

Docket HM-223

*Applicability of HMR to Loading,
Unloading & Storage*

**Final Rule effective
January 1, 2005**

**Delayed until
June 1, 2005**

Phases of HM Transportation

1. **Pre-transportation function** - §171.1(b) (performed by any person in the absence of carrier personnel)

- ✓ Class & describe the material,
 - ✓ Selecting an authorized packaging
 - ✓ Filling (loading) a package with hazmat
 - ✓ Securing the package (*load or residue*)
 - ✓ Communicating the hazard (*i.e.: placards, labels & marking*)
 - ✓ Preparing the shipping paper (*incl. certification, ER information*)
3. ✓ Segregating HM within a freight container or transport vehicle



Phases of HM Transportation

- 1. *Pre-transportation function* - §171.1(b)**
(performed by any person in the absence of carrier personnel)

Repackaging

- ✓ Transfer HM from one packaging to another for the purpose of continuing the movement of HM in commerce where the ultimate destination is NOT known when the material is first delivered to the consignee's facility.

3.



Phases of HM Transportation

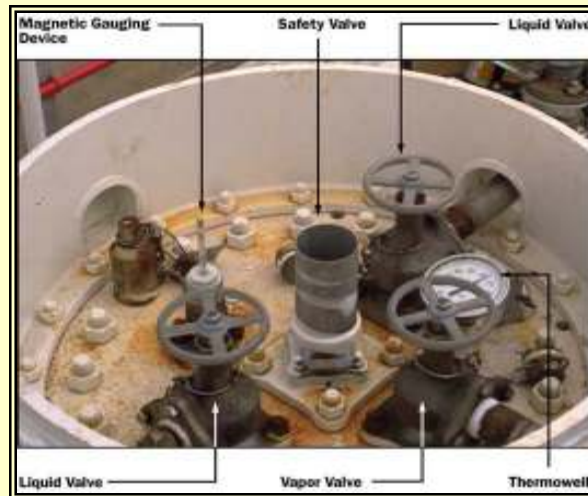
2. *Offering for Transportation*

Examining tank cars before shipping - §173.31(d)

- ✓ Tank shell & heads
- ✓ Piping, valves, fittings & gaskets
- ✓ Missing or loose bolts, nuts, etc.
- ✓ Closures tightened
- ✓ Protective housings secured
- ✓ Pressure relief valves, tell-tale indicators, thermal protection
- ✓ Markings
- ✓ Periodic inspection within the prescribed interval

Applies to
loads &
residue !

3.



Phases of HM Transportation

3. **Transportation function** *(in commerce)*

- ✓ Generally **begins** when a carrier takes possession
- ✓ Generally **ends** when it arrives its destination indicated on the shipping paper
- ✓ *It includes: (performed by or in the presence of carrier personnel)*
 - Movement – *physical transfer in commerce*
 - Loading incidental to movement
 - Transloading
 - Unloading incidental to movement
 - Storage incidental to movement

**Further
Explained**



Phases of HM Transportation

4. **Acceptance for Transport**

Inspection & Acceptance (Rail Carrier) - §174.9

- ✓ Ground level inspection (*markings, labels, placards, securement / leakage*)

Unacceptable hazmat shipments - §174.3

- ✓ “Thou shall not accept non-compliant.....”

3.



Phases of HM Transportation

- ***Movement*** *(in commerce)*
 - ✓ Physical transfer of HM from one location to another
- ***Loading incidental to movement***
 - ✓ Loading HM packages onto transport vehicles or vessel by carrier personnel or in their presence
 - ✓ Filling of the packaging by carrier personnel or in their presence
- ***Unloading incidental to movement***
 - ✓ Removal of a packaged or containerized HM from a transport vehicle or vessel
 - ✓ Emptying HM from a bulk packaging prior to the delivering carrier's departure from the consignee's facility
 - ✓ "Consignee conducted unloading" after the carrier departs the facility is **NOT regulated by DOT !!**

Phases of HM Transportation

- ***Transloading***
 - ✓ Transfer HM from one packaging to another for the purpose of continuing the movement of HM in commerce.
 - ✓ Transloading operation would still exist, even if the shipping paper identifies the railroad location as the final destination, but the consignee “demonstrates” that the product is intended to be transferred to another location beyond the railroad track.

Phases of HM Transportation

- ***Storage incidental to movement***
 - ✓ Storage by any person between the time that a carrier takes physical possession (*for the purpose of transporting it*) until the package is delivered to destination indicated on a shipping paper.
 - ✓ Includes rail cars delivered to its destination indicated on the shipping paper (*if the track is controlled by a carrier*). It does NOT include cars stored on “**private track**”.
 - ✓ **Private track** (*not controlled by a carrier*) is not included in the definition & thus is NOT regulated by DOT ! This includes storage of a filled tank car on private track prior to being picked up by a rail carrier.



HM-223 Response to Tank Car Specification Authority

Tank cars “marked” as meeting specification (e.g., DOT, AAR, TC, etc) must conform to all applicable requirements in HMR (including Parts 179 & 180). This **includes** when the tank car is empty, loading, unloading or in storage !





General Placarding Requirements

§172.504

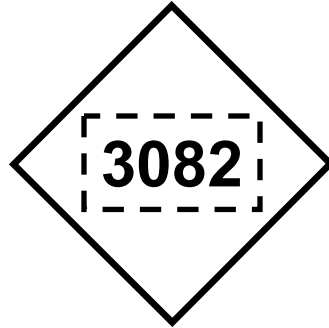
- ✓ Rail Cars – **Both sides & both ends**

Removal of Placards

- ✓ Sufficiently **clean** inside & purged of

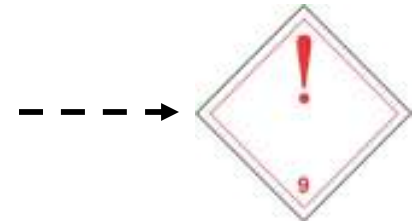
- ✓ **Refilled** with **hazardous** material

Placarding Exceptions



Class 9 (*Miscellaneous Hazardous Materials*) placards are “**Optional**” for **domestic transportation** ! However, **ID numbers** are still required !

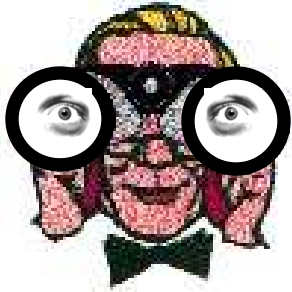
Canadian
Class 9 placard



FLAMMABLE placards may be used in place of **COMBUSTIBLE** placards on compartmented tank cars containing both flammable & combustible ! Also, applies to cargo tanks & portable tanks.

Certain **2.2** atmospheric gases, such as Argon (UN 1951) are excepted from placarding !

Visibility of Placards - §172.516 (c)



Readily visible !

Securely attached/affixed or placed in a holder



Clear of appurtenances & devices such as ladders

Located clear of dirt & water from wheels



Maintained to preserve the format, legibility & color

Displayed horizontally, reading from left to right



Located clear of any other markings



Dangerous Placard



Used on freight containers, unit load devices, transport vehicles *or* rail cars which contain non-bulk packagings with **2 or more** categories of **Table 2** hazardous materials! - §172.504(b)

Special Rail Placarding

White Square Background

- ✓ Explosives **1.1** & **1.2**
- ✓ 2.3, **Zone A**
(load or residue)
- ✓ 6.1, **PG I, Zone A**
(load or residue)
- ✓ **DOT 113** tank cars
transporting **2.1**
(load or residue)

§172.510

