



PHMSA Publishes Adoption of Petitions for Rulemaking

On November 25, 2020, the Pipeline and Hazardous Materials Safety Administration (PHMSA) published a [final rule](#) amending the hazardous materials regulations by incorporating 24 petitions for rulemaking from the regulated community. The petitions were submitted between February 2015 and March 2018. The changes made in this final rule are effective on December 28, 2020.

Limited Quantity Exception for Hydrogen Peroxide

Currently, UN2014, Hydrogen Peroxide, aqueous solution is not authorized as a limited quantity in the [49 CFR](#). UN2014 is authorized to be shipped as a limited quantity under other modal regulations and the [UN Model Regulations](#). The lack of harmonization causes inconsistencies in costs and logistics when shipping this material both domestically and internationally.

PHMSA agreed with this petition and added the reference §173.153 to column 8A of the hazardous materials table authorizing UN2014 for transport as a limited quantity.

Markings on Portable Tanks

49 CFR [§173.302\(b\)\(2\)](#) currently states that markings on portable tanks with a capacity of less than 3,785 L (1,000 gallons) have a width of at least 4.0 mm (0.16 inch) and a height of at least 25 mm (1 inch). Section 5.3.2.0.2 of the IMDG Code allows a minimum height of 12 mm (0.47 inch). PHMSA agrees that harmonizing the minimum height of the marking with the IMDG code should facilitate flexibility, cost savings, and efficiencies in transportation. [§173.302\(b\)\(2\)](#) is updated to reflect the change.

Reconditioning of Metal Drums

One petition requested a change to [§173.28\(c\)\(1\)\(i\)](#) that requires labels be completely removed as part of the reconditioning of a steel drum be changed to substantially removed. The petitioner contends that the way the standard is written is impossible to comply with and safe reconditioning can be achieved at a reduced standard. PHMSA updated the standard to read, "Cleaning to base material of construction, with all former contents, internal and external corrosion removed, and any external coatings and labels sufficiently removed to expose any metal deterioration that adversely affects transportation safety."

Harmonizing Limited Quantities of Corrosive Materials

Another petitioner requested that many proper shipping names for corrosive materials that are not currently allowed to be shipped as limited quantities be updated with the authorization. These materials all have limited quantity authorizations in the model regulations. Allowing these materials to be shipped as limited quantities under the 49 CFR will facilitate harmonization and the cost savings and efficiencies that go with it. PHMSA agreed with the petitioner and updated 114 entries for corrosive materials with authorizations to be shipped as limited quantities.



Other Updates Made in this Final Rule

There were several other updates to the Hazardous Materials Regulations made in this final rule including:

- Updating [§171.7](#) with the current version of Compressed Gas Association (CGA) publications.
- Revising the basis weight tolerance from +/- 5% to +/- 10% for paper shipping sacks.
- Revising [§ 173.308\(d\)\(3\)](#) to harmonize with the International Maritime Dangerous Goods (IMDG) Code by removing the requirement for a closed transport container to have the warning mark "WARNING—MAY CONTAIN EXPLOSIVE MIXTURES WITH AIR—KEEP IGNITION SOURCES AWAY WHEN OPENING" when transporting lighters.
- Allowing all waste materials to be managed in accordance with the lab pack exception and associated paragraphs in [§ 173.12](#) irrespective of whether they meet the definition of a hazardous waste per Environmental Protection Agency (EPA) regulations implementing the Resource Conservation and Recovery Act (RCRA).
- Incorporating by reference the January 1, 2018, edition of the American Pyrotechnics Association (APA) Standard 87-1 A, B, C, "Standard for Construction and Approval for Transportation of Fireworks, Novelties, and Theatrical Pyrotechnics," replacing the December 1, 2001 edition into [§ 171.7](#).