



DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS REGULATIONS BOARD
WASHINGTON, D.C. 20590

13464

[49 CFR Part 178]

[Docket No. HM-55; Notice 70-16]

TRANSPORTATION OF HAZARDOUS
MATERIALS

Polyethylene Liners

The Hazardous Materials Regulations Board is considering amending §§ 178.35 and 178.35a of the Department's Hazardous Materials Regulations to increase the marked capacity of DOT Specifications 2S and 2SL polyethylene liners from 29 and 53 gallons to 30 and 55 gallons respectively. Also, the Board is considering adding a new note 2 to § 178.24-2 to authorize the use of high density polyethylene (Type III) in Specification 2U liners up to 6½ gallons maximum capacity.

Interested persons are invited to give their views on this proposal. Communications should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, 400 Sixth Street SW., Washington, D.C. 20590. Communications received on or before October 20, 1970, will be considered before final action is taken on the proposal. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, both before and after the closing date for comments.

A petitioner contends that the present limitations on DOT Specification 2S and 2SL were imposed due to the insignificant number of liners involved in 1956 when the Specification 2S liner was first authorized. The smaller capacity liners were tailored to fit standard 30- and 55-gallon overpacks. The petitioners now desire to provide and use liners of generally accepted commercial capacities. Several special permits have been issued since 1964 to authorize the higher capacities. The Board agrees that the capacity specified in the two specifications should be adjusted as proposed.

One petitioner has requested the authorization of high density polyethylene (Type III) for construction of Specification 2U liners up to 6½ gallons maximum capacity. This type of polyethylene has been authorized by special permits since 1965. Since that time, more than 500,000 liners of this type have been used for shipment of hazardous materials. The Board believes the regulation should be amended to provide for this type of packaging.

In consideration of the foregoing, the Board proposes to amend 49 CFR Part 178 as follows:

A. In § 178.24-2 paragraph (a) Note 2 would be added to read as follows:

§ 178.24 Specification 2U; molded or thermoformed polyethylene containers having rated capacity of over one gallon. Removable head containers or containers fabricated from film not authorized.

§ 178.24-2 Material.

(a) * * *

NOTE 2: Type III polyethylene, as specified in Appendix B to this part, is authorized for containers up to 6 gallons marked capacity (6½ gallons maximum capacity).

B. Section 178.35 would be amended by amending the table in § 178.35-3 as follows:

1. The fourth entry in the first column would be changed from "29" to "30".
2. The fifth entry in the first column would be changed from "53" to "55".
3. The fourth entry in the second column would be changed from "30" to "32".
4. The fifth entry in the second column would be changed from "54" to "58".

C. Section 178.35a would be amended by amending the table in § 178.35a-2 as follows:

1. The third entry in the first column would be changed from "29" to "30".
2. The fourth entry in the first column would be changed from "53" to "55".
3. The third entry in the second column would be changed from "30.5" to "32".
4. The fourth entry in the second column would be changed from "54.5" to "58".

This proposal is made under the authority of sections 831-835 of title 18, United States Code, section 9 of the Department of Transportation Act (49 U.S.C. 1657), and title VI and section 902 (h) of the Federal Aviation Act of 1958 (49 U.S.C. 1421-1430 and 1472(h)).

Issued in Washington, D.C., on August 18, 1970.

W. F. REA III,
Rear Admiral, U.S. Coast Guard,
By direction of Commandant,
U.S. Coast Guard.

SAM SCHNEIDER,
Board Member, for the
Federal Aviation Administration.

ROBERT A. KAYE,
Director, Bureau of Motor Car-
rier Safety, Federal Highway
Administration.

CARL V. LYON,
Acting Administrator,
Federal Railroad Administration.

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