

KEEPING YOU INFORMED OF REGULATORY CHANGES & UPDATES IN THE TRANSPORTATION INDUSTRY

Important Dates to Remember

TBD — Use of NUREG/BR-0204 Revision 3 and new NRC LLRW manifests has been delayed to an unspecified date.

May 10, 2021 — Delayed compliance on May 11, 2020 final rule HMR changes.

September 1, 2021 — Begin SQG EPA re-notification and every 4 years.

January 1, 2022 — Begin using the 2020 Edition IMDG Code Amendment 40-20.

January 01, 2023 — Begin IATA Competency-based Training Standards.

January 01, 2025 — Begin using updated IATA Shipper's Declaration forms.

NRC NEW MANIFESTING EFFECTIVE DATE COMING SOON

The Nuclear Regulatory Commission (NRC) updated its "Instructions for Completing the U.S. NRC's Uniform Low-Level Radioactive Waste Manifest" [NUREG/BR-0204](#) and published Revision 3 on June 2020. The initial effective date of revision 3 was September 30, 2020; but was delayed to due industry comment on the complexity of changes and extra time needed to update commercially available software programs. The NRC recently held another public meeting on February 11, 2021 to discuss the

implementation of NUREG/BR-0204 Revision 3 and the new NRC Uniform Waste Manifest Forms (540/541/542). In this meeting, the NRC announced their intention to complete Office of Management and Budget (OMB) clearance on these forms with the target date of June 1, 2021. The NRC will issue a notice in the Federal Register with a 90-day implementation period, making the new forms and NUREG/BR-0204 Revision 3 effective September 1, 2021. For more information on the transition to the new forms and guidance, please visit the [NRC Manifesting website](#).

2020 CVSA ROADSIDE INSPECTION RESULTS

The Commercial Vehicle Safety Alliance (CVSA) conducted their annual roadside inspection blitz during September of last year. They performed over 50,000 Commercial Motor Vehicle (CMV) inspections during a 3-day period and found over 20 percent of the CMVs to be Out-of-Service (OOS). Some of the top violations for hazardous material transporters were Cargo Securement, Shipping Papers, Placarding and Markings. For more information on their inspections and more details on the violations, visit their website at: <https://www.cvsa.org/news/2020-roadcheck-results>.

Top Five HM OOS Violations—U.S.

Violation Category	# of OOS Violations	% of OOS HM Violations
1 Loading	89	51.4%
2 Shipping Papers	38	22.0%
3 Placards	34	19.7%
4 Markings	7	4.0%
5 Other HM	3	1.7%

NRC UPDATES ADVANCED NOTIFICATION DESIGNEE LIST

The Nuclear Regulatory Commission (NRC) has updated the list of individuals to receive advance notification of radioactive material and nuclear material shipments required by either 10 CFR Part 37 (Category 1 and 2), Part 71 (HRCQ) or Part 73 (Spent Nuclear Fuel) on **March 01, 2021**. This list of States, Territories and Participating Tribes designees can be downloaded from the NRC website at <https://scp.nrc.gov/special/designee.pdf>.

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2021 IATA DGR 62nd Edition Addendums

The International Air Transport Association (IATA) Dangerous Goods Regulations (DGR) 62nd 2021 Edition has two (2) Addendums now available for download and both are effective January 01, 2021. IATA is asking all users of the IATA DGR to note all the amendments and corrections contained in both addendums to the 62nd Edition. Some noteworthy revisions include:

- Federal Express (FedEx) revised its operator variation "FX-03" by removing specific UN Identification Numbers and now "FX-03(a)" states: "All UN numbers containing Plutonium-239 and Plutonium-241 fissile materials are prohibited for transport."
- FedEx changed "FX-10" from "Not used." to "Shipments containing accessible dangerous goods (ADG) and inaccessible dangerous goods (IDG) that are dropped off at



staffed FedEx U.S. locations must be processed using a FedEx or third-party automation system, not paper airbills or air waybills." This is consistent with FedEx's move to a complete digital format for

shipping orders. This is also seen in "FX-18" where FedEx removed "(not paper airbills or air waybills)" from their requirement for all Dangerous Goods (DG) Shipper's Declarations originating in the US must be prepared using software with dangerous goods compliance edit checks.

- In Appendix D, the US Enforcement Branch (FAA), the US Competent Authority (PHMSA), and the US NRC's contact information has been revised.

Both Addendums can be accessed at: [IATA DGR Downloads](#). To stay up to date with all the changes, we suggest attending one of our IATA courses available on Friday during our regularly scheduled DOT/NRC Radioactive Shipping Workshops or contact us to schedule an IATA course at your site.



e-Manifest

OFFICE OF RESOURCE CONSERVATION AND RECOVERY | WWW.EPA.GOV/e-MANIFEST

e-Manifest Quarterly Bulletin - Winter Edition

February 2021

New EPA e-Manifest Quarterly Newsletter

The Environmental Protection Agency (EPA) has published its first bulletin on the e-Manifesting system dated [February 2021](#). The purpose of these bulletins is to provide a quarterly digest of e-Manifest news, including newly released and upcoming functionality. They are designed to complement the EPA's monthly public webinars, [e-Manifest](#) website and listserv. Articles in the first newsletter edition include: 1. The EPA's launch of the e-Manifest Quarterly Bulletin; 2. The March 2021

e-Manifest Advisory Board Meeting announcement to advise the EPA on its proposed e-Manifest program priorities and e-Manifest system user fees for the FY2022/FY2023 cycle; 3. A reminder to receiving facilities: You can't mail paper manifests to EPA after June 30, 2021; 4. EPA responds to e-Manifest Advisory Board and implements new "Quick Sign" feature; 5. EPA added many new and upcoming e-Manifest functionalities including a new billing service, a new Bulk Signature feature,

and a new manifest tracking number (MTN) validation method; 6. Updated e-Manifest Web Content, FAQs and Fact Sheets as of December 2020; 7. Data Quality Corner: EPA encourages generators to register online in RCRAInfo; and 8. For More Information on how to register for e-Manifest and to view frequently asked questions on e-Manifest, plus how to subscribe to the general program Listserv.



DOT's Publication Download Center

The Outreach and Training Branch of the Pipeline and Hazardous Material Safety Administration (PHMSA) has many useful publications that make it easier to understand and comply with their Hazardous Materials Regulations (HMRs) in 49 CFR Parts 107 – 180.

Some publications enhance general understanding of the regulations, while others focus on specific training niches. PHMSA has recently published an addition to their lineup called "Hazmat Transportation Requirements" which condenses information from their most popular publications into an easy-to-read brochure that includes training requirements, preparing shipping papers, using the hazardous materials table, performance packaging codes, and marking, labeling and placarding.

Check out this new brochure and other helpful publications by clicking on [this link](#) to see all PHMSA's hazardous material transportation publications.

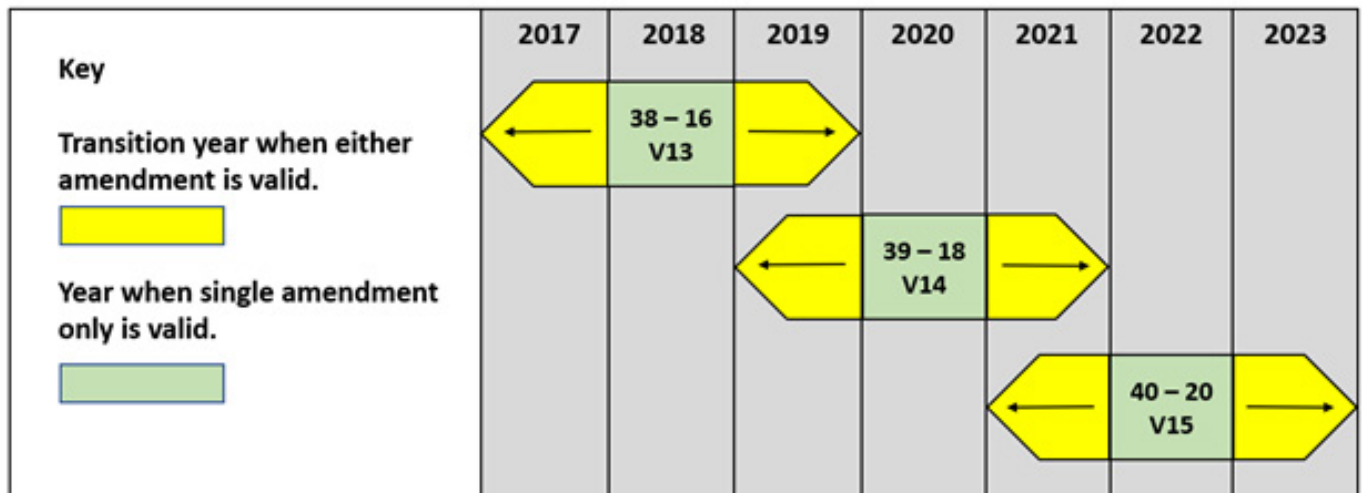
Regulation Publication Delays

Be patient this year! Many of our regulation publications are delayed due to the effects of the pandemic. We are still waiting on the new 40 CFR July 2020 edition both online at the [Code of Federal Regulation website](#) and in-print from the [Government Publishing Office](#). Typically, the new edition of 40 CFR is available by November

for that year's edition published in July (i.e. the July 1, 2020 edition would be available some time in November of 2020). The International Maritime Organization (IMO) has also delayed the publication of the International Maritime Dangerous Goods (IMDG) Code Amendment 40-20 (2020 edition) and the IMDG Code Supplement. The current IMDG

Code edition (Amendment 39-18) remains valid until December 31, 2021. Use of Amendment 40-20 is voluntarily during 2021 and will be mandatory starting January 1, 2022. IMO is trying to get the 40-20 edition out soon in early 2021, so be on the lookout to purchase from your reputable IMDG Code book supplier.

IMDG Code Amendment Cycle (2017–2023)



Recent Lessons Learned, Industry Events, and Operating Experiences

Unified Units!?!

Can you spot the violations in this shipper paper? Some information has been deleted and/or modified to protect the parties involved. So, did you notice the package activity? Does a less than activity (< 0.03 TBq) meet the 49 CFR 172.203(d)(3) requirement to include "The maximum activity of the radioactive contents contained in each package . . ."? If each package is less than 0.03 TBq, then how did the total sea container activity equal "0.36 TBq"? Where in the SI unit standards will we find a capital "K" or "s" at the end for kilograms? Using 49 CFR 171.10, the appropriate abbreviation is "kg." Quick online search says "Kgs." is the abbreviation for "**Kings**." Another unapproved abbreviation is the use of "tick" marks

for the measurement of length. The sea container is 40'? The only abbreviation for feet is "ft" in 49 CFR 171.10. Lastly, did the emergency response telephone standout? Make sure it is highlighted, larger font or

entered in a different color to ensure it is easily found per 49 CFR 172.604(a)(3)(ii). Be careful how you fill out shipping papers and ensure the document format is correct per 49 CFR 172 Subparts C & G.

Routing/Special Instructions:		Delivery Date & Time: 2021 @ 2100	
No. of Units & Container Type	HM	Material Description <small>(UN Number, Proper Shipping Name, Hazard Class, Isotope, Chemical/Physical form, Labels, TVCSI)</small>	Total Weight <small>(Shipping container, packaging and material)</small>
12 X PACKAGE CONTAINERS	RQ	UN 3327, RADIOACTIVE MATERIAL, TYPE A PACKAGE, FISSILE, 7 U (ENRICHED TO 20% OR LESS) SOLID, URANIUM DIOXIDE LABELS: RADIOACTIVE YELLOW-II, FISSILE ACTIVITY: < 0.03 TBq (varies per package) TI: 0.3 CSI: 1.0 PER PACKAGE PACKAGE TYPE: PACKAGE CONTAINERS CERTIFICATE OF COMPLIANCE USA/3327/AF 1 X 40' SEA CONTAINER LABELS: RADIOACTIVE YELLOW III, FISSILE MARKINGS: UN3327 PLACARDS: RADIOACTIVE ACTIVITY: 0.36 TBq TI: 3.6 CSI: 12.0 SEAL # 3327	14,388 Kgs.
PLACARDS TENDERED: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
<small>24 Hour Emergency Number 800-424-9300 (CHEMTREC) Account #CCN223327</small>			



Murky Markings!

So, what do you think about placement of these markings? Placed too high? Illegible? All markings required in 49 CFR 172 Subpart D must be unobscured per 172.304. Orange panels should meet the display requirements described in 172.332(b). If emergency responders and regulators cannot read the marking from the ground, the marking cannot effectively communicate the hazard for their safety.

Placard Placement!?!

How many issues can you identify with this placard? How far should the placard be from any markings to ensure visibility? Did you answer "at least three (3) inches" per 49 CFR 172.516(c)(4)? Are there any orientation requirements for placards? Yes! Placards should be placed horizontally per 49 CFR 172.516(c)(5). Be careful placing placards to ensure they meet all the placarding specifications in 49 CFR 172 Subpart F.



FAQ: General Design Packaging Requirements (49 CFR 173 Subpart B & 173.410)

*** If a packaging has a drain plug, does the plug need to meet the valve requirements in 49 CFR 173.410(h) and also have a tamper seal?**

Reference (05-0227)

No. A drain plug is not a mechanical device or an opening needing a seal.

*** Do the terms "bulk" and "non-bulk" apply to 173.410 Class 7 packagings**

Reference (06-0201)

Yes. These packagings must include the size-specific requirements in 173.24a for non-bulk and 173.24b for bulk packagings as appropriate.

*** When would an offeror need to re-evaluate a packaging design?**

Reference (06-0201)

When there is a change in structural design, material size of construction, wall thickness, manner of construction, or package contents (change in activity amount, form of material, etc.).

*** Would a material with radionuclides, but Class 7 material exempt need to be packaged in at least a 173.24 packaging?**

Reference (11-0038)

No. This material is exempt from the Class 7 packaging requirements.

*** Can a packaging have a vent cap to meet the venting requirement in 173.24(g)(2)**

Reference (09-0067)

Yes.

*** Would a gondola railcar with the MHF Super Load Wrapper™ (SLW) lining system satisfy the general design requirements of 49 CFR 173.410?**

Reference (05-0138)

Yes, and would meet the Type IP-1 design criteria also.

DOT letters of interpretation can be found at: <https://www.phmsa.dot.gov> Click on: "Regulations and Compliance" then "Interpretations" Next, you can search by entering the reference number in the search box or search by the applicable regulatory section number, or search by the published date. Do not forget that you have these internet addresses (and many more) in a PDF on our training class e-media handout.



Seasonal Safety

Spring is coming soon, along with lots of pollen. Be prepared for the messy yellow soup covering our cars and causing allergy attacks.

Also, keep your car's windshield washer fluid reservoir full and pray for rain to help wash away the pollen and help alleviate our pollen-related health challenges.

Bee safe and healthy!



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NRC Revising Evaluation Policy Statement

On December 08, 2020 (85 FR 79042), the Nuclear Regulatory Commission (NRC) published a notice requesting public comment on its proposed Evaluation Policy Statement that presents the standards that will govern the NRC's planning, conduct, and use of program evaluations. The policy statement is intended to provide agency personnel and stakeholders with a clear understanding of the expectations related to the NRC's evaluation standards that include rigor, relevance and utility, transparency, collaboration, independence and objectivity, and ethics. Please submit comments by January 7, 2021. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received before this date.

NRC Revising NUREG-1757 Volume 2

On December 08, 2020 (85 FR 79044), the NRC published a notice requesting comment on the draft version of NUREG-1757, Volume 2, Revision 2, "Consolidated Decommissioning Guidance, Characterization, Survey, and Determination of Radiological Criteria." NUREG-1757 has been revised to address lessons learned and experience gained from review of license termination plans, decommissioning plans, and final status surveys for licensees undergoing license termination since the last revision to the document in September 2006. This NUREG is intended for use by applicants, licensees, and the NRC staff. Please submit comments by February 8, 2021. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date. On January 22, 2021 (86 FR 6683), the NRC extended the due date of comments to no later than April 8, 2021.

FMCSA Eliminating Annual Driver Report

On December 14, 2020 (85 FR 80745), the Federal Motor Carrier Safety Administration (FMCSA) published a notice of proposed rulemaking proposing to eliminate the requirement that drivers operating commercial motor vehicles (CMVs) in interstate commerce prepare and submit a list of their convictions for traffic violations to their

employers annually. This requirement is largely duplicative of a separate provision that requires each motor carrier to make an annual inquiry to obtain the motor vehicle record (MVR) for each driver it employs from every State in which the driver holds or has held a CMV operator's license or permit in the past year. To ensure motor carriers are aware of traffic violations for a driver who is licensed by a foreign authority rather than by a State, that provision would be amended to provide that motor carriers must make an annual inquiry to each driver's licensing authority where a driver holds or has held a CMV operator's license or permit. This change would require motor carriers to request the MVR equivalent from Canadian and Mexican driver's licensing authorities. FMCSA expects that removing the requirement for drivers to provide a list of their convictions for traffic violations to their employers annually would reduce the paperwork burden on drivers and motor carriers without adversely affecting CMV safety. Comments on this notice of proposed rulemaking (NPRM) and information collection must be received on or before February 12, 2021.

NRC Withdraws VLLW Disposal Exemption

On December 17, 2020 (85 FR 81849), the NRC published a notice withdrawing a proposed interpretation of its Low-Level Radioactive Waste (LLRW) disposal regulations that would permit licensees to dispose of Very Low-Level Radioactive Waste (VLLW) by transfer to persons who hold specific exemptions for the purpose of disposal by burial. The NRC issued a federal register on March 06, 2020 (85 FR 13076) seeking comments on the proposed interpretive rule and received an overwhelming amount of comments opposing the proposed interpretive rule. Therefore, as of December 17, 2020, the proposed interpretive rule is withdrawn.

PHMSA Makes Minor HMR Revisions

On December 21, 2020 (85 FR 83366), the Pipeline and Hazardous Materials Safety Administration (PHMSA) published a final rule correcting editorial errors and improves the clarity of certain provisions in the Hazardous Materials Regulations (49 CFR Parts 106 -180) and PHMSA program and procedural regulations. The intended effect of

this rulemaking is to enhance the accuracy and reduce misunderstandings of the regulations. The amendments contained in this final rule are non-substantive changes and do not impose new requirements. This final rule was effective January 20, 2021. On January 12, 2021 (86 FR 2344), the PHMSA published a correction to change the effective date to January 21, 2021.

EPA 2020 Civil Penalties Adjustment

On December 23, 2020 (85 FR 83818), the Environmental Protection Agency (EPA) published a final rule adjusting the level of the maximum (and minimum) statutory civil monetary penalty amounts under the statutes the EPA administers. This action is mandated by the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended through the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 ("the 2015 Act"). The 2015 Act prescribes a formula for annually adjusting the statutory maximum (and minimum) amount of civil monetary penalties to reflect inflation, maintain the deterrent effect of statutory civil monetary penalties, and promote compliance with the law. The rule does not establish specific civil monetary penalty amounts the EPA may seek in particular cases, as appropriate given the facts of particular cases and applicable agency penalty policies. The EPA's civil penalty policies, which guide enforcement personnel on how to exercise the EPA's discretion within statutory penalty authorities, take into account a number of fact-specific considerations, e.g., the seriousness of the violation, the violator's good faith efforts to comply, any economic benefit gained by the violator as a result of its noncompliance, and a violator's ability to pay. This final rule is effective December 23, 2020.

NRC Disposal Reporting Comment Request

On December 23, 2020 (85 FR 84012), the NRC published a notice inviting public comment on the renewal of Office of Management and Budget (OMB) approval for an existing collection of information entitled, "Criteria and Procedures for Emergency Access to Non-Federal and Regional Low-Level Waste Disposal Facilities." This information that must be provided to the NRC by any low-level waste generator or governor of a

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State on behalf of generators seeking emergency access to an operating low-level waste disposal facility. The information is required to allow the NRC to determine if denial of disposal constitutes a serious and immediate threat to public health and safety or common defense and security. Part 62 of 10 CFR also provides that the Commission may grant an exemption from the requirements in this part upon application of an interested person or upon its own initiative. Please submit comments by February 22, 2021. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

PHMSA DOT Cylinder 2021 HMR Revisions

On December 28, 2020 (85 FR 85380), the PHMSA published a final rule amending the Hazardous Materials Regulations (HMR) to revise certain requirements applicable to the manufacture, use, and requalification of DOT-specification cylinders. PHMSA is taking this action in response to petitions for rulemaking submitted by stakeholders and agency review of compressed gas cylinder regulations. Specifically, PHMSA is incorporating by reference or updating the references to several Compressed Gas Association publications, amending the filling requirements for compressed and liquefied gases, expanding the use of salvage cylinders, and revising and clarifying the manufacture and requalification requirements for cylinders. The effective date of this final rule is January 27, 2021. Unless otherwise specified, compliance with the amendments adopted in this final rule is required beginning December 28, 2021.

EPA e-Manifest Public Meeting

On December 29, 2020 (85 FR 85631), the EPA published a notice announcing the next Hazardous Waste Electronic System ("e-Manifest") Advisory Board public meeting. The purpose of the three (3) day virtual meeting is for EPA to seek the Board's consultation and recommendations regarding the e-Manifest system (Meeting Theme: "Looking Ahead: Setting e-Manifest Program Priorities and User Fees for FY2022 and FY2023"). You may participate in this meeting by providing public comments via the

instructions in this federal register notice. The meeting will be held on March 2-4, 2021, from approximately 10:00 a.m. to 6:00 p.m. EST.

FMCSA Rear Impact Comment Request

On December 29, 2020 (85 FR 85571), the FMCSA published a notice of proposed rulemaking (NPRM) to amend the Federal Motor Carrier Safety Regulations (FMCSRs) to include rear impact guards on the list of items that must be examined as part of the required annual inspection for each commercial motor vehicle (CMV). In addition, FMCSA proposes to amend the labeling requirements for rear impact guards, and to exclude road construction controlled (RCC) horizontal discharge trailers from the rear impact guard requirements, consistent with changes made by the National Highway Traffic Safety Administration (NHTSA) to the corresponding Federal Motor Vehicle Safety Standards (FMVSS). This NPRM responds to rulemaking petitions, as well as a recommendation from the Government Accountability Office (GAO). Comments on this notice must be received on or before March 1, 2021.

FMCSA Amending Petition Process

On December 31, 2020 (85 FR 86843), the FMCSA published a final rule amending its rulemaking procedures by revising the process for preparing and adopting rules and petitions. Also, FMCSA adds new definitions, and makes general administrative corrections throughout its rulemaking procedures. These actions are authorized under the Fixing America's Surface Transportation (FAST) Act and the Administrative Procedure Act (APA). This final rule is effective March 1, 2021.

NRC Amends U.K. Imports/Exports

On December 31, 2020 (85 FR 86793), the NRC published a final rule amending its export and import regulations to maintain the regulatory status quo for nuclear exports to the United Kingdom (U.K.), upon the entry into force of a new civil nuclear cooperation agreement between the United States (U.S.) and the U.K. (the U.S.-U.K. 123 Agreement). The amendment will add the U.K. to the list of countries eligible to receive certain

small quantities of special nuclear material under a general license, and to the list of countries whose export license applications do not require Executive Branch or Commission level reviews for certain exports of source material or lowenriched uranium. This amendment is necessary to bring the NRC's regulations into conformity with U.S. Government foreign policy and preserve existing provisions for nuclear exports to the U.K.: This final rule is effective on December 31, 2020.

EPA TSCA Asbestos Risk Assessment

On January 04, 2021 (86 FR 89), the EPA published a notice announcing the availability of the final Toxic Substances Control Act (TSCA) risk evaluation of Asbestos Part 1 (Chrysotile Asbestos). The purpose of conducting risk evaluations under TSCA is to determine whether a chemical substance presents an unreasonable risk of injury to health or the environment under the conditions of use, including an unreasonable risk to a relevant potentially exposed or susceptible subpopulation, without consideration of costs or other nonrisk factors. EPA has determined that specific conditions of use of Chrysotile Asbestos present an unreasonable risk of injury to health. For those conditions of use for which EPA has found an unreasonable risk, EPA must take regulatory action to address that unreasonable risk through risk management measures enumerated in TSCA. EPA has also determined that specific conditions of use do not present unreasonable risk of injury to health or the environment. For those conditions of use for which EPA has found no unreasonable risk to health or the environment, the Agency's determination is a final Agency action and is issued via order in the risk evaluation. EPA is currently developing Part 2 of the TSCA risk evaluation for Asbestos which will evaluate risk of injury to health or the environment for legacy uses and associated disposals of asbestos. The Agency plans to release a draft scope for Part 2 of the risk evaluation for Asbestos for public comment mid-year 2021.

FMCSA Revising Yard Move Driver HOS

On January 04, 2021 (86 FR 179), the FMCSA published a notice proposing to revise the regulatory guidance concerning recording time



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operating a commercial motor vehicle (CMV) as a “yard move.” This guidance applies to all CMV drivers required to record their hours of service (HOS). FMCSA requests public comments on the proposed guidance, which includes examples of properties that are and are not “yards.” Movements of CMVs in “yards” would be considered “yard moves” and could be recorded as on-duty not driving time rather than driving time. Comments are due by February 3, 2021.

NRC Rev. 3 RG 1.21 Comment Request

On January 05, 2021 (86 FR 326), the NRC published a notice issuing for public comment draft regulatory guide (DG), DG-1377, “Measuring, Evaluating, and Reporting Radioactive Material in Liquid and Gaseous Effluents and Solid Waste.” This DG is proposed revision 3 of Regulatory Guide (RG) 1.21 of the same name. The proposed revision describes an approach that is acceptable to the staff of the NRC to meet regulatory requirements for; (1) measuring, evaluating, and reporting plant related radioactivity in effluents and solid radioactive waste shipments from NRC licensed facilities, and (2) assessing and reporting the public dose to demonstrate compliance with NRC regulations. Submit comments by February 19, 2021. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date. Although a time limit is given, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.

EPA Dose-Response Data Availability

On January 06, 2021 (86 FR 469), the EPA published a final rule to help strengthen the transparency of the dose-response data underlying certain EPA actions and to set the overarching structure and principles for transparency of pivotal science in significant regulatory actions and influential scientific information. The EPA will give greater consideration to studies where the underlying dose-response data are available in a manner sufficient for independent validation when promulgating significant regulatory actions

or developing influential scientific information for which the conclusions are driven by the quantitative relationship between the amount of dose or exposure to a pollutant, contaminant, or substance and an effect. This action also requires the EPA to identify and make publicly available the science that serves as the basis for informing a significant regulatory action at the proposed or draft stage to the extent practicable; reinforces the applicability of peer review requirements for pivotal science; and provides criteria for the Administrator to exempt certain studies from the requirements of this rulemaking. This final rule is effective on January 6, 2021.

DOT Revises Civil Penalty Amounts

On January 11, 2021 (86 FR 1745), the Department of Transportation (DOT or the Department) published a final rule providing the 2020 inflation adjustment to civil penalty amounts that may be imposed for Office of the Secretary (OST) and DOT’s operating administration’s violations of certain DOT regulations in accordance with the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015. In addition, this final rule makes conforming revisions to FMCSA regulations to reflect inflationary adjustments to the statutorily-mandated civil penalties for violations of Federal law. The Department emphasizes that this rule adjusts penalties prospectively, and therefore the penalty adjustments made by this rule will apply only to violations that take place after this rule becomes effective. This final rule is effective on January 11, 2021.

DOT Annual Tank Car Survey

On January 11, 2021 (86 FR 2030), the DOT published a notice announcing the Bureau of Transportation Statistics (BTS) intention to request that the Office of Management and Budget (OMB) approve a 3-year extension and revision of a currently approved information collection for the “Annual Tank Car Survey.” BTS invites comments on its intention to continue collecting information from tank car retrofitting and manufacturing facilities on the planned and projected number of tank cars to be retrofitted or manufactured to the 117 or 117R specification during the calendar year,

annually. Interested persons are invited to submit comments on or before March 12, 2021.

FMCSA Vision Standard Comment Request

On January 12, 2021 (86 FR 2344), the FMCSA published a notice of proposed rulemaking (NPRM) to amend its regulations in 49 CFR Part 391 to permit individuals who cannot meet either the current distant visual acuity or field of vision standard, or both, in one eye to be physically qualified to operate a commercial motor vehicle (CMV) in interstate commerce. Currently, such individuals are prohibited from driving CMVs in interstate commerce unless they obtain an exemption from FMCSA. FMCSA proposes an alternative vision standard for physical qualification that, if adopted, would replace the current vision exemption program as a basis for establishing the physical qualification determination for these individuals. You must submit comments on this NPRM to FMCSA on or before March 15, 2021.

DOE Revises Civil Penalty Amounts

On January 14, 2021 (86 FR 2953), the Department of Energy (DOE) published a final rule to adjust DOE’s civil monetary penalties (CMPs) for inflation as mandated by the Federal Civil Penalties Inflation Adjustment Act of 1990, as further amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (the Act). This rule adjusts CMPs within the jurisdiction of DOE to the maximum amount required by the Act. This final rule is effective on January 14, 2021.

EPA Withdrawals 3 Proposed Rulings

On January 15, 2021 (86 FR 3932), the EPA published a notice withdrawing the proposed regulatory requirements described in three (3) proposed rules that are identified in this notice. This federal register notice summarizes the proposed rules and provides a brief explanation for the EPA’s decision not to finalize the proposed actions. As of January 15, 2021, the following proposed rules are withdrawn: December 16, 2016 (81 FR 91592) concerning Trichloroethylene (TCE) Aerosol used in degreasing and spot cleaning in dry cleaning; January 19, 2017 (82 FR 7432)

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concerning Trichloroethylene (TCE) use in vapor degreasing; and January 19, 2017 (82 FR 7464) with the portion pertaining to nMethylpyrrolidone (NMP) and methylene chloride in commercial paint and coating removal.

NRC Increases Maximum Civil Penalties

On January 15, 2021 (86 FR 3745), the NRC published a final rule amending its regulations to adjust the maximum Civil Monetary Penalties it can assess under statutes enforced by the agency. These changes are mandated by the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015. The NRC is amending its regulations to adjust the maximum civil monetary penalty for a violation of the Atomic Energy Act of 1954, as amended, or any regulation or order issued under the Atomic Energy Act from \$303,471 to \$307,058 per violation, per day. Additionally, the NRC is amending provisions concerning program fraud civil penalties by adjusting the maximum civil monetary penalty under the Program Fraud Civil Remedies Act from \$11,665 to \$11,803 for each false claim or statement. This final rule is effective on January 15, 2021.

DOE Revises High-Level Waste Interpretation

On January 19, 2021 (86 FR 5173), the DOE published a notice announcing the availability of a limited change to DOE Manual 435.1-1, Radioactive Waste Management Manual, to formally incorporate the Department's interpretation of the statutory definition of high-level radioactive

waste (HLW). In support of that effort, DOE made an administrative change to DOE Order 435.1, Radioactive Waste Management. The HLW interpretation was described in the Supplemental Notice Concerning U.S. Department of Energy Interpretation of High-Level Radioactive Waste, published in the Federal Register on June 10, 2019 (Supplemental Notice). The revised Manual includes DOE's interpretation of the statutory term HLW as defined in the Atomic Energy Act of 1954, as amended (AEA), and the Nuclear Waste Policy Act of 1982, as amended (NWPA).

OSHA HazCom Proposed 2021 Updates

On February 16, 2021 (86 FR 9576), the Occupational Safety and Health Administration (OSHA) published a proposed ruling to modify the Hazard Communication Standard (HazCom or HCS) to conform to the United Nations' Globally Harmonized System of Classification and Labelling of Chemicals (GHS) Revision 7 (GHS, Rev. 7), to address issues that arose during the implementation of the 2012 update to the HCS, and provide better alignment with other U.S. agencies and international trading partners, without lowering overall protections of the standard. OSHA has preliminarily determined that the proposed revisions to the HCS will reduce costs and burdens while also improving the quality and consistency of information provided to employers and employees regarding chemical hazards and associated protective measures. OSHA has preliminarily determined that the proposed revisions will enhance the effectiveness of the HCS by ensuring employees are appropriately

apprised of the chemical hazards to which they may be exposed, thus reducing the incidence of chemical-related occupational illnesses and injuries. The proposed modifications to the standard include revised criteria for classification of certain health and physical hazards, revised provisions for updating labels, new labeling amendments related to the contents of safety data sheets (SDSs), and related revisions to definitions of terms used in the standard. Please submit comments, requests for hearing and other information requests by April 19, 2021.

NRC Revises Public Meeting Protocols

On March 19, 2021 (86 FR 14964), the NRC published a notice revising its policy statement, "Enhancing Participation in NRC Public Meetings," to further clarify and enhance participation in public meetings conducted by the NRC. The revised policy statement redefines the three categories of public meetings and identifies the level of public participation offered at each category of meeting. The revised policy statement also clarifies notification expectations for meetings that include physical presence in the meeting room and meetings that rely solely on remote access technology such as teleconferencing. The revisions will improve the consistency of the NRC's public meetings and help participants better prepare for NRC meetings. This policy statement is effective on March 19, 2021.

2021 COMMERCIAL OPEN-ENROLLMENT TRAINING SCHEDULE

Radioactive Class 7 Material Packaging, Transportation & Disposal Regulatory Compliance Courses

All DOT/NRC training courses meet the requirements of 49 CFR Part 172 Subpart H and NRC IE Notice 79-19

COURSE	DATE	CEU**	TUITION	LOCATION
2021				
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	April 19 - 22	40	\$1,995	Surfside Beach, SC
Air Transport of Radioactive Materials (IATA/DOT)	April 23	8	\$985*	Surfside Beach, SC
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	June 7 - 10	40	\$1,995	Monterey, CA
Air Transport of Radioactive Materials (IATA/DOT)	June 11	8	\$985*	Monterey, CA
DOT/NRC/EPA Hazardous Waste/ Mixed Waste Packaging, Transportation & Disposal	July 12 - 16	40	\$2,195	Clinton, TN
Bear Creek Operations (BCO) Facility Tour	July 15	--	\$0	Oak Ridge, TN
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	August 2 - 5	40	\$1,995	Orlando, FL
Air Transport of Radioactive Materials (IATA/DOT)	August 6	8	\$985*	Orlando, FL
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	October 18 - 21	40	\$1,995	Hilton Head, SC
Air Transport of Radioactive Materials (IATA/DOT)	October 22	8	\$985*	Hilton Head, SC
DOT/NRC/EPA Hazardous Waste/ Mixed Waste Packaging, Transportation & Disposal	November 8 - 12	40	\$2,195	Clinton, TN
Bear Creek Operations (BCO) Facility Tour	November 11	--	\$0	Oak Ridge, TN
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	December 6 - 9	40	\$1,995	Henderson, NV
Air Transport of Radioactive Materials (IATA/DOT)	December 10	8	\$985*	Henderson, NV

* If an IATA class is taken in conjunction with the DOT/NRC class during the same week, there is a \$280 multi-class discount

** The American Academy of Health Physics (AAHP) has pre-approved continuation education credit hours for these courses

