

DEPARTMENT OF TRANSPORTATION**Research and Special Programs Administration****49 CFR Parts 107, 171, 172, 173, 174, 175, 176, and 178**

[Docket No. HM-189L, Amdt. Nos. 107-35, 171-136, 172-145, 173-246, 174-81, 175-54, 176-38, 178-110]

RIN 2137-AC72

Hazardous Materials Regulations; Editorial Corrections and Clarifications

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Final rule.

SUMMARY: This final rule corrects editorial errors, makes minor regulatory changes, and in response to requests for clarification, improves the clarity of certain provisions of the Hazardous Materials Regulations (HMR). The intended effect of this rule is to enhance accuracy and reduce misunderstandings of the HMR. The amendments contained in this rule are minor editorial changes and do not impose new requirements.

EFFECTIVE DATE: October 1, 1995.

FOR FURTHER INFORMATION CONTACT: Joan McIntyre, Office of Hazardous Materials Standards, (202)366-8553, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001.

SUPPLEMENTARY INFORMATION:**Background**

RSPA annually reviews the Hazardous Materials Regulations (HMR) to detect errors which may be causing confusion to its readers. Inaccuracies corrected in this final rule include typographical errors, incorrect references to other rules and regulations in the CFR, inconsistent use of terminology, and misstatements of certain regulatory requirements. In response to inquiries RSPA received concerning the clarity of particular requirements specified in the HMR, certain other changes are made to reduce uncertainties.

Since these amendments do not impose new requirements, notice and public procedure are unnecessary. For the same reason, there is good cause to make these amendments effective without the customary 30-day delay following publication. This will allow the changes to appear in the next revision of 49 CFR.

The following is a section-by-section summary of the amendments made under this final rule. It does not discuss

editorial corrections (e.g., typographical, capitalization, and punctuation errors), changes to legal citations and certain other minor adjustments to enhance the clarity of the HMR.

Summary of Regulatory Changes by Section**Part 107****Appendix A to Subpart B**

Under the sections entitled "Motor Carriers" and "Water Carriers," the names of the offices in the Federal Highway Administration and the United States Coast Guard designated for handling emergency exemptions are revised to reflect recent name changes.

Section 107.335

In the first sentence, the word "chapter" the first place it appears, is corrected to read "subchapter."

Part 171**Section 171.8**

Definitions for "Hazmat employee" and "Hazmat employer," as mandated by the Federal Hazardous Materials Transportation Law, Section 5102, are revised to include persons who are involved in the manufacturing of hazardous material packages. In addition, the definition of "Hazardous material" is corrected by removing the reference to § 172.102, which is not applicable.

Section 171.10

In paragraph (c)(2), the Table of Conversion Factors For SI Units is revised to more accurately reflect certain equivalent measurements for pressure.

Section 171.12

Paragraph (b)(5) is revised to reflect the correct reference to the International Maritime Dangerous Goods (IMDG) Code.

Section 171.15

Paragraph (b) is revised to reflect the new telephone number for the Director, Center for Disease Control in Atlanta, Georgia.

Part 172**Section 172.101**

In paragraph (i)(4), the packaging section table is revised by adding packaging sections for pyrophoric materials.

The Hazardous Materials Table (the Table). The Table is amended as follows:

Punctuation and other minor editorial corrections to proper shipping names in

Column (2) are made to the following entries: "Antimony trifluoride solution," "Benzoic derivative pesticides, solid toxic," "Bromates, inorganic, aqueous solution, n.o.s.," "Cyclonite and cyclotetramethylenetetranitramine mixtures, wetted or desensitized see RDX and HMX mixtures, wetted or desensitized etc.," "Permanganates, inorganic, aqueous solution, n.o.s.," "Pesticides, liquid, flammable, toxic, flashpoint less than 23 degrees C," "Toxic liquids, water-reactive, n.o.s.," "Toxic liquids, water-reactive, n.o.s. Inhalation hazard, packing group I, Zone A," "Toxic liquids, water-reactive, n.o.s. Inhalation hazard, packing group I, Zone B," and "Toxic solids, water-reactive, n.o.s."

In Column (3), the hazard class/division for "Articles, explosive, n.o.s.," UN0354 is corrected to read "1.1L."

For the entry, "Diborane mixtures," a "D" is added to Column (1) to identify this proper shipping name as appropriate for domestic transportation, but not necessarily for international transportation under the provisions for international regulations.

For the entry, "Dyes, liquid, toxic, n.o.s. or Dyes, intermediates, liquid, toxic, n.o.s.," in Column (9B), the specification for the maximum quantity that may be offered for transportation in one package by cargo aircraft is clarified by adding the unit of measurement.

The exceptions reference for packaging authorizations in Column (8A) for the entry, "Dicyclohexylammonium nitrite" is revised to reflect the correct section reference, § 173.151.

The entries "Hydrocyanic acid, aqueous solutions or Hydrogen cyanide, aqueous solutions with not more than 20 percent hydrogen cyanideic acid" and "Hydrocyanic acid, aqueous solutions with less than 5 percent hydrogen cyanideic acid," in Column (2), are revised to correct the last two words and last word, respectively, to read "cyanide."

The entry "Hydrofluoroboric acid, see Fluoboric acid," in Column (2), is revised to correct the word "Fluoboric" to read "Fluoroboric."

For the entry "Insecticide gases flammable n.o.s.," "D" is added to Column (1), because it was inadvertently omitted.

The entries "Isocyanates, flammable, toxic, n.o.s. or Isocyanate solutions, flammable, toxic, n.o.s. flashpoint less than 23 degrees C," and "Triazine pesticides, liquid, flammable, toxic flashpoint less than 23 degrees C" in Column (2) are corrected by removing

the Packing Group III entries, which are not authorized for these materials.

For the entry "Medicine, liquid, flammable, toxic, n.o.s.," "1 L" is added to Column (9A) as the quantity limitation for passenger aircraft or railcar, because it was inadvertently omitted.

For the entry "Methyl chloroformate," Column (7) is corrected by removing Special Provision notes "A3," "A6" and "A7" because this material is forbidden from transportation by air.

The entries "Sulfur chlorides," and "Thionyl chloride," in Column (7), are revised to reflect the correct Special Provision "T" codes.

The entry "Titanium tetrachloride," in Column (7), is corrected by removing Special Provision "N41," because it is inconsistent with the other packaging authorizations for this material.

Appendix A to § 172.101

The entry "2,4-(1H,3H-Pyrimidinedione, 5[bis(2-chloroethyl)amino]-" is placed in the correct alphabetical order.

Section 172.102

In paragraph (c)(1), Special Provision 52, the reference to § 173.150 is revised to reflect the correct reference, § 173.50. In Special Provision 103, the appropriate word "propagation" replaces "preparation."

Section 172.308

Paragraph (b) is removed because currently there are no authorized proper shipping names for "ammunition" that contain the words "with" or "without." In addition, paragraphs (c) and (d) are redesignated as (b) and (c) and in new paragraph (c), the example "2,4-D," which is no longer listed as a proper shipping name, is removed and replaced with "PCB."

Section 172.322

In paragraph (d)(2)(i), in provisions for combination packagings for marine pollutants, the customary measurement provided for informational purposes is adjusted to correctly read "(1.3 gallons)."

Section 172.704

Paragraph (a)(2)(i) is revised to reflect the correct subchapter reference.

Part 173

Section 173.32

In paragraph (e)(3), the marking reference for the retesting of portable tanks is corrected.

Section 173.34

In paragraph (d)(7), the reference for pyrophoric liquids, n.o.s. is corrected.

Section 173.62

In paragraph (c), in the Table of Packing Methods, for the packing method entries E-108 and E-128, the obsolete particular packing exception requirement "23" is removed.

Section 173.150

Paragraph (b)(3) is revised to reflect "(1.3 gallons)" as the equivalent customary measurement for 5 L.

Section 173.164

Redesignated paragraphs (c)(1) and (c)(5), as revised under Docket HM-215A, December 29, 1994, are revised to reflect the correct paragraph references for the packaging requirements for electron tubes, mercury vapor tubes and similar tubes, and the packaging requirements for mercurial barometers, respectively.

Section 173.224

Paragraph (b) is revised to reflect the correct reference for approval provisions for self-reactive materials.

Sections 173.242 and 173.243

To alleviate inconsistency resulting from the reference to an exception in § 173.33(d), paragraph (b)(1) of each section is revised to permit non-reclosing pressure relief devices on MC 310, MC 311 and MC 312 cargo tanks used for Class 8 materials.

Section 173.306

Paragraph (d)(3)(iii) is revised to reflect the correct reference for approval provisions for actuating cartridges and also removes an incorrect definition reference.

Part 174

Section 174.67

Paragraph (k) is revised to clarify the process for securing tank cars after unloading by allowing more innovative methods while ensuring compliance.

Part 175

Section 175.45

Paragraph (a)(3) is revised to reflect the new telephone number for the Director, Center for Disease Control in Atlanta, Georgia.

Part 176

Section 176.76

In paragraph (h)(1), the cargo tank provision for the transportation of cryogenic liquids is revised.

Section 176.83

The diagram in paragraph (c)(2)(iv) is revised to correct an editorial inconsistency with the IMDG Code by adjusting the segregation provision applicable to stowage aboard vessels.

Part 178

Section 178.504

Paragraph (b)(1) is revised to reflect the correct reference for minimum thickness marking requirements for drums intended for reuse.

Section 178.819

Paragraph (b)(2) is revised to correct an error under Docket HM-181E (59 FR 38079, July 26, 1994), "Intermediate Bulk Containers for Hazardous Materials," for the vibration test specifications for intermediate bulk containers, by removing the word "rotate."

Rulemaking Analyses and Notices

Executive Order 12866 and DOT Regulatory Policies and Procedures

This final rule is not considered a significant regulatory action under section 3(f) of Executive Order 12866 and, therefore, was not subject to review by the Office of Management and Budget. This rule is not significant according to the Regulatory Policies and Procedures of the Department of Transportation (44 FR 11034). Because of the minimal economic impact of this rule, preparation of a regulatory impact analysis or a regulatory evaluation is not warranted.

Executive Order 12612

This final rule has been analyzed in accordance with the principles and criteria in Executive Order 12612 ("Federalism") and does not have sufficient federalism impacts to warrant the preparation of a federalism assessment.

Regulatory Flexibility Act

I certify that this final rule will not have a significant economic impact on a substantial number of small entities. This rule makes minor editorial changes which will not impose any new requirements on persons subject to the HMR; thus, there are no direct or indirect adverse economic impacts for small units of government, businesses, or other organizations.

Paperwork Reduction Act

There are no new information collection requirements in this final rule.

List of Subjects

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, Markings, Packaging and containers, Reporting and recordkeeping requirements.

49 CFR Part 173

Hazardous materials transportation, Incorporation by reference, Packaging and containers, Radioactive materials, Reporting and recordkeeping requirements, Uranium.

49 CFR Part 174

Hazardous materials transportation, Incorporation by reference, 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 178

Hazardous materials transportation, Incorporation by reference, Motor vehicle safety, Packaging and containers, Reporting and recordkeeping requirements.

In consideration of the foregoing, 49 CFR Chapter I is amended as follows:

PART 107—HAZARDOUS MATERIALS PROGRAM PROCEDURES

1. The authority citation for part 107 continues to read as follows:

Authority: 49 U.S.C. 5101-5127, 44701, 49 CFR 1.45, 1.53.

Appendix A to Subpart B of Part 107 [Amended]

2. In Appendix A to subpart B of part 107, the following changes are made:

a. In the section entitled "Motor Carriers", the wording "Chief,

Hazardous Materials Division, Office of Motor Carrier Field Operations," is removed and "Chief, Hazardous Materials and Safety Division, Office of Safety and Technology," is added in its place.

b. In the section entitled "Water Carriers", the wording "Hazardous Materials Branch, Marine Technical and Hazardous Materials Division," is removed and "Hazardous Materials Standards Branch, Operating and Environmental Standards Division," is added in its place.

§ 107.201 [Amended]

3. In § 107.201, in paragraph (c), the word "the" is added before the wording "Federal hazardous materials transportation law".

§ 107.311 [Amended]

4. In § 107.311, in paragraph (c), in the second sentence, the word "the" is added before the wording "Office of Chief Counsel".

§ 107.335 [Amended]

5. In § 107.335, in the first sentence, the wording "the Federal hazardous material transportation law, this chapter, subchapter C of this chapter," is removed and "the Federal hazardous material transportation law, this subchapter, subchapter C of this chapter," is added in its place.

PART 171—GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS

6. The authority citation for part 171 continues to read as follows:

Authority: 49 U.S.C. 5101-5127; 49 CFR 1.53.

§ 171.8 [Amended]

7. In § 171.8, the following changes are made:

a. For the definition "Hazardous material", in the second sentence, the wording "§§ 172.101 and 172.102" is removed and "§ 172.101" is added in its place.

b. For the definition "Hazmat employee", in paragraph (2), the wording "Tests, reconditions," is removed and "Manufactures, tests, reconditions," is added in its place.

c. For the definition "Hazmat employer", in the first sentence, the wording "offering, reconditioning," is removed and "offering, manufacturing, reconditioning," is added in its place.

§ 171.10 [Amended]

8. In § 171.10, paragraph (c)(2), the following changes are made:

a. In the text preceding the table, the word "method" is removed and the

wording "conversion table" is added in its place.

b. In the table, for the entry "Pressure", in the second column "SI to U.S. standard", the second entry "1 Bar=100 kPa=14.5 psi" is removed and "1 Bar=100 kPa=14.504 psi" is added in its place.

c. In the table, for the entry "Pressure", in the third column "U.S. standard to SI", the second entry "1 psi=0.06 Bar" is removed and "1 psi=0.06895 Bar" is added in its place.

§ 171.12 [Amended]

9. In § 171.12, in paragraph (b)(5), the wording "Chapter 26 of the IMDG Code," is removed and "Section 26 of the General Introduction to the IMDG Code," is added in its place.

§ 171.15 [Amended]

10. In § 171.15, in paragraph (b) introductory text, in the second sentence, the first telephone number "Area Code (404) 633-5313" is removed and "1-800-232-0124" is added in its place.

PART 172—HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS, HAZARDOUS MATERIALS COMMUNICATIONS, EMERGENCY RESPONSE INFORMATION, AND TRAINING REQUIREMENTS

11. The authority citation for part 172 continues to read as follows:

Authority: 49 U.S.C. 5101-5127; 49 CFR 1.53.

12. In § 172.101, in paragraph (i)(4), the table is amended by adding the following entry, in numerical order, to read as follows:

§ 172.101 Purpose and use of hazardous materials table.

	Packaging section reference for solid materials	Corresponding packaging section for liquid materials
	* * * *	* * * *
(i) * * *		
(4) * * *		
§ 173.187	§ 173.181	
* * * *	* * * *	* * * *

13. In § 172.101, the Hazardous Materials Table as revised at 59 FR 67409, effective October 1, 1995, is amended by removing the following entries to read as follows:

§ 172.101 Purpose and use of hazardous materials table.

* * * *

§ 172.101 HAZARDOUS MATERIALS TABLE

Sym- bols	Hazardous materials de- scriptions and proper ship- ping names	Haz- ard class or Di- vision	Iden- tifi- cation Num- bers	Pack- ing group	Label(s) re- quired (if not excepted)	Spe- cial provi- sions	(8) Packaging authoriza- tions (§ 173.* * *)			(9) Quantity limita- tions		(10) Vessel stow- age require- ments	
							Ex- cep- tions	Non- bulk pack- aging	Bulk pack- aging	Pas- sen- ger air- craft or railcar	Cargo air- craft only	Ves- sel stow- age	Other stow- age provi- sions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8A)	(8B)	(8C)	(9A)	(9B)	(10A)	(10B)
	* Isocyanates, flammable, toxic, n.o.s. <i>or</i> Isocyanate solutions, flammable, toxic, n.o.s. <i>flashpoint less than 23 degrees C.</i> [REMOVE]	* * *	* * *	* * *	* * *	* * *	* * *	* * *	* * *	* * *	* * *	* * *	* * *
	.....	.....	.....	III	FLAM- MABLE LIQUID, KEEP AWAY FROM FOOD.	B1, T8	150	203	242	60L	220L	A	
	* Triazine pesticides, liquid, flammable, toxic, <i>flash point less than 23 de- grees C.</i>	* * *	* * *	* * *	* * *	* * *	* * *	* * *	* * *	* * *	* * *	* * *	* * *
	* [REMOVE].	*	*	*	*	*	*	*	*	*	*	*	*
	.....	.....	.....	III	FLAM- MABLE LIQUID, KEEP AWAY FROM FOOD.	B1	150	203	242	60L	220L	A	
	*	*	*	*	*	*	*	*	*	*	*	*	*

* * * * *

§ 172.101 [Amended]

14. In addition, in § 172.101, in the Hazardous Materials Table, as revised at 59 FR 67409, effective October 1, 1995, the following changes are made:

a. For the entry "Antimony trifluoride solution", in Column (2), as revised at 59 FR 67415, a comma is added immediately following the word "trifluoride".

b. For the entry "Articles, explosive, n.o.s.", UN0354, in Column (3), as revised at 59 FR 67416, "1 1L" is removed and "1.1L" is added in its place.

c. For the entry "Benzoic derivative pesticides, solid toxic", in Column (2), as revised at 59 FR 67418, a comma is added immediately following the word "solid".

d. For the entry "Bromates, inorganic, aqueous solution, n.o.s.", in Column (8B), as revised at 59 FR 67419, the reference "202" (which has the letter "O" instead of the numeral "0") is removed and "202" is added in its place.

e. For the entry "Cyclonite and cyclotetramethylenetetranitramine mixtures, wetted *or* desensitized *see* RDX and HMX mixtures, wetted *or* desensitized *etc.*", in Column (2), as revised at 59 FR 67431, the letters "ed" immediately following the abbreviation "etc." are removed.

f. For the entry "Diborane mixtures", in Column (1), as revised at 59 FR 67432, the letter "D" is added.

g. For the entry "Dicyclohexylammonium nitrite", in Column (8A), as revised at 59 FR 67433,

the reference "153" is removed and "151" is added in its place.

h. For the entry "Dyes, liquid, toxic, n.o.s. *or* Dye intermediates, liquid, toxic, n.o.s.", in Column (9B), as revised at 59 FR 67436, for Packing group III, the number "220" is removed and "220 L" is added in its place.

i. For the entry "Hydrocyanic acid, aqueous solutions *or* Hydrogen cyanide, aqueous solutions *with not more than 20 percent hydrogen cyanideic acid*", in Column (2), as revised at 59 FR 67445, the wording "cyanideic acid" is removed and "cyanide" is added in its place.

j. For the entry "Hydrocyanic acid, aqueous solutions *with less than 5 percent hydrogen cyanideacid*", in Column (2), as revised at 59 FR 67445, the wording "hydrogen cyanideacid" is

removed and “hydrogen cyanide” is added in its place.

k. For the entry “Hydrofluoroboric acid, see Fluoboric acid”, in Column (2), as revised at 59 FR 67445, the wording “Fluoboric acid” is removed and “Fluoroboric acid” is added in its place.

l. For the entry “Insecticide gases flammable n.o.s.”, in Column (1), as revised at 59 FR 67446, the letter “D” is added.

m. For the entry “Medicine, liquid, flammable, toxic, n.o.s.”, in Column (9A), as revised at 59 FR 67450, the letter “L” is removed and “1 L” is added in its place.

n. For the entry “Methyl chloroformate”, in Column (7), as revised at 59 FR 67453, the references “A3, A6, A7,” are removed.

o. For the entry “Permanganates, inorganic, aqueous solution, n.o.s.”, in Column (8B), as revised at 59 FR 67462, the reference “2O2” (which has the letter “O” instead of the numeral “0”) is removed and “202” is added in its place.

p. For the entry “Pesticides, liquid, flammable, toxic, (flashpoint less than 23 degrees C)”, in Column (2), as revised at 59 FR 67463, the wording “(flashpoint less than 23 degrees C)” is removed and “flashpoint less than 23 degrees C” is added in its place.

q. For the entry “Sulfur chlorides”, in Column (7), as revised at 59 FR 67475, the reference “N34.” is removed and “N34, T18, T27.” are added in its place.

r. For the entry “Thionyl chloride”, in Column (7), as revised at 59 FR 67476, the reference “T42.” is removed and “T18, T27.” are added in its place.

s. For the entry “Titanium tetrachloride”, in Column (7), as revised at 59 FR 67477, the reference “N41,” is removed.

t. For each of the following entries, in Column (2), as revised at 59 FR 67478 and 67479, the wording “water-reactive” is removed and the wording “water-reactive” is added in its place:

i. “Toxic liquids, water-reactive, n.o.s.”
ii. “Toxic liquids, water-reactive, n.o.s. Inhalation hazard, packing group I, Zone A”.

iii. “Toxic liquids, water-reactive, n.o.s. Inhalation hazard, packing group I, Zone B”.

iv. “Toxic solids, water-reactive, n.o.s.”

Appendix A to § 172.101—[Amended]

15. In Appendix A to § 172.101, the entry “2,4-(1H,3H)-Pyrimidinedione, 5[bis(2-chloroethyl)amino]-” is removed from immediately following the entry “Hexaethyl tetraphosphate” and added in proper alphabetical order.

§ 172.102 [Amended]

16. In § 172.102, in paragraph (c)(1), the following changes are made:

a. In Special Provision 52, as added at 59 FR 67486, effective October 1, 1995, the reference “§ 173.150” is removed and “§ 173.50” is added in its place.

b. In Special Provision 103, in the first sentence, the word “preparation” is removed and “propagation” is added in its place.

§ 172.308 [Amended]

17. In § 172.308, the following changes are made:

a. Paragraph (b) is removed and paragraphs (c) and (d) are redesignated as paragraphs (b) and (c), respectively.

b. In newly designated paragraph (c), the example “‘2,4-D’” is removed and “‘PCB’” is added in its place.

§ 172.322 [Amended]

18. In § 172.322, in paragraph (d)(2)(i), the wording “(1 gallon)” is removed and “(1.3 gallons)” is added in its place.

§ 172.400a [Amended]

19. In § 172.400a, in paragraph (a)(1) introductory text, the wording “A cylinder or Dewar flask” is removed and “A cylinder, or a Dewar flask” is added in its place and a dash is added after the words “that is”.

§ 172.704 [Amended]

20. In § 172.704, paragraph (a)(2)(i), the wording “subchapter B” is removed and “subchapter A” is added in its place.

PART 173 — SHIPPERS — GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

21. The authority citation for part 173 continues to read as follows:

Authority: 49 U.S.C. 5101–5127; 49 CFR 1.53.

§ 173.32 [Amended]

22. In § 173.32, in paragraph (e)(3), in the last sentence, the reference “§ 173.24” is removed and “§ 178.3 of this subchapter” is added in its place.

§ 173.34 [Amended]

23. In § 173.34, the following changes are made:

a. In paragraph (d)(3), the second sentence beginning with “Notwithstanding the requirements in § 171.14(b)(4)(ii) of this subchapter,” is removed.

b. In paragraph (d)(7), the reference “§ 173.134” is removed and “§ 173.124” is added in its place.

§ 173.62 [Amended]

24. In § 173.62, in paragraph (c), in the Table of Packing Methods, as

revised at 59 FR 67492, effective October 1, 1995, for the packing method entries E–108 and E–128, in column four, the particular packaging exception/requirement “23” is removed each place it appears.

§ 173.150 [Amended]

25. In § 173.150, in paragraph (b)(3), the wording “(1 gallon)” is removed and “(1.3 gallons)” is added in its place.

§ 173.159 [Amended]

26. In § 173.159, in paragraph (c)(3), the following changes are made:

a. In the first sentence, a comma is added immediately after the word “each”.

b. In the second sentence, a period is added after the wording “(75 pounds)”.

§ 173.164 [Amended]

27. In § 173.164, the following changes are made in paragraph (c), as redesignated at 59 FR 67509, effective October 1, 1995:

a. In paragraph (c)(1), in the first sentence, the words “paragraph (b)(2)” are removed and “paragraph (c)(3)” is added in its place.

b. In paragraph (c)(5), in the first sentence, the wording “paragraph (b)(1)” is removed and “paragraph (c)(1)” is added in its place.

§ 173.224 [Amended]

28. In § 173.224, as revised at 59 FR 67511, effective October 1, 1995, in paragraph (b) introductory text, the reference “§ 173.124(a)(2)(vii)” is removed and “§ 173.124(a)(2)(iii)” is added in its place.

§ 173.242 [Amended]

29. In § 173.242, in paragraph (b)(1), at the end of the second sentence, the wording “(except for Class 8, Packing Group I and II)” is added immediately following “MC 307 cargo tank”.

§ 173.243 [Amended]

30. In § 173.243, in paragraph (b)(1), at the end of the second sentence, the wording “(except for Class 8, Packing Group I and II)” is added immediately following “MC 307 cargo tank”.

§ 173.306 [Amended]

31. In § 173.306(d)(3)(iii), the following changes are made:

a. Following the words “in accordance with”, the reference “§ 173.86” is removed and “§ 173.56” is added in its place.

b. The wording “and meet the definition set forth in § 173.100(w)” is removed.

PART 174—CARRIAGE BY RAIL

32. The authority citation for part 174 continues to read as follows:

Authority: 49 U.S.C. 5101-5127; 49 CFR 1.53.

§ 174.67 [Amended]

33. In § 174.67, in paragraph (k), the following changes are made:

a. In the first sentence, the wording "must be made tight," is removed and the words "must be made tight by the use of a bar, wrench or other suitable tool," are added in its place.

b. The last sentence, beginning with "The manhole cover must" is removed.

PART 175—CARRIAGE BY AIRCRAFT

34. The authority citation for part 175 continues to read as follows:

Authority: 49 U.S.C. 5101-5127; 49 CFR 1.53.

§ 175.45 [Amended]

35. In § 175.45(a)(3), the telephone number "area code 404-633-5313" is removed and "1-800-232-0124" is added in its place.

PART 176—CARRIAGE BY VESSEL

36. The authority citation for part 176 continues to read as follows:

Authority: 49 U.S.C. 5101-5127; 49 CFR 1.53.

§ 176.76 [Amended]

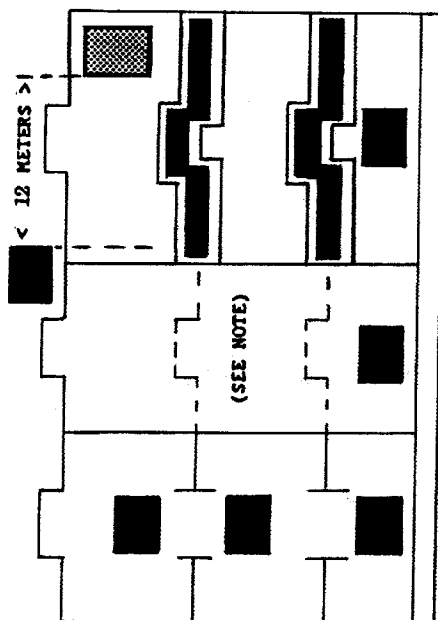
37. In § 176.76, in paragraph (h)(1), the wording " or a cargo tank approved under the provisions of § 173.33(b)(2) of this subchapter" is removed.

38. In § 176.83, in paragraph (c)(2)(iv), the diagram which precedes the note is revised to read as follows:

§ 176.83 Segregation.

- * * * * *
- (c) * * *
- (2) * * *
- (iv) * * *

BILLING CODE 4910-60-P



BILLING CODE 4910-60-C

* * * * *

§ 176.136 [Amended]

39. In § 176.136, in paragraph (a), the period is removed after the word "section" and a comma is added in its place.

§ 176.410 [Amended]

40. In § 176.410, in paragraph (b), the parenthetical mark following "Class 9" is removed.

PART 178—SPECIFICATIONS FOR PACKAGINGS

41. The authority citation for part 178 continues to read as follows:

Authority: 49 U.S.C. 5101-5127; 49 CFR 1.53.

§ 178.53-5 [Amended]

42. In § 178.53-5, the parenthetical authorities at the end of the section are removed.

§ 178.58-5 [Amended]

43. In § 178.58-5, the parenthetical authorities at the end of the section are removed.

§ 178.358-3 [Amended]

44. In § 178.358-3, in paragraph (a), the word "to" preceding "April 1, 1989" is removed.

§ 178.504 [Amended]

45. In § 178.504, in paragraph (b)(1), in the last sentence, the reference "§ 178.503(a)(10)" is removed and "§ 178.503(a)(9)" is added in its place.

§ 178.819 [Corrected]

46. In the Federal Register of August 4, 1995, on page 40039, in column one, in amendatory instruction 19, lines two through four are corrected to read "in the second sentence, the wording 'move vertically, bounce and rotate' is removed and 'move vertically and bounce' is added in its place."

Issued in Washington, DC, on September 8, 1995, under the authority delegated in 49 CFR part 1.

Ana Sol Gutiérrez,
Deputy Administrator, Research and Special Programs Administration.

[FR Doc. 95-22772 Filed 9-20-95; 8:45 am]

BILLING CODE 4910-60-P