

KEEPING THE NUCLEAR AND HAZMAT TRANSPORTATION INDUSTRY INFORMED OF REGULATORY CHANGES AND UPDATES

IMPORTANT DATE TO REMEMBER

January 1, 2020

- Begin mandatory use of IMDG Code 2018 Edition Amendment 39-18
- Begin using the 2020 IATA DGR 61st Edition

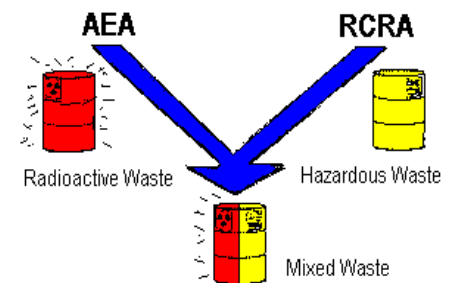
NRC UPDATES ADVANCED NOTIFICATION DESIGNEE LIST

The Nuclear Regulatory Commission 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 June 3, 2020. This list of States, Territories, and Participating Tribes designees can be downloaded from the NRC website at <https://scp.nrc.gov/special/designee.pdf>.

July Mixed Waste Shipping Class

Our DOT/NRC/EPA Hazardous Waste/Mixed Waste Packaging, Transportation and Disposal Training is highly recommended for all hazardous and radioactive material shippers. This course is designed to help you discover how to apply the Hazardous Material (49 CFR, DOT) and Hazardous Waste (40 CFR, EPA) Regulations for any material or waste you may be asked to ship. We also include how to recognize hidden hazardous material to prevent any undeclared or non-compliant shipments. A tour of our Bear Creek Processing Facility is also included so you can meet and ask questions with the folks who receive your

shipments. Our next class will be in Clinton, Tennessee at our MHF facility during the week of July 13th – 17th, 2020. We will have this class in a very large classroom to ensure proper social distancing. Do not miss out on this great opportunity!



CVSA Exemptions Webpage Opened to Public Access



The Commercial Vehicle Safety Alliance (CVSA) maintains a list of all active Federal Motor Carrier Safety Administration (FMCSA) exemptions. These exemptions cover topics like: Electronic Logging Devices; Hours of Service; Parts and Accessories Necessary for Safe

Operation; Qualification of Driver's License Standards; State-Specific Exemptions; National Highway Traffic Safety Administration (NHTSA) National Highway Traffic Safety Administration (NHTSA) Exemptions; and Emergency Declarations. This CVSA exemption clearinghouse webpage was previously accessed only by logging into the CVSA member portal. That information has been moved from the member portal to CVSA's public [website](#), granting unrestricted access (no login required) for everyone.

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DOT Amends the Hazardous Material Regulations

The Pipeline and Hazardous Material Safety Administration (PHMSA) published a final rule in the federal register on May 11, 2020 ([85 FR 27810](#)) amending the Hazardous Materials Regulations (HMR) in 49 CFR Parts 171 - 180 to maintain alignment with recent changes in the international regulations and standards. There are too many changes to summarize and include here, so please obtain your own copy of this very important final rule and thoroughly read for any changes impacting your function in the transport of hazardous materials. Some notable amendments include:

- Added International Atomic Energy Agency (IAEA) Code of Conduct on the Safety and Security of Radioactive Sources to 171.7(s) (2) which is referenced in 172.800 concerning when offerors and carriers require a security plan for Category 1 and 2 radioactive material (note IAEA's document is only for "sources," but both DOT & NRC changed this to "material" for 49 CFR)
- Replaced "RAMQC" with NRC Category 1 and 2 materials as listed in 10 CFR part 37 for when security plans are required in 172.800(b)(15)
- Added non-testing alternatives for classifying corrosive mixtures using existing data on its chemical properties and for assigning a Class 8 packing group (PG)
- Replaced "full thickness destruction of" with "irreversible damage to" human skin in the Corrosive Material (Class 8) definition in 173.136
- All manufacturers and shippers of lithium batteries manufactured after January 1, 2008 are now required to make the test summary document available to ensure only tested, legitimate and compliant batteries are offered for transport, and PHMSA has developed a [guidance brochure](#) to help understand the new United Nations (UN) test summary requirement
- Revised Special Provision 238 in 172.102 concerning neutron radiation detection equipment containing Boron Trifluoride (BF3) gas to remove confusing references
- Revised Special Provision A56 to ensure Class 7 with any subsidiary hazard forbidden for air transport may only be offered for air transport under an approved DOT Special Permit
- Added Special Provision 325 to several Class 7 Radioactive Material Hazardous Material Table (HMT) entries to ensure uranium hexafluoride (UF6) entries are used as appropriate
- Added Special Provision 368 to the UN2908 empty packaging HMT entry to ensure an appropriate UF6 entry is used for a packaging containing UF6 residue
- Revised Special Provision 369 to ensure excepted packages of UF6 are classified with a primary hazard of Division 6.1
- Added Vessel Stowage Codes 74, 151, 152, 153 & 154 (column 10B) to appropriate UF6 HMT entries

- Removed the 2mm minimum measurement requirement for the label inner border and added "approximately" for the 5mm inner border measurement to allow some manufacturing fluctuations (note the voluntary compliance for this final rule is January 1, 2019, so the 2mm label inner border requirement was never in effect!)
- Added several new HMT entries and shipping conditions (new section 173.232 "Articles containing hazardous materials, n.o.s.") for large machinery or apparatus containing only residues which packaging would be impractical
- Added required entries for Class 7 excepted packages on the dangerous cargo manifest when transport by water (carriage by vessel) in 176.30(a)(9)

In addition to the final rule document, you can already see these changes included in the e-CFR online. The e-CFR is a regularly updated, unofficial editorial compilation of Code of Federal Regulations (CFR) material and Federal Register (FR) amendments, produced by the Office of the Federal Register and the Government Publishing Office (GPO). It is available at www.ecfr.gov.



Summer is here, along with the heat.

Be prepared by drinking plenty of liquids to stay hydrated and by planning rest areas with shade. Also, know the signs for heat exhaustion and heat stroke to save your or the life of another. Like a wise person once said, "We usually do not plan to fail, but fail to plan." Take a minute to plan and prepare for success. Review your First Aid knowledge and have any needed supplies for your summertime adventures. Be safe and stay healthy!

Some Relief & Resources During COVID-19 Pandemic

The U.S. Department of Transportation (DOT) and the Environmental Protection Agency (EPA) published temporary policies regarding enforcement policies during the COVID-19 pandemic. Both agencies recognized that the evolving COVID-19 public health emergency may result in potential worker shortages and that social distancing restrictions to limit the spread of COVID-19 may impede normal operations.

One concern is how shipping paper signatures will be collected while minimizing personal interaction. The DOT issued a [notice](#) on April 10, 2020 outlining some methods to satisfy the signature requirements while maintaining appropriate social distancing.

The EPA issued a general [memorandum](#) on March 26, 2020 outlining some relief options and a specific [memorandum](#) on May 18, 2020 concerning option to obtain signatures on hazardous waste manifest paper copies.

Another concern is how hazardous material employee training can be accomplished. The DOT published a [notice](#) on March 25, 2020 halting enforcement actions for not meeting recurrent training, but they still strongly encourage employers to use other training deliver methods if possible.

DOT has additional assistance on their [website](#) concerning hazardous material transportation operations during COVID-19. The EPA also has COVID-19 information, resources and guidance on their respective [website](#).



New Tanks at Bear Creek

The Bear Creek Facility has added ISO (International Organization for Standardization) portable tanks to its fleet of containers. These 20-foot United Nation (UN) Frame tanks can transport up to 6,000 gallons of slightly contaminated liquid for processing. They are certified to operate in both the United States and Canada.

Please note that the weight capacities for each tank may exceed the Federal Motor Carrier weight limits for over-the-road transport before maximum tank capacity is reached. EnergySolutions has included a fill chart for each tank in Attachment 1 of the Operating Procedure.

The primary application for these tanks is for the transport of radioactive water; therefore, the offeror will need to ensure any other constituent is compatible with the tank material and the Waste Acceptance Guidelines for Bear Creek processing. Please contact your EnergySolutions representative for more information.

Recent Lessons Learned, Industry Events, and Operating Experiences

What is the correct order of information for the shipping description? Hopefully you said: 1. ID number, 2. Proper Shipping Name (PSN), 3. Hazard Class(es)/Division(s), and 4. Packing Group (if applicable) as required in 49 CFR 172.202. In Block 11 of this 540 NRC Manifest, they listed the PSN (Asbestos) first, instead of the ID (NA2212) first. Also, did they make

the emergency telephone number entry stand out? 49 CFR 172.604(a)(3) (ii) requires either highlighting, use of a larger font or a font of different color. Lastly, be careful using acronyms not fully understood by everyone like "ACM" and "BSFR." Verify any acronym by researching 49 CFR before using on a hazardous material shipping paper.

NRC FORM 540 (01-2020)		U.S. NUCLEAR REGULATORY COMMISSION	
UNIFORM LOW-LEVEL RADIOACTIVE WASTE MANIFEST SHIPPING PAPER			
1. EMERGENCY TELEPHONE NUMBER (Include Area Code) 1 800 867 5309			
ORGANIZATION Radiation Health Control			
2. IS THIS AN "EXCLUSIVE USE" SHIPMENT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		3. TOTAL NUMBER OF PACKAGES IDENTIFIED ON THIS MANIFEST 1	
4. DOES EPA REGULATED WASTE REQUIRING A MANIFEST ACCOMPANY THIS SHIPMENT? If "Yes," provide Manifest Number <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		EPA MANIFEST NUMBER N/A	
11. U. S. DEPARTMENT OF TRANSPORTATION DESCRIPTION (Including UN ID number, proper shipping name, hazard class, and any additional information)		12. DOT LABEL "RADIOACTIVE"	
Asbestos, 9, NA2212, III, RQ One 20ft sea-land with ACM insulation for BSFR		N/A	

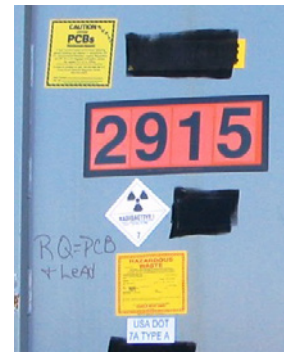


Is this one way to make your personal car look "RAD"?! Placarding a vehicle will require a driver to have a state-issued Commercial Driver's License (CDL) with a Hazardous Material (HM) endorsement. And, placarding the hood in this manner meet the visibility rules outlined in 49 CFR 172.516? Not likely, especially with the blue colored tape covering up a portion of the placard outer edges.

Did you ever hear an ole saying, "If it looks good, it must be good"? Well, this incoming shipment just does not look good. Beyond looking bad, does the marking "RQ = PCB & Lead" meet the RQ identity marking requirement outlined

in 49 CFR 172.324(a)? Hopefully you said, "No way!" and would prefer the names of the hazardous substances within parenthesis. So, it should be marked "RQ (PCBs, Lead)" using the format example shown in DOT's letter of interpretation

10-0238R dated January 13, 2011. Be careful with your marking placement on packages and recommend they look clean and neat to prevent regulatory enforcement actions.



FAQ: Industrial Packaging (49 CFR 173.411)

*** Can I call a Type IP-2 packaging, a Type A package if I only add the two missing Type A package performance tests (water spray and penetration) to the documentation?**
Reference # 05-0228

No. However, it could if the package also meets the addition Type A package design criteria in 49 CFR 173.412 & 178.350, and the kind of contents to be shipped is the same as in the original testing.

*** For a foreign certified industrial packaging, do I have to maintain an actual copy of the packaging certification documentation?**

Reference # 05-0228, 06-0063 & 08-0055

Yes. Even though the packaging is certified to an ISO standard, complete documentation that it meets those standards is required by 49 CFR 173.411(c).

*** Are markings and labels required for Type IP-2 or Type IP-3 packagings or any inner containers?**
Reference # 06-0063

Yes, outer package markings and labels are required per part 172. Inner containers do not require communications, unless the test data indicates a required inner packaging specification to be used. [Editor's note: this answer in 06-0063 did not include the 173.427(a)(6)(vi) exception to part 172 markings and labeling under specific conditions.]

*** Do I have to describe the type of material contents in the testing data for industrial packagings?** Reference # 07-0115

Yes, the tests must indicate the kind of contents and how the material will not be lost or dispersed from the container, or loss of shielding integrity, as a result of the tests.

*** Is a shipper required to mark "USA" on an industrial packaging if it is not there?**

Reference # 07-0115

Yes, if a shipper in the United States is certifying that the freight container meets the applicable design requirements, the shipper is required to mark the packaging with "USA".

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.

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EPA Proposes Coal Ash Disposal Changes.

On March 03, 2020 (85 FR 12456), the Environmental Protection Agency (EPA) published a proposed rule proposing procedures to allow facilities to request approval to operate with an alternate liner for existing Coal Combustion Residuals (CCR) surface impoundments, two co-proposed options to allow the use of CCR during unit closure, an additional closure option for CCR units being closed by removal of CCR, and requirements for annual closure progress reports. Regarding the options to allow the use of CCR during unit closure, this action serves as a supplemental proposal to a proposed rule (83 FR 11605) issued on March 15, 2018. In that March 15, 2018 proposal, the EPA proposed to allow the continued placement of CCR in units triggered for closure to construct final cover systems provided certain conditions were met. Comments must be received on or before April 17, 2020.

DOT Establishes Guidance Portal. On March 03, 2020 (85 FR 12663), the U.S. Department of Transportation (DOT) published a notice announcing the availability of DOT's guidance portal. This guidance portal will provide convenient public access to the Department's guidance documents, ensure transparent use of guidance documents, and implement the Executive Order titled, "Promoting the Rule of Law Through Improved Agency Guidance Documents." This new portal <https://www.transportation.gov> guidance is a single, searchable, indexed website that contains all of DOT's guidance documents currently in effect or links to sites of DOT component agencies that contains guidance documents for that component agency. All DOT guidance documents remaining in effect will be found through the guidance portal.

DOE Establishes Guidance Portal. On March 04, 2020 (85 FR 12779), the U.S. Department of Energy (DOE) published a notice announcing their creation of an online portal for DOE's

guidance documents. This portal <https://www.energy.gov/gc/doe-guidance> provides links to DOE program web pages containing guidance documents, as required by Executive Order and Office of Management and Budget (OMB) Memorandum M-20-02. The portal and associated link are currently active as of March 4, 2020.

NRC Proposes Very LLRW Disposal

Exemption. On March 06, 2020 (85 FR 13076), the U.S. Nuclear Regulatory Commission (NRC) published a proposed interpretive rule requesting comments of its low-level radioactive waste disposal regulations that would permit licensees to dispose of waste by transfer to persons who hold specific exemptions for the purpose of disposal. The NRC will consider approval of requests for specific exemptions for the purpose of disposal if they are for the disposal of very Low Level Radioactive Waste (LLRW) by land burial. Therefore, the NRC's intent is that this interpretive rule will allow licensees to transfer very low-level radioactive waste to exempt persons for the purpose of disposal by land burial. Please submit comments on the proposed interpretive rule by April 20, 2020. The NRC extended the comment period until July 20, 2020 in the federal register (85 FR 19907) on April 09, 2020. The NRC also added an alternative email address to submit comments on May 08, 2020 (85 FR 27332). 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.

PHMSA HazMat Training Enforcement

Policy Notice. On Tuesday, March 24, 2020, the Pipeline and Hazardous Material Safety Administration (PHMSA) decided to temporarily halt enforcement actions against shippers and carriers that are unable to comply with training requirements included in the Hazardous Materials Regulations (HMR). The Notice is limited to recurrent training requirements and

does not apply to all other HMR obligations or applicable laws for hazardous materials offers and carriers. For more details, download the Enforcement Policy Notice Regarding Training Requirements at: <https://www.phmsa.dot.gov/news/phmsa-enforcement-policy-notice-regarding-training-requirements>.

NRC Extends Retrospective Review

Comment Request. On April 02, 2020 (85 FR 18477), the NRC published a notice extending the comment period for its February 04, 2020 (85 FR 6103) request for input from its licensees and members of the public to identify outdated or duplicative administrative requirements that may be eliminated without an adverse effect on public health or safety, common defense and security, protection of the environment, or regulatory efficiency and effectiveness. The public comment period originally was scheduled to close on April 6, 2020. The NRC has decided to extend the public comment period to allow more time for members of the public to develop and submit their comments. The comment period for the document published on February 4, 2020 (85 FR 6103) is extended. Comments should be filed no later than May 6, 2020. 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.

TSA Relaxes HazMat Endorsement

Renewal During COVID-19. On April 08, 2020 (85 FR 19767), the Transportation Security Administration (TSA) published a notice granting a temporary exemption from requirements in 49 CFR Part 1572 regarding expiration of TSA Security Threat Assessments (STAs) for Hazardous Material Endorsement (HME) holders. For the duration of this exemption, a State may grant an extension of up to 180 days for an HME that expired or would otherwise expire between March 1, 2020 and the end date of this exemption, even if the individual was unable to initiate or complete the required



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STA before the expiration date. If the state grants an extension, the individual with an expired HME must initiate the process of renewing his or her STA for an HME no later than 60 days before the end of the State-granted extension. TSA may extend this exemption at a future date depending on the status of the COVID-19 crisis. This exemption becomes effective on April 2, 2020, and remains in effect through July 31, 2020, unless otherwise modified by TSA through a notice published in the Federal Register.

NRC Revises Alternative Disposal Guidance.

On April 09, 2020 (85 FR 19966), the NRC published a notice announcing a revision to its guidance document for alternative disposal requests, "Guidance for the Reviews of Proposed Disposal Procedures and Transfers of Radioactive Material Under 10 CFR 20.2002 and 10 CFR 40.13(a)." This document provides guidance and the NRC staff process for documenting, reviewing, and dispositioning requests received for alternative disposal of licensed material. The revision incorporates changes made in response to comments received on the draft guidance document, as well as interactions with NRC stakeholders. The revised guidance is effective immediately for use.

TSA Seeking New Cargo Security Options.

On April 10, 2020 (85 FR 20234), the TSA published a notice requesting information from the public, specifically the air cargo industry (including manufacturers, shippers, suppliers, warehouses, e-commerce fulfillment centers, third-party logistics providers, and air carriers) relating to compliance with international security standards for the transport of air cargo by commercial aircraft operators. Effective June 30, 2021, international standards require that all international air cargo carried by commercial aircraft operators (passenger and all-cargo) be either screened or be received from another TSA-regulated entity that has applied security controls and/or screened the cargo. TSA is

seeking information regarding options to reduce the burden on U.S. and foreign all-cargo aircraft operators in complying with the international standard, such as security controls implemented throughout the supply chain that provide a level of security commensurate with the screening of cargo before transport. Because TSA does not expect these standards to require changes to current procedures for cargo transported on passenger aircraft, this RFI is focused only on all-cargo operations. Please submit comments by July 9, 2020.

FMCSA Denies Small Business ELD Exemption.

On April 13, 2020 (85 FR 20562), the Federal Motor Carrier Safety Administration (FMCSA) published a notice announcing its decision to deny the Small Business in Transportation Coalition's (SBTC) request for reconsideration of its application for exemption from the electronic logging device (ELD) rule that was denied by FMCSA on July 17, 2019. SBTC has resubmitted its application for exemption from the ELD requirements for all motor carriers with fewer than 50 employees, including, but not limited to, one-person private and for-hire owner-operators of commercial motor vehicles used in interstate commerce. SBTC believes the exemption would not have any adverse impacts on operational safety as motor carriers and drivers would remain subject to the hours-of-service (HOS) regulations, as well as the requirements to maintain paper records of duty status (RODs). FMCSA has analyzed SBTC's petition for reconsideration and the public comments received and has determined that neither the applicant nor the commenters provided information that would change FMCSA's previous decision to deny the exemption.

PHMSA Renews Several HazMat ICRs.

On April 14, 2020 (85 FR 20806), the PHMSA published a notice announcing that several hazardous material (hazmat) Information Collection Requests (ICRs) will be forwarded to

the Office of Management and Budget (OMB) for renewal and extension. These ICRs describe the nature of the information collections and their expected burdens. A Federal Register notice with a 60-day comment period soliciting comments on these ICRs was published in the Federal Register (85 FR 2809) on January 16, 2020 under Docket No. PHMSA-2019-0221 (Notice No. 2019-12). Interested persons are invited to submit comments on, or before May 14, 2020.

CG Updates Liquid Chemical Categorization Tables.

On April 17, 2020 (85 FR 21660), the Coast Guard (CG) published a final rule finalizing its 2013 proposal to update the Liquid Chemical Categorization tables, aligning them with the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk and the International Maritime Organization's Marine Environment Protection Committee circulars from December 2012 and 2013. This final rule corrects errors in our interim rule of August 16, 2013, and follows our supplemental notice of proposed rulemaking of October 22, 2015. The updated tables provide a list of liquid hazardous materials and liquefied and compressed gases approved for international and domestic maritime transportation, and indicate how each substance is categorized by its pollution potential, safe carriage requirements, chemical flammability, combustibility, and compatibility with other substances. This rule imposes no cost to chemical shippers and vessel owners. On May 08, 2020 (85 FR 27308), the Coast Guard (CG) published an update to this final rule in the federal register correcting minor typographical errors. This final rule and correction are effective May 18, 2020.

EPA & ACE Finalize US Water Definition.

On April 21, 2020 (85 FR 22250), both the Environmental Protection Agency (EPA) and the Department of the Army (ACE) published a final rule defining the scope of waters federally

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regulated under the Clean Water Act (CWA). The Navigable Waters Protection Rule is the second step in a comprehensive, two-step process intended to review and revise the definition of "waters of the United States" consistent with the Executive Order signed on February 28, 2017, "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." Once effective, it replaces the rule (84 FR 56626) published on October 22, 2019. This final rule implements the overall objective of the CWA to restore and maintain the integrity of the nation's waters by maintaining federal authority over those waters that Congress determined should be regulated by the Federal government under its Commerce Clause powers, while adhering to Congress' policy directive to preserve States' primary authority over land and water resources. This final definition increases the predictability and consistency of CWA programs by clarifying the scope of "waters of the United States" federally regulated under the Act. This rule is effective on June 22, 2020.

NRC Suspends Export General License to Pakistan. On April 21, 2020 (85 FR 22181), the NRC published an order suspending the general license authority under NRC regulations for exports of byproduct material to Pakistan. Exporters are no longer authorized to use the general license to export byproduct material to Pakistan and now must apply for a specific license pursuant to NRC regulations. This Order takes effect immediately.

EPA Reviewing 7 TSCA Chemicals. On April 23, 2020 (85 FR 22733), the EPA published a notice announcing the availability of the draft scope documents for the risk evaluations to be conducted for 7 of 20 High-Priority Substances designated in December 2019. These include: 1. Butyl benzyl phthalate (BBP); 2. Dibutyl phthalate (DBP); 3. Dicyclohexyl phthalate; 4. Di-ethylhexyl phthalate (DEHP); 5. Di-isobutyl phthalate (DIBP); 6. Formaldehyde; and 7. Phthalic anhydride. The draft scope document

for each of these chemical substances include the conditions of use, hazards, exposures, and the potentially exposed or susceptible subpopulations the EPA plans to consider in conducting the risk evaluation for that chemical substance. EPA is also opening a 45-calendar day comment period on these draft scope documents to allow for the public to provide additional data or information that could be useful to the EPA in finalizing the scope of the risk evaluations; comments may be submitted to this docket and the individual dockets for each of the chemical substances. Comments must be received on or before June 8, 2020.

FMCSA Renews DOE's HOS Exemption.

On April 23, 2020 (85 FR 22785), the FMCSA published a notice announcing the renewal of the DOE's exemption from the 30-minute rest break provision of the FMCSA's hours-of-service (HOS) regulations for commercial motor vehicle (CMV) drivers. DOE currently holds an exemption for the period June 30, 2015, through June 29, 2020, which enables DOE's contract motor carriers and their employee-drivers engaged in the transportation of security-sensitive radioactive materials to be treated similarly to drivers of shipments of explosives. The exemption allows the drivers to use 30 minutes or more of "attendance time" to meet the HOS rest break requirements provided the drivers do not perform any other work during the break. FMCSA requests public comment on the renewal of the exemption. Comments must be received on or before May 26, 2020. The requested exemption renewal would be effective from June 30, 2020 through June 29, 2025.

FMCSA Proposes Drug and Alcohol Program Changes.

On April 28, 2020 (85 FR 23670), the FMCSA published a notice of proposed rulemaking requesting comments on prohibiting State Driver's Licensing Agencies (SDLAs) from issuing, renewing, upgrading, or transferring a commercial driver's license (CDL), or commercial learner's permit (CLP),

for individuals prohibited under current regulations from driving a commercial motor vehicle (CMV) due to controlled substance (drug) and alcohol program violations. The CMV driving ban is intended to keep these drivers off the road until they comply with return-to-duty (RTD) requirements. FMCSA also seeks comment on alternate proposals establishing additional ways that SDLAs would use information, obtained through the Drug and Alcohol Clearinghouse (Clearinghouse), to increase compliance with the CMV driving prohibition. Further, FMCSA proposes to revise how reports of actual knowledge violations, based on a citation for Driving Under the Influence (DUI) in a CMV, would be maintained in the Clearinghouse. These proposed changes would improve highway safety by increasing compliance with existing drug and alcohol program requirements. Comments on this proposed ruling must be received on or before June 29, 2020.

EPA 37th HazWaste Federal Facility Listing Update.

On April 29, 2020 (85 FR 23818), the EPA published a notice announcing its thirty-seventh update of the Federal Agency Hazardous Waste Compliance Docket. Since 1988, the EPA has maintained a Federal Agency Hazardous Waste Compliance Docket ("Docket") under section 120(c) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Section 120(c) requires EPA to establish a Docket that contains certain information reported to EPA by Federal facilities that manage hazardous waste or from which a reportable quantity of hazardous substances has been released. As explained further in this notice, the Docket is used to identify Federal facilities that should be evaluated to determine if they pose a threat to public health or welfare and the environment and to provide a mechanism to make this information available to the public. This notice identifies the Federal facilities not previously listed on the Docket and identifies Federal facilities reported to EPA since the last update on October 28, 2019. In addition

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to the list of additions to the Docket, this notice includes a section with revisions of the previous Docket list and a section of Federal facilities that are to be deleted from the Docket. Thus, the revisions in this update include six additions, zero deletions, and one correction to the Docket since the previous update. At the time of publication of this notice, the new total number of Federal facilities listed on the Docket is 2,378. This list is current as of April 3, 2020.

NRC Requesting Comments Renewing 740 Forms.

On April 29, 2020 (85 FR 23870), the NRC published a notice inviting the public to comment on the renewal of Office of Management and Budget (OMB) approval for an existing collection of information entitled, "DOE/NRC Form 740M, Concise Note; DOE/NRC Form 741, Nuclear Material Transaction Report; DOE/NRC Form 742, Material Balance Report; and DOE/NRC Form 742C, Physical Inventory Listing." Please submit comments by June 29, 2020. 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 Hosting 3 HazMat Meetings.

On April 29, 2020 (85 FR 23884), the PHMSA published a notice announcing PHMSA's Office of Hazardous Materials Safety will host three public meetings during 2020 in advance of certain international meetings. The first meeting will be held in preparation of the 57th session of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods (UNSCOE TDG), held June 29 to July 8, 2020, in Geneva, Switzerland. The second meeting will be held in preparation of the International Civil Aviation Organization's (ICAO) Dangerous Goods Panel (DGP) Working Group 20 (WG/20) meeting held September 21-25, 2020, in Montreal, Canada. The third meeting will be held in preparation of the 58th session of the UNSCOE TDG held November 30 to December 8, 2020, in Geneva, Switzerland. For each of these meetings, PHMSA will solicit public input on U.S. government positions

regarding proposals submitted by member countries in advance of each meeting. Each public meeting will take place approximately two weeks preceding the international meeting. Specific information for each meeting will be posted when available on the PHMSA website at <https://www.phmsa.dot.gov/international-program/international-program-overview> under "Upcoming Events."

FMCSA's Crash Preventability Determination Program.

On May 06, 2020 (85 FR 27017), the FMCSA published a notice announcing the start of FMCSA's new Crash Preventability Determination Program. This is an update from 2 previous federal register notices: 1. FMCSA announced a demonstration program to evaluate the preventability of eight categories of crashes through submissions of Requests for Data Review to its national data correction system known as DataQs on July 27, 2017 (82 FR 35045); and 2. FMCSA proposed a Crash Preventability Determination Program with a streamlined process on August 5, 2019 (84 FR 38087) based on experiences with the demonstration program. This notice also responds to many comments received on the proposal to modify the Safety Measurement System to exclude crashes with not preventable determinations from the prioritization algorithm and proposed noting the not preventable determinations in the Pre-Employment Screening Program.

PHMSA Amends HazMat Regulations.

On May 11, 2020 (85 FR 27810), the PHMSA published a final rule amending the Hazardous Materials Regulations (HMR) in 49 CFR Parts 171 - 180 to maintain alignment with international regulations and standards by incorporating various amendments, including changes to proper shipping names, hazard classes, packing groups, special provisions, packaging authorizations, air transport quantity limitations, and vessel stowage requirements. These revisions are necessary to harmonize the HMR with recent changes made to the International Maritime Dangerous Goods (IMDG) Code, the

International Civil Aviation Organization's (ICAO) Technical Instructions for the Safe Transport of Dangerous Goods by Air, and the United Nations Recommendations on the Transport of Dangerous Goods Model Regulations. Additionally, PHMSA is adopting several amendments to the HMR that would allow for increased alignment with the Transport Canada, Transportation of Dangerous Goods Regulations. This rule is effective May 11, 2020, except for instruction 17, which is effective January 2, 2023. Voluntary compliance date: January 1, 2019. Delayed compliance date: May 10, 2021. The incorporation by reference of certain publications listed in this rule is approved by the Director of the Federal Register as of May 11, 2020.

FMCSA Updates Driver Hours of Service Rules.

On June 01, 2020 (85 FR 33396), the FMCSA published a final rule revising the hours of service (HOS) regulations in 49 CFR Parts 385 & 395 to provide greater flexibility for drivers subject to those rules without adversely affecting safety. FMCSA is: 1. Expanding the shorthaul exception to 150 air-miles and allows a 14-hour work shift to take place as part of the exception; 2. Expanding the driving window during adverse driving conditions by up to an additional 2 hours; 3. Requiring a 30-minute break after 8 hours of driving time (instead of on-duty time) and allows an on-duty/not driving period to qualify as the required break; and 4. Modifying the sleeper berth exception to allow a driver to meet the 10-hour minimum off-duty requirement by spending at least 7, rather than at least 8 hours of that period in the berth and a minimum off-duty period of at least 2 hours spent inside or outside of the berth, provided the two periods total at least 10 hours, and that neither qualifying period counts against the 14-hour driving window. This final rule is effective September 29, 2020. Petitions for Reconsideration of this final rule must be submitted to the FMCSA Administrator no later than July 1, 2020.

2020 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
2020				
DOT/NRC/EPA Hazardous Waste/ Mixed Waste Packaging, Transportation & Disposal	July 13 - 17	40	\$2,095	Clinton, TN
Bear Creek Operations (BCO) Facility Tour	July 16	--	\$0	Clinton, TN
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	July 27 - 30	40	\$1,995	Orlando, FL
Air Transport of Radioactive Materials (IATA/DOT)	July 31	8	\$985*	Orlando, FL
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	October 12 - 15	40	\$1,995	Hilton Head, SC
Air Transport of Radioactive Materials (IATA/DOT)	October 16	8	\$985*	Hilton Head, SC
DOT/NRC/EPA Hazardous Waste/ Mixed Waste Packaging, Transportation & Disposal	November 2 - 6	40	\$2,095	Clinton, TN
Bear Creek Operations (BCO) Facility Tour	November 5	--	\$0	Clinton, TN
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	December 7 - 10	40	\$1,995	Henderson, NV
Air Transport of Radioactive Materials (IATA/DOT)	December 11	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*