion cubic feet in any year from 1976–1990. The utilities listed more than once have sales in more than one State and those States are indicated by abbreviations in parentheses.

Investor-Owned:
Alabama Gas Corporation
Anadarko Production Company
Arkansas-Louisiana Gas Company (AR)
Arkansas-Louisiana Gas Company (KS)
Arkansas-Louisiana Gas Company (LA)
Arkansas-Oklahoma Gas Corporation (OK)
Arkansas-Oklahoma Gas Corporation (AR)
Arkansas Western Gas Company
Associated Natural Gas Company (MO)
Atlanta Gas Light Company
Atmos Energy Corporation
Baltimore Gas & Electric Company
Battle Creek Gas Company
Bay State Gas Company
Boston Gas Company
Brooklyn Union Gas Company
Carnegie Natural Gas Company
Carolina Pipeline Company
Cascade Natural Gas Corporation (OR)
Cascade Natural Gas Corporation (WA)
Central Illinois Light Company
Central Illinois Public Service Company
Chattanooga Gas Company (TN)
Cheyenne Light, Fuel and Power Company
Cincinnati Gas and Electric Company
City Gas Company of Florida
Colonial Gas Energy System
Columbia Gas of Kentucky, Inc.
Columbia Gas of New York, Inc.

Columbia Gas of Ohio, Inc.
Columbia Gas of Pennsylvania, Inc.
Columbia Gas of Virginia, Inc.
Commonwealth Gas Company
Commonwealth Gas Service Incorporated
Commonwealth Gas Services, Incorporate
Connecticut Natural Gas Corporation
Consolidated Edison Company of New York, Inc.
Consumers Power Company
Dayton Power & Light Company
Delmarva Power & Light Company (DE)
East Ohio Gas Company
Elizabethtown Gas Company
EnergyNorth Natural Gas, Inc.
Enstar Natural Gas Company
Entex Inc. (LA)
Entex Inc. (MS)
Entex Inc. (TX)
Equitable Gas Company (PA)
Equitable Gas Company (WV)
Gas Company of New Mexico
Gas Service Company (KS)
Gas Service Company (MO)
Gas Service Company (NE)
Gas Service Company (OK)
Greeley Gas Company (CO)
Greeley Gas Company (KS)
Gulf States Utilities Company
Hope Gas, Incorporated
Illinois Power Company
Indiana Gas Company
Intermountain Gas Company
Interstate Power Company (IA)
Interstate Power Company (MN)
Iowa Electric Light & Power Company (IA)
Iowa Electric Light & Power Company (NE)
Iowa-Illinois Gas & Electric Company (IA)
Iowa-Illinois Gas & Electric Company (IL)
Iowa Power & Light Company
Iowa Southern Utilities Company
Kansas-Nebraska Natural Gas Company (CO)
Kansas-Nebraska Natural Gas Company (KS)
Kansas-Nebraska Natural Gas Company (WY)
Kansas Power & Light Company
KN Energy, Inc.
Laclede Gas Company Consolidated
Lone Star Gas Company (OK)
Lone Star Gas Company, a division of ENSERCH Corp. (TX)
Long Island Lighting Company
Louisiana Gas Service Company
Louisville Gas & Electric Company
Madison Gas & Electric Company
Michigan Consolidated Gas Company
Michigan Gas Company
Midwest Gas, Division of Iowa Public Service Company (IA)
Midwest Gas, Division of Iowa Public Service Company (MN)
Midwest Gas, Division of Iowa Public Service Company (NE)
Midwest Gas, Division of Iowa Public Service Company (SD)
Minnegasco—Division of Arkla, Inc. (MN)
Minnegasco—Division of Arkla, Inc. (NE)
Minnegasco—Division of Arkla, Inc. (SD)
Mississippi Valley Gas Company
Missouri Public Service Company
Mobile Gas Service Corporation
Montana-Dakota Utilities Company (MT)
Montana-Dakota Utilities Company (ND)
Montana-Dakota Utilities Company (SD)
Montana-Dakota Utilities Company (WY)
Montana Power Company
Mountaineer Gas Company
Mountain Fuel Supply Company (UT)
Mountain Fuel Supply Company (WY)
Nashville Gas Company
National Fuel Gas Distribution Corporation (NY)
National Fuel Gas Distribution Corporation (PA)
National Gas and Oil Company
New Jersey Natural Gas Company
New Orleans Public Service, Inc.
New York State Electric & Gas Corporation
Niagara Mohawk Power Company
North Carolina Natural Gas Corporation
North Shore Gas Company
Northern Illinois Gas Company
Northern Indiana Public Service Company
Northern Minnesota Utilities-Division of UtiliCorp United, Inc.
Northern Natural Gas Company (KS)
Northern Natural Gas Company (NE)
Northern States Power Company (MN)
Northern States Power Company (ND)
Northern States Power Company (WI)
North Penn Gas Company
Northwest Natural Gas Company (OR)
Northwest Natural Gas Company (WA)
Northwestern Public Service Company (NE)
Northwestern Public Service Company (SD)
Oklahoma Natural Gas Company
Orange & Rockland Utilities
Pacific Gas & Electric Company
Panhandle Eastern Pipeline Company (IL)
Panhandle Eastern Pipeline Company (KS)
Pennsylvania Gas & Water Company
Peoples Gas, Light and Coke Company
Peoples Gas System
Peoples Natural Gas Company
Peoples Natural Gas Company, Division of UtiliCorp United, Inc. (CO)
Peoples Natural Gas Company, Division of UtiliCorp United, Inc (IA)
Peoples Natural Gas Company, Division of UtiliCorp United, Inc. (KS)
Peoples Natural Gas Company, Division of UtiliCorp United, Inc. (MN)
Peoples Natural Gas Company, Division of UtiliCorp United, Inc. (NE)
Philadelphia Electric Company
Piedmont Natural Gas Company (NC)
Piedmont Natural Gas Company (SC)
Providence Gas Company
Public Service Company of Colorado
Public Service Company of North Carolina
Public Service Electric and Gas Company
Rochester Gas & Electric Corporation
San Diego Gas & Electric Company
South Carolina Gas & Electric Company
South Jersey Gas Company
Southwestern Michigan Gas Company
Southern California Gas Company
Southern Connecticut Gas Company
Southern Indiana Gas & Electric Company
Southern Union Company (TX)
Southern Union Gas Company (AZ)
Southern Union Gas Company (OK)
Southwest Gas Corporation (AZ)
Southwest Gas Corporation (CA)
Southwest Gas Corporation (NV)
Trans Louisiana Gas Company
T.W. Phillips Gas and Oil Company
UGI Corporation
Union Electric Company
Union Gas System, Inc. (KS)
Union Gas System, Inc. (OK)
Union Light, Heat & Power Company (KY)
United Cities Gas Company (GA)
United Cities Gas Company, Great River Division
Virginia Natural Gas
Washington Gas Light Company (DC)
Washington Gas Light Company (MD)
Washington Gas Light Company (VA)
Washington Natural Gas Company
Washington Water Power Company (ID)
Washington Water Power Company (WA)
West Ohio Gas Company
Western Kentucky Gas Company
Williams Natural Gas Company
Wisconsin Fuel & Light Company
Wisconsin Gas Company

Wisconsin Natural Gas Company
Wisconsin Power and Light Company
Wisconsin Public Service Corporation (MI)
Wisconsin Public Service Corporation (WI)
Yankee Gas Services Company (CT)
Publicly-Owned:
Citizens Gas & Coke Utility (IN)
City of Richmond, Department of Public Utilities (VA)
City Public Services Board (San Antonio) (TX)
Colorado Springs, Department of Utilities (CO)
Long Beach Gas Department (CA)
Memphis Light, Gas & Water Division (TN)
Metropolitan Utilities District of Omaha (NE)
Philadelphia Gas Works (PA)
Springfield City Utilities (MO)

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federal register

Friday
December 20, 1991

Part VII

Department of Transportation

Coast Guard

33 CFR Part 117

Drawbridge Operation Regulations; Potomac River, District of Columbia; Notice of Proposed Rulemaking

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

CGD-90-064

RIN 2115-AD71

Drawbridge Operation Regulations; Potomac River, District of Columbia

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: At the request of the Federal Highway Administration, the Maryland and Virginia Departments of Transportation, and the District of Columbia Department of Public Works, the Coast Guard proposes to change the regulations that govern operation of the Woodrow Wilson Memorial Bridge across the Potomac River, mile 103.8, at Alexandria, Virginia. This change would further restrict the hours during which the drawbridge may open for vessel traffic. The proposed changes to these regulations are intended to provide for regularly scheduled openings for the reasonable needs of navigation, while reducing traffic congestion related to the openings.

DATES: Comments must be received on or before February 3, 1992.

A public hearing will be held on January 28, 1992, at 7 p.m.; requests to present oral testimony must be received on or before January 24, 1992.

ADDRESSES: Comments should be mailed to Commander (ob), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004. The comments and other materials referenced in this notice will be available for inspection and copying at the above address, room 507 between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. Comments may be hand-delivered to this address.

A public hearing will be held at Thomas A. Edison High School Auditorium, 5801 Franconia Road, Alexandria, Virginia.

FOR FURTHER INFORMATION CONTACT: Ms. Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at 804-398-6222.

SUPPLEMENTARY INFORMATION:

Request for Comments and Notice of Public Hearing

Interested persons are invited to participate in this rulemaking by submitting written comments or data. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD-90-064), and give reasons for concurrence with or any recommended changes to the proposal. Persons wanting acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

A public hearing will be held to give the bridge owner, waterway users, the motoring public and other interested parties the opportunity to present data, views, and comments verbally or in writing concerning a proposed permanent change to the regulations governing the operation of the Woodrow Wilson Memorial Bridge across the Potomac River at Alexandria, Virginia.

The hearing will be informal. Representatives from the Coast Guard will preside at the hearing, make a brief opening statement and announce the procedures to be followed. Speakers are encouraged to provide written copies of their verbal comments to the hearing officer at the time of the hearing. A verbatim transcript of the hearing, as well as written comments received outside of the hearing will be available for public review at the offices of the Fifth Coast Guard District, room 507, approximately 30 days after the hearing date. Transcripts of the hearing will be made available for purchase upon request to the court reporting services at the conclusion of the hearing. All comments, whether received in writing or presented verbally at the hearing will be fully considered before final agency action is taken.

The Commander, Fifth Coast Guard District, will evaluate all communications received and recommend a final course of action based on comments and data received.

Drafting Information

The drafters of this notice are Ann B. Deaton, Project Officer, and CAPT M.K. Cain, Project Attorney.

Background and Purpose

The current published regulations for the Woodrow Wilson bridge are found in 33 CFR 117.255 and provide that the bridge will not open for any vessel (except large commercial vessels needing tidal considerations) from 6 a.m. to 10 a.m. and from 3 p.m. to 8 p.m., Monday through Friday. The few larger commercial vessels needing tidal considerations are allowed openings between 6 a.m. and 6:30 a.m., between 9 a.m. and 10 a.m., between 3 p.m. and 4 p.m. and between 6:30 p.m. and 8 p.m. This existing regulation results in periods of no openings on weekdays from 6:30 a.m. to 9 a.m. and from 4 p.m. to 6:30 p.m. In addition, the existing regulation allows openings at any time for all vessels on weekends and Federal holidays. This regulation has been in effect since August 2, 1988. There were no requests to change it until the fall of 1990 when the bridge was operating under a temporary schedule to allow repairs to the bridge.

The formal request to permanently change these regulations was received from the Maryland and Virginia Departments of Transportation and the District of Columbia Department of Public Works, and would allow openings for all commercial ships only between 12 midnight and 4 a.m., 7 days a week. Their proposal would allow no openings for recreational boats at any time, and no consideration would be given for large commercial ships needing to transit the river at high tide stages due to their deeper drafts.

On August 2, 1990, a temporary deviation from the existing permanent regulations was published in the **Federal Register** (55 FR 31384) to facilitate emergency repairs to the bridge's electrical systems. That emergency deviation expired on September 21, 1990. On September 20, 1990, temporary regulations were issued which modified the restrictions on bridge openings authorized by the temporary deviation; they were effective on September 22, 1990. Those temporary regulations were published in the **Federal Register** October 1, 1990 (55 FR 39962) and they remained in effect until January 25, 1991. In conjunction with the temporary regulations that were effective on September 22, 1990, the Coast Guard published supplementary information on the temporary regulations with a request for comments in the October 1, 1990 **Federal Register** (55 FR 39963). Comments were received through October 16, 1990. Although many comments were received, the majority of them related to the matter of a change to the current published permanent regulations and not to the temporary regulations for which comments were being solicited. In general, there were no comments of a new or significant nature relating to the temporary regulations to cause the Coast Guard to amend the temporary regulations at issue. On December 21, 1990, temporary regulations were issued to allow the bridge owner to complete the ongoing repairs to the bridge. These temporary regulations were effective on January 25, 1991, and remained in effect until April 1, 1991. They were published in the **Federal Register** on January 8, 1991 (56 FR 635). On March 22, 1991, the Commander, Fifth Coast Guard District issued new temporary regulations to allow the bridge owner additional time needed to complete the extensive ongoing repairs to the bridge. These

regulations became effective on April 1, 1991, and remained in effect until May 31, 1991 when repairs were completed.

Normally, upon completion of repairs, the bridge would revert to the permanent rule in 33 CFR 117.255. However, since the Coast Guard had received a formal request to severely restrict openings of the bridge due to the growing needs of today's vehicular traffic, the Coast Guard has issued temporary deviations from the permanent rules, with request for comments, under the provisions of 33 CFR 117.43. The first temporary rule was published on June 4, 1991 (56 FR 25369) to evaluate Alternative P of the opening schedules being considered for a permanent change in the regulations. It was effective from June 1, 1991, through July 30, 1991. A second temporary rule was published on July 29, 1991 (56 FR 35816) to evaluate Alternative NA. It was effective from July 31, 1991, through September 28, 1991. A third temporary rule was published on September 27, 1991 (56 FR 49145) to evaluate a slight modification to Alternative NA. This modification moved the noon opening opportunities for recreational vessels to 11 a.m. It was effective from September 29, 1991, through November 27, 1991. A further modification to Alternative NA, extending the opening periods for deep-draft commercial vessels, was published on November 26, 1991 (56 FR 59880) and is effective from November 28, 1991 through January 27, 1992. The Coast Guard anticipates publishing further temporary rules to evaluate alternative opening schedules, or re-evaluate the effect of schedules previously published when imposed at different times of the year, until permanent rules are adopted.

In addition to publication of the documents listed above, the Coast Guard and the Federal Highway Administration co-hosted a meeting on September 14, 1990, with all parties known to be interested in the operation of this bridge. The meeting was attended by representatives of state and local governments, highway users, commercial and recreational vessel operators, the Virginia Pilot Association, Robinson Terminals and local trade organizations. Although the purpose of the meeting was to discuss the temporary opening schedule of the bridge during repairs, many comments actually related to the attendees' positions concerning permanent changes to the bridge's operating schedule. On December 11, 1990, at the request of representatives of Robinson Terminals of Alexandria, Virginia, the Commander, Fifth Coast Guard District met with those representatives at his office in Portsmouth, Virginia to hear their views concerning the operation of the Wilson Bridge during the temporary repair period. Again, on August 1, 1991, at the request of representatives of Robinson Terminals of Alexandria, Virginia, the Commander, Fifth Coast Guard District met with those representatives at his office in Portsmouth, Virginia, to hear their views concerning the temporary rule that was in effect through July 30, 1991.

The Woodrow Wilson Bridge links Maryland, Virginia, and the District of Columbia. Originally, it was planned as part of a multi-lane freeway circling the Nation's Capital which was designated the "Capital Beltway". In 1964, the Woodrow Wilson Bridge, as part of the "Beltway", was a 6-lane bascule-span bridge which accommodated both highway and marine traffic. In 1976, Interstate 95 was routed along the eastern portion of the "Beltway" and across the Woodrow Wilson Bridge. During this time vehicular traffic increased and by 1988 the average daily traffic count across the bridge was 150,000.

Because of the growth in vehicular traffic, bridge openings for passage of vessels aggravate highway congestion on Interstate 95 (the Beltway) and connecting roads in the vicinity of the bridge. If an opening occurs during periods of heavy traffic, it can take considerable time before it is again flowing smoothly. The disruption of traffic can continue long after the bridge has been closed and vehicular traffic across the bridge has resumed. As a result, the Coast Guard has received a joint request from the Maryland and Virginia Departments of Transportation, and the District of Columbia Department of Public Works to permanently change the regulations governing operation of this bridge by severely limiting the hours during which the bridge may open for vessel traffic.

On the Potomac River, there are three major classes of vessel traffic that require draw openings. The largest class is termed "Sail/Pleasure" and includes sailboats and other pleasure craft. The second class termed "Freighter/Tug" includes freighters, tugboats and other commercial ships. The third class termed "Navy/Government" includes Navy and Coast Guard ships, survey ships, and other government vessels. For purposes of this rulemaking, the third class of vessels is considered to belong to the commercial classification, which results in two major classifications of vessels—commercial and recreational.

Vehicular traffic on the bridge is categorized by trip purpose and vehicle type. Vehicular traffic has been termed "commercial" and "non-commercial." "Commercial" vehicles mainly are trucks engaged in commercial activity. "Non-commercial" vehicles are those used for commuting, recreation, and business purposes.

The bridge currently opens for vessel traffic about 400 times per year. Of these openings, about 100 are for commercial and government vessels. The remainder are for recreational craft. Several of the commercial vessels have deeper drafts which require their occasional transit of the river through the Woodrow Wilson drawbridge at high tide stages due to shoaling at several points in the river downstream from the Woodrow Wilson Bridge.

Interstate 95 and the Woodrow Wilson Bridge serve as a commuting route for many, resulting in substantial peak usage periods during normal commuting hours. The bridge itself is a traffic constriction due to eight lanes of traffic merging onto a 6-lane bridge. Vehicle speeds decrease whenever there is more than moderate traffic, even in the absence of accidents, construction or other obstructions. Accidents or other obstructions have caused extensive traffic backups on a routine basis. In addition, extreme traffic congestion resulted twice during the summer of 1990 when the bridge malfunctioned and became stuck in the open position.

The bridge statutes require that all bridges over navigable waters of the United States provide for the reasonably free navigation of the waterway over which they are constructed (33 U.S.C. 494). Regulatory action is necessary for the Coast Guard to meet its responsibility for insuring that drawbridges are operated in a manner that is in the public interest. In discharging this responsibility, the Coast Guard strives to promulgate regulations that provide the best balance between the reasonable needs of marine and surface transportation using bridges.

In an effort to compile as much information on the impacts of different opening schedules on both highway and marine traffic as possible, the Coast Guard undertook an extensive study of various opening schedule options as part of its overall investigation of the facts to identify an opening schedule that would be as equitable as possible. Given the intense interest in the operation of this bridge, the Coast Guard contracted a consultant with expertise in transportation studies to conduct a detailed analysis of various alternative opening schedules to determine an appropriate balance between vessel and vehicular levels of

service, with consideration of social, economic, and environmental impacts.

Economic considerations are not the sole determining factor in developing a schedule that the Coast Guard considers to best balance the needs of both marine and highway traffic. In addition to economic factors such as total vessel and vehicular delay costs for various schedules, the Coast Guard must also consider other factors, some quantifiable, and some not. Among these other factors are: relative numbers of vessels transiting the waterway requiring openings of the bridge; actual numbers and times of bridge openings; the natural characteristics of the waterway which may present navigational limitations for certain vessels such as shoaling, water depth or tidal restrictions; protection of present and future commerce on the waterway; and the rights of vessels to use navigable waters of the United States. These factors also include numbers of vehicles crossing the bridge; peak vehicular traffic periods; demonstrated growth in vehicular traffic volumes; adequacy of bridge capacity for current traffic volumes; inherent vehicular traffic congestion in heavily populated metropolitan areas; and extraneous causes for traffic congestion other than bridge openings such as constriction caused by merging from a wider highway onto a narrower bridge, accidents, vehicle breakdowns, and roadway construction.

The bridge itself carries about 160,000 vehicle trips per day. Although the river is used by both commercial and recreational vessels, the volume of river traffic is small measured in numbers of vessel transits and especially as compared to vehicular traffic. During the relatively unrestricted period from October 1989 to September 1990, the bridge opened about 377 times to allow the passage of about 403 vessels, of which approximately 35% were commercial. This would indicate an average of slightly more than one opening a day, however, this could be misleading. A review of the bridge opening logs for the same period, revealed that for several periods, one in excess of two weeks, there were no openings at all. At another time, a maximum of ten openings occurred in a single day. As expected, the low number of openings occurred in the winter months and the frequent openings were for recreational vessels during the boating season. It appears that the timing of the openings is the critical issue. Designing a schedule for when openings for vessel traffic are permitted requires consideration of the competing needs of both vessels and motorists. The primary objective is to find an opening schedule that would help minimize the total delays to both while considering the other salient factors discussed above. An additional objective is to develop an alternative that will provide reasonable access to the river for commercial vessels while substantially reducing the number of openings for recreational vessels.

The Coast Guard recognizes the need to provide for periods when the bridge will not open for the passage of vessels in order to accommodate vehicular traffic during peak commuting hours, and similar, but less congested periods of weekend traffic. Balanced against motor vehicle needs are the requirement that commercial vessels have reasonable access to facilities upstream of the bridge and the requirement that recreational vessels requiring the bridge to open not be so restricted as to amount to virtual denial of access.

It is clear that the bridge creates a problem for both vehicle and vessel traffic, and no solution to the operating schedule problem will fully benefit both. The regulatory impact analysis concluded that avoiding bridge openings not only during the rush hours, 5–9 a.m. and 3–7 p.m., but also during the hour immediately prior to rush hours when traffic is building, will reduce vehicle delays. Restricting vessel transits to other than peak periods is clearly beneficial to highway traffic. Midday openings cause much less vehicle delay than peak openings.

The analysis also concluded that permitted opening intervals distributed around the clock, rather than concentrated in the middle of the night, will reduce vessel delay and its associated costs.

There are several alternatives which would strike a reasonable balance between vehicle and vessel needs. Two major issues in consideration of these alternatives were the need to avoid peak vehicular use period openings when possible and the need to give consideration to all marine traffic, including recreational and deep-draft vessels.

Initially, twenty-four alternatives were developed. Included in this initial list were the various temporary regulations which had been in effect to allow repairs to the bridge. Based upon current vehicular use of the bridge, it was considered infeasible to revert to a less restrictive opening schedule than currently exists as published in 33 CFR 117.255. Completely closing the drawbridge to marine navigation was considered unreasonable. Also considered unreasonable was any schedule which would not permit midday openings for both commercial and recreational boats, any schedule which would allow unlimited openings for vessel traffic, or a schedule which would not consider the special needs of deep-draft vessels transiting the river which require high-tide stages for transits.

Through successive refinements of the initial list, six alternatives were chosen for a preliminary analysis. Based upon the results of that preliminary analysis, eight additional alternatives were developed which, when combined with the original six alternatives, provide a range of fourteen alternatives. Through additional refinements, six of these alternatives were discarded because of their close similarity to other alternatives being analyzed or because the benefits gained by one mode of transportation were so minimal compared to the exorbitant costs levied on the other mode of transportation. This process narrowed the list of alternatives for detailed analysis to eight. An additional three alternatives were then developed. These eleven alternatives were referred to as Alternatives A, B, F, I, J, L, LA, LB, N, NA, and P. The letters designating the alternatives have no significance other than as reference keys.

Alternative A is the existing permanent regulation as listed in CFR, title 33, § 117.255. This is the alternative to which all other alternatives should be compared. Alternative B extends the time the drawbridge would remain closed during the rush hour traffic. Alternative F excludes openings for recreational vessels and only allows commercial vessels to open the bridge between midnight and 4 a.m. (This is the regulation proposed by the Maryland and Virginia Departments of Transportation, and the District of Columbia Department of Public Works). Alternatives I, J, L, LA, LB, N, NA, and P are all variations on the windows of bridge openings allowed throughout the day.

The following paragraphs describe these alternatives:

Alternative A. The bridge will open for recreational and commercial vessels with 1 hour notice Monday through Friday from 8 p.m. through 6 a.m. and from 10 a.m. to 3 p.m. The bridge will open for tidal commercial vessels with 1 hour notice Monday through Friday from 6:30 p.m. to 6:30 a.m. and from 9 a.m. to 4 p.m. The bridge will open for all vessels on Saturdays, Sundays, and Federal holidays with 1 hour notice at any time

Alternative B. The bridge will open for recreational and all commercial vessels with 1 hour notice Monday through Friday from 8 p.m. to 5 a.m. and from 10 a.m. to 2 p.m. The bridge will open for tidal commercial vessels with 1 hour notice Monday through Friday from 7 p.m. to 5 a.m. and from 10 a.m. to 2 p.m. The bridge will open for all vessels with 1 hour notice on Saturdays, Sundays and Federal holidays from 9 p.m. to 6 a.m. and from 10 a.m. to 2:30 p.m.

Alternative F. The bridge will open for all commercial vessels including tidal vessels 7 days a week from 12 midnight to 4 a.m. The bridge will not open for recreational vessels.

Alternative I. The bridge will open for recreational and all commercial vessels with 2 hours notice Monday through Friday from 8 p.m. to 5 a.m. The bridge will open for tidal commercial vessels with 2 hours notice Monday through Friday from 7 p.m. to 5 a.m. The bridge will open for all vessels with 2 hours notice on Saturdays, Sundays, and Federal holidays from 8 p.m. to 8 a.m.

Alternative J. The bridge will open for recreational vessels with 2 hours notice Monday through Friday from 8 p.m. to 5 a.m. and from 10 a.m. to 1 p.m. The bridge will open for all commercial vessels with 2 hours notice Monday through Friday from 7 p.m. to 5 a.m. and from 10 a.m. to 1 p.m. The bridge will open for recreational vessels with 2 hours notice on Saturdays, Sundays, and Federal holidays from 8 p.m. to 7 a.m. The bridge will open for all commercial vessels with 2 hours notice on Saturdays, Sundays and Federal holidays from 4 p.m. to 8 a.m.

Alternative L. The bridge will open for recreational vessels with 2 hours notice Monday through Friday from 8 p.m. to 5 a.m. and from 10 a.m. to 1 p.m. The bridge will open for all commercial vessels with 2 hours notice Monday through Friday from 7 p.m. to 5 a.m. and from 10 a.m. to 1 p.m. The bridge will open for all vessels with 2 hours notice on Saturdays, Sundays and Federal holidays from 8 p.m. to 8 a.m.

Alternative LA. The bridge will open for recreational vessels with 2 hours notice Monday through Friday from 8 p.m. to 5 a.m. and at 12 noon. the bridge will open for all commercial vessels with 2 hours notice Monday through Friday from 7 p.m. to 5 a.m. and from 10 a.m. to 1 p.m. The bridge will open for all vessels with 2 hours notice on Saturdays, Sundays and Federal holidays from 8 p.m. to 8 a.m.

Alternative LB. The bridge will open for recreational vessels with 2 hours notice Monday through Friday from 10 p.m. to 5 a.m. and from 10 a.m. to 1 p.m. The bridge will open for all commercial vessels with 2 hours notice Monday through Friday from 9 p.m. to 5 a.m. and from 10 a.m. to 1 p.m. The bridge will open for recreational vessels with 2 hours notice on Saturdays, Sundays and Federal holidays from 10 p.m. to 8 a.m. The bridge will open for all commercial vessels with 2 hours notice on Saturdays, Sundays and Federal holidays from 9 p.m. to 8 a.m.

Alternative N. The bridge will open for recreational vessels with 2 hours notice Monday through Friday from 12 midnight to 4 a.m. and at 12 noon. The bridge will open for all commercial vessels with 2 hours notice Monday through Friday from 9 p.m. to 5 a.m. and from 10 a.m. to 2:30 p.m. The bridge will open for recreational vessels with 2 hours notice on Saturdays, Sundays, and Federal holidays from 12 midnight to 6 a.m. and at 12 noon and 9 p.m. The bridge will open for all commercial vessels with 2 hours notice on Saturdays, Sundays and Federal holidays from 9 p.m. to 6 a.m. and from 10 a.m. to 2:30 p.m.

Alternative NA. The bridge will open for recreational vessels with 2 hours notice Monday through Friday from 12 midnight to 4 a.m. and at 12 noon. The bridge will open for all commercial vessels with 2 hours notice Monday through Friday from 12 midnight to 4 a.m., from 9 a.m. to 2 p.m., and from 7 p.m. to midnight. The bridge will open for recreational vessels with 2 hours notice on Saturdays, Sundays, and Federal holidays from 12 midnight to 6 a.m., at 12 noon, and at 9 p.m. The bridge will open for all commercial vessels with 2 hours notice on Saturdays, Sundays, and Federal holidays from 12 midnight to 2 p.m. and from 7 p.m. to 12 midnight.

Alternative P. The bridge will open for recreational vessels with 2 hours notice Monday through Friday from 12 midnight to 4 a.m. and if requested, one opening at 12 noon and one opening at 9 p.m. The bridge will open for all commercial vessels with 2 hours notice Monday through Friday from 9 a.m. to 2 p.m. and from 7 p.m. to 4 a.m. The bridge will open for recreational vessels with 2 hours notice on Saturdays, Sundays, and Federal holidays from 12 midnight to 6 a.m., and if requested, one opening at 10 a.m., one opening at 1 p.m., and one opening at 9 p.m. The bridge will open for all commercial vessels with 2 hours notice on Saturdays, Sundays, and Federal holidays from 12 midnight to 6 a.m., 9 a.m. to 2 p.m., and from 7 p.m. to 12 midnight.

Alternative A was rejected because that is the existing permanent regulation, and it is clear that we cannot revert to that relatively less restrictive opening schedule under current circumstances. This alternative results in higher vehicle delays and lower vessel delays than any of the other alternatives. It provides the least reasonable balance between vehicles being delayed for bridge openings and delay costs to vessels transiting the bridge.

Alternative F was rejected because it severely restricts vessel traffic on the river producing an unreasonable balance between vessel and vehicle delay costs. This alternative would also require annual dredging costs of $117,000 which could have adverse environmental impacts and excludes the larger recreational vessels from transiting the bridge. The Coast Guard considers it unreasonable to deny access to waterfront areas of Virginia and the District of Columbia by recreational vessels unable to transit the bridge in a closed position.

Alternatives I, J, L, LA, and LB all were rejected as unreasonable because each schedule provides no midday opening for commercial or recreational vessels on weekends. Alternative I provides no opening on weekdays either. Alternatives J, L, and LB also provide three hour midday windows of opening opportunity for recreational vessels on weekdays. These windows can result in multiple openings within a short time period causing severe and undesirable vehicle traffic disruption. Since the vast majority of openings of the Woodrow Wilson Bridge have been shown to be for recreational vessels, multiple opening opportunities for these vessels during windows of time as opposed to point openings at one specified hour would be far more disruptive to vehicular traffic. Resumption of normal traffic flow can take many more hours to occur under a multiple opening scenario, as opposed to the time required with a single predetermined opening time.

Alternative B was rejected because it also provides window openings for recreational vessels on weekdays and weekends.

Alternative N avoided peak traffic hours and allowed for midday openings for both recreational and commercial (including deep draft commercial) vessels. However, it provided for opening windows up to 5 a.m. on weekdays which is when peak traffic has already begun. Additionally, Alternative N restricted vessels in the evenings between 7 p.m. and 9 p.m. when traffic was declining and on weekends between 6 a.m. and 9 a.m. when traffic density was low. These

restrictions added substantially to vessel delay costs which resulted in rejection of Alternative N.

Discussion of Proposed Regulations

This elimination process left Alternatives NA and P for consideration. While each of these alternatives strikes a balance between highway and vessel needs, the Coast Guard has chosen to propose Alternative NA as being the most equitable balance of openings in this give and take situation. Both alternatives allow midday openings weekdays and weekends and windows of openings only up to 4 a.m. on weekdays, thereby avoiding openings during and just prior to peak morning traffic hours. However, Alternative P provides five point openings for recreational vessels as opposed to three point openings under Alternative NA. Although the majority of openings of the Woodrow Wilson Bridge are for recreational vessels, Alternative NA is preferred over Alternative P because it substantially reduces potential vehicular delay costs caused by additional openings while still providing reasonable access for recreational vessels.

Since the number of commercial vessels transiting the river on a yearly basis (freighters, tugs, Navy, Coast Guard, etc.) is known to remain low and fairly constant from year-to-year, any schedule that allows reasonable access to the river for these vessels to conduct their business while avoiding peak vehicular periods should have little effect on highway traffic. Alternative NA doubles the length of no opening periods provided by the current published regulations on weekdays from 2½ hours to 5 hours during both morning and afternoon/evening peak traffic periods. Under the current published regulations, unlimited openings are available on signal for all vessels on Saturdays, Sundays, and Federal holidays twenty-four hours a day. Alternative NA will reduce the number of hours available for openings for recreational vessels on weekends from twenty-four to eight, a 66% decrease; for commercial vessels a reduction in the number of hours from 24 to 19, approximately a 21% decrease. As compared to the present permanent rule and many of the alternatives considered, Alternative NA will reduce the number of opening opportunities for recreational vessels which have been shown to cause the majority of openings, while still providing these vessels reasonable access to the river and keeping available opening times well away from peak traffic hours.

Alternative NA appears to meet all the Coast Guard's criteria for a regulation that reasonably balances the needs of both highway and vessel traffic, and should substantially improve vehicular traffic problems directly attributable to bridge openings. Alternative NA has two distinct advantages over other alternatives considered. First, due to the recreational vessel point openings, the total number of openings will be greatly reduced, probably about 50% or more. Second, the remaining openings will occur during less disruptive times than in the past.

During the period from June 1, 1991 through July 30, 1991, a temporary schedule identical to that of Alternative P was placed in effect for the Woodrow Wilson Bridge to see if that schedule resulted in substantial improvements in vehicular traffic flow without unreasonably restricting marine traffic. A review of the bridgetender's logs from the period June 1, 1991, through June 30, 1991, showed approximately a 50% decrease in the number of bridge openings compared to the number of bridge openings during the same period in 1990 when the existing permanent regulation was in effect. This data also showed approximately a 60% decrease in the number of openings for recreational boats under the temporary rule compared to the permanent rule in effect last June.

On July 31, 1991 a temporary schedule identical to Alternative NA was placed in effect for a period of 60 days. On September 29, 1991 a slight modification of the temporary schedule effective on July 31, 1991 was placed into effect for a period of 60 days. This schedule is essentially Alternative NA except that the noon opening opportunities for recreational vessels were moved to 11 a.m. The Coast Guard will evaluate all the temporary schedules placed in effect after June 1, 1991 as data becomes available.

Regulatory Evaluation

This proposal is not a major under Executive Order 12291 but is considered significant under the Department of Transportation Regulatory Policies and Procedures (44 FR 11040; February 26, 1979) due to the high level of public interest in the operation of the drawbridge.

A draft Regulatory Impact Analysis is available in the docket for inspection or copying where indicated under **ADDRESSES.** Under Alternative A which is the current published regulation, the delay cost to vehicular traffic is estimated to be $1,327,000. Under Alternative NA, delay costs to vehicular traffic would be $981,000, an estimated savings of $346,000 in delay costs for vehicular traffic in comparison to the existing regulation. The Coast Guard considers this a conservative estimate. Others have estimated the savings in delay costs to be as great as $1,500,000. Under Alternative NA, estimated delay costs for vessels would be $134,000, an estimated net increase of $94,000 in delay costs for vessels incomparison to the existing permanent regulation (Alternative A). Highway accident costs associated with the bridge openings are estimated to be $110,000 annually under Alternative NA, a decrease of $40,000 from the existing regulation. The Coast Guard is cooperating with the responsible highway agencies to implement accident avoidance strategies that are anticipated to further reduce accidents and their related costs.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the U.S. Coast Guard must consider whether proposed rules will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). The impact of the commercial vessel delays will not affect small entities. The impact of the vehicle delays is spread over such a large number of vehicles that the impact on any small entity is minimal.

Because it expects the impact of this proposal to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal, if adopted, will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This proposal contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this proposal in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this proposal does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that preparation of an environmental impact statement is not

necessary. An environmental assessment was prepared in accordance with Commandant Instruction M16475.1B and is in compliance with the National Environmental Policy Act of 1969 (Pub. L. 91–190) and the Council on Environmental Quality Regulations dated November 29, 1978. All of the alternative have negligible, if any, impacts on the environment. None of the proposed bridge opening alternative are expected to have a significant effect on the human environment. The Environmental Assessment and a Finding of No Significant Impact are available for inspection or copying where indicated under **ADDRESSES.**

List of Subjects in 33 CFR Part 117

Bridge.

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR part 117, to read as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g).

2. Section 117.255, paragraph (a)(2) is revised to read as follows:

§ 117.255 Potomac River.

(a) * * *

(1) * * *

(2) Need not open:

(i) Except as provided in paragraph (a)(1) of this section, for the passage of any vessel unless at least two hours advance notice is given to the bridgetender at (202) 727–5522.

(ii) For the passage of any vessel from 4 a.m. to 9 a.m. and from 2 p.m. to 7 p.m., on Mondays through Fridays other than Federal holidays.

(iii) For the passage of any vessel from 2 p.m. to 7 p.m. on Saturdays, Sundays, and Federal holidays.

(iv) For the passage of recreational vessels from 4 a.m. to 12 midnight with the exception of one opening at 12 noon, if requested, on Mondays through Fridays other than Federal holidays.

(v) For the passage of recreational vessels from 6 a.m. to 12 midnight with the exception of one opening at 12 noon, if requested, and one opening at 9 p.m., if requested, on Saturdays, Sundays, and Federal holidays.

* * * * *

Dated: December 16, 1991.

J. W. Kime,

Admiral, U.S. Coast Guard Commandant.

[FR Doc. 91–30434 Filed 12–19–91; 8:45 am]

BILLING CODE 4910–14–M

Federal Register

Friday
December 20, 1991

Part VIII

Department of the Treasury

Office of Foreign Assets Control

31 CFR Part 550
Libyan Sanctions Regulations; Final Rule Amendments

4810-25-M

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

31 CFR Part 550

LIBYA SANCTIONS REGULATIONS

AGENCY: Office of Foreign Assets Control, Department of the Treasury.

ACTION: Final rule, amendments.

SUMMARY: The Office of Foreign Assets Control is amending the Libyan Sanctions Regulations by revoking a general license which authorized transfers to the Government of Libya between offshore third-country banks to be cleared through domestic banks in the United States. With the revocation of this general license, any transfer instructions indicating a direct or indirect interest of the Government of Libya, including routing through a Libyan government-controlled financial institution to persons or companies in Libya, require the U.S. bank holding the instructions to deposit the funds into a blocked account. All funds in which a direct or indirect Libyan government interest is indicated and which come into the possession or control of any

of law regardless of their origin or destination unless licensed by the Office of Foreign Assets Control. This action is being taken to further tighten sanctions against Libya due to continuing Libyan support for terrorism.

EFFECTIVE DATE: 10:00 p.m., EST, December 19, 1991

FOR FURTHER INFORMATION CONTACT: William B. Hoffman, Chief Counsel, tel.: (202) 535-6020, or Steven I. Pinter, Chief of Licensing, tel.: (202) 535-9449, Office of Foreign Assets Control, Department of the Treasury, Washington, D.C. 20220.

SUPPLEMENTARY INFORMATION: The Libyan Sanctions Regulations, 31 C.F.R. Part 550 (the "Regulations"), were issued by the Treasury Department in implementation of Executive Order 12543 of January 7, 1986 (51 FR 865, January 9, 1986) and Executive Order 12544 of January 8, 1986 (51 FR 1235, January 10, 1986). Section 550.514 of the Regulations, revoked by this final rule, permitted transfers between two non-Libyan foreign banks located outside of the United States to clear through accounts located in the United States for ultimate credit to the Government of Libya.

Effective at 10:00 p.m., EST, December 19, 1991, instructions held or received by domestic banks for unlicensed transactions involving property in which a Libyan government interest is indicated must result in the deposit of the funds into a blocked account pursuant to §§ 550.209 and 550.511 of the Regulations. Similarly, where the transfer instructions indicate an unlicensed transfer through a Government of Libya-controlled financial institution, regardless of the remitter or ultimate beneficiary, the funds are blocked by operation of law pursuant to Executive Order 12544 and § 550.209 of the Regulations. The blocking requirements apply to all domestic banks, including U.S. branches and subsidiaries of foreign banks, and foreign branches of banks organized under the laws of any U.S. jurisdiction, and to all other U.S. persons. Regulations, §§ 550.209, 550.308, 550.317. The action taken in this final rule will impede Libya's ability to use U.S. dollars as the primary currency for oil trading and other purposes.

Because the Regulations involve a foreign affairs function, Executive Order 12291 and the provisions of the Administrative Procedure Act, 5 U.S.C. 553, requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date, are inapplicable. Because no notice of proposed

rulemaking is required for this rule, the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., does not apply.

List of Subjects in 31 C.F.R. Part 550: Banks and banking, Blocking of assets, Libya, Reporting and recordkeeping requirements

For the reasons set forth in the preamble, 31 CFR chapter V, part 550, is amended as set forth below:

PART 550--LIBYAN SANCTIONS REGULATIONS

1. The "Authority" citation for part 550 continues to read as follows:

Authority: 50 U.S.C. 1701 et seq.; E.O. 12543, 51 FR 875, January 9, 1986; E.O. 12544, 51 FR 1235, January 10, 1986.

Subpart E--Licenses, Authorizations, and Statements of Licensing Policy

1. Section 550.514 is removed and reserved.

Dated: December 12, 1991

R. Richard Newcomb,
Director,
Office of Foreign Assets Control

Approved: December 12, 1991

~~Peter K. Nunez~~,
Nancy L. Worthington
Acting Assistant Secretary (Enforcement)

[FR Doc. 91-30723 Filed 12-19-91; 5:05 pm]
BILLING CODE 4810-25-C

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S. 1193/Pub. L. 102–238
Technical Amendments to Various Indian Laws Act of 1991. (Dec. 17, 1991; 105 Stat. 1908; 4 pages) Price: $1.00

S. 1891/Pub. L. 102–239
To permit the Secretary of Health and Human Services to waive certain recovery requirements with respect to the construction or remodeling of facilities, and for other purposes. (Dec. 17, 1991; 105 Stat. 1912; 2 pages) Price: $1.00

Last List December 18, 1991

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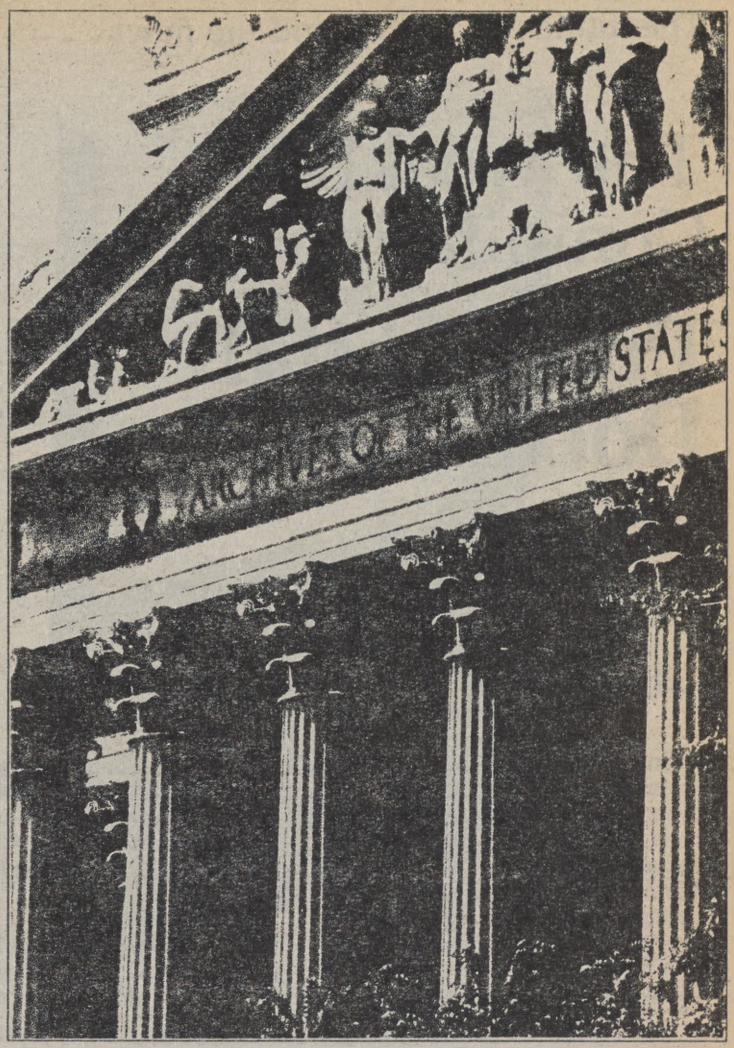
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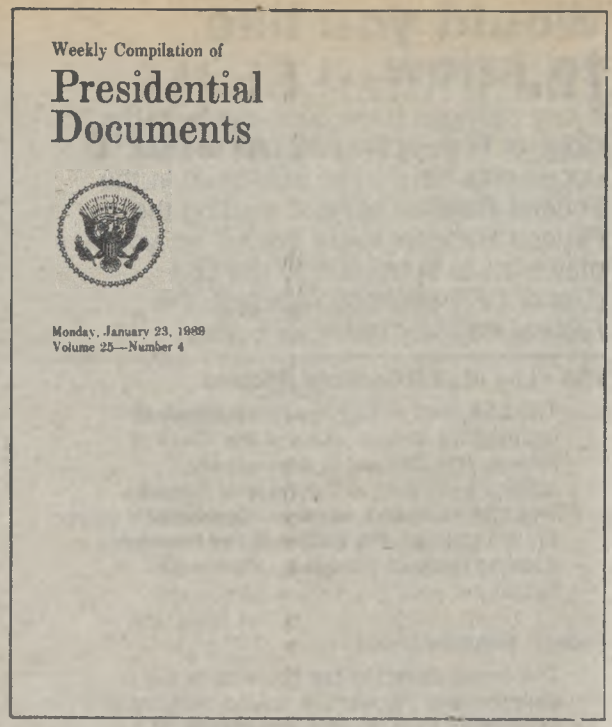
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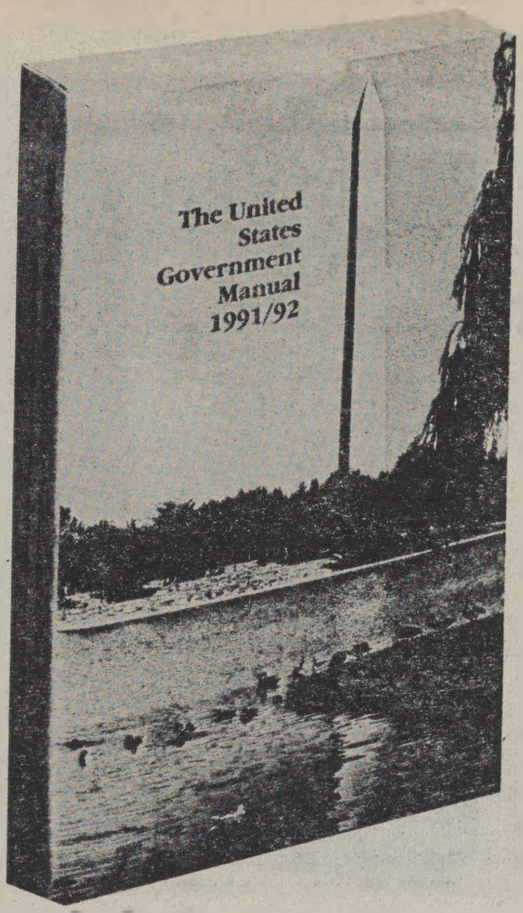
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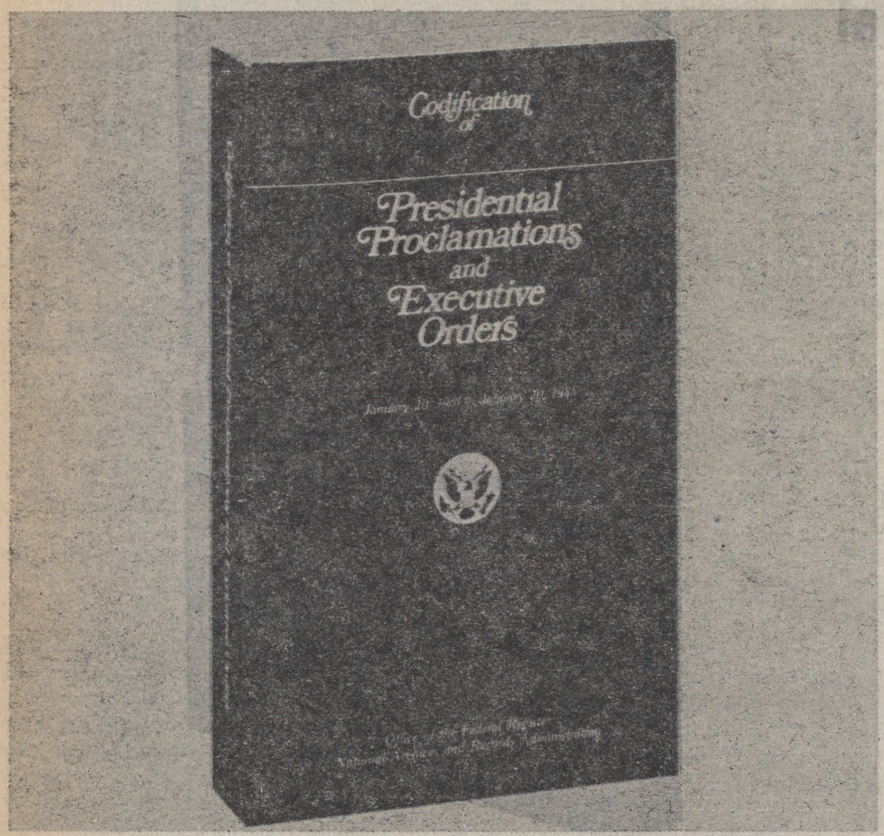
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