

Q1 2023

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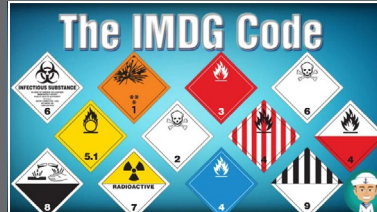
IATA 64th Edition DGR Addendum



The International Air Transport Association (IATA) published their first

Addendum to the 64th edition (2023) of the Dangerous Goods Regulations (DGR) on December 15, 2022. This addendum is effective starting January 01, 2023, and includes new and revised State and operator variations. Plus, a few corrections to Table 4.2 List of Dangerous Goods, Section 4.4 Special Provisions, Section 5 Packing Instructions, Section 8 Shipper's Declaration instructions, Appendix D.1 Competent Authorities for Dangerous Goods, and the Non-Radioactive Dangerous Goods Checklist in the 64th edition of the IATA DGR. Download the addendum in the language of your choice at: <https://www.iata.org/en/programs/cargo/dgr/download> for more details.

New IMDG Code Books Available



The International Maritime Organization (IMO) has released the latest International Maritime Dangerous Goods (IMDG) Code book set and Supplement. The 2022 editions are voluntarily starting January 01, 2023, but go into force on January 01, 2024. So, the current

edition (40-20) may still be used until December 31, 2023. The Institute of Hazardous Materials Management (IHMM) has a thorough list of upcoming changes for the IMDG Code 41-22 Amendments found at <https://ihmm.org/whats-new-in-the-imd-g-code-amendment-41-22>.

IMDG Code Amendment Cycle 2017-2026

Key	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
Transition year when either amendment is valid		38-16								
Year when single amendment only is valid			39-18			40-20		41-22		42-24

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NRC Advanced Notification Designee List Updated



The 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 31, 2023. Please note the NRC is now listing any additions and revisions for 2022 in a red font. Download the latest list of States, Territories and Participating Tribes designees from the NRC website at <https://scp.nrc.gov/special/designee.pdf>

Important Dates to Remember

- January 01, 2023** — IATA Competency-based assessments due
- January 26, 2023** — LSA-II proper shipping name fixed on e-CFR
- January 01, 2024** — IMDG Code 41-22 Amendment mandatory compliance
- January 01, 2025** — Begin using updated IATA Shipper's Declaration Forms

Approved Training Continuing Education Credits

EnergySolutions has received pre-approval from the American Board of Health Physics (ABHP) for our transportation courses attended during 2021 to 2024. The list of approved Continuing Education Credit (CEC) courses can be found by first visiting the "ABHP Certified Health Physicist - Continuing Education Approved Activities"

website: <https://www.aahp-abhp.org/node/1277>, then click on their link to login (if a AAHP/ABHP member) or the public link provided. Once at the Prolydian app, enter "EnergySolutions" in the search feature in the upper-right corner to find the transportation course approvals. Below is a summary of our pre-approved courses.

ID	TITLE	CEC
2022-12-19-238	DOT/NRC Radioactive Waste Packaging, Transportation and Disposal	32
2022-12-19-234	DOT/NRC Radioactive Waste Packaging, Transportation and Disposal Online	32
2022-12-19-237	Air Transport of Radioactive Materials (IATA/DOT) Training	6
2022-12-19-235	IATA Air Transport of Radioactive Material Online	8
2021-02-01-2	International Water Transport of Radioactive Materials (IMDG)	16
2022-12-19-236	Radiological Control Technician (RCT) Radioactive Material Transportation	8
2022-12-19-233	RCT Radioactive Material Transportation Online	8
2022-12-19-232	Advanced DOT/NRC Radioactive Waste Packaging, Transportation and Disposal Refresher	24
2021-02-08-4	DOT/NRC/EPA Hazardous Waste/Mixed Waste Packaging, Transportation, and Disposal	40

EPA e-Manifest System Updates

The Environmental Protection Agency (EPA) has several updates on their Hazardous Waste Electronic Manifest (e-Manifest) System. In February 2023, the EPA published its official response to the e-Manifest Advisory Board's recommendations from the Board's October 4-5, 2022, public meeting. The purpose of this meeting, entitled "The Road to 100% Electronic Manifests," was for the Board to advise EPA on its proposed changes to the e-Manifest System to increase use of electronic manifests. EPA's response can be accessed in the public



docket for this meeting at www.regulations.gov under docket no. EPA HQ-OLEM-2022-0611. On March 14, 2023, the EPA issued a compliance advisory to inform handlers of hazardous waste about three (3) data quality issues with manifests submitted to EPA's e-Manifest system. EPA encourages all receiving facilities to adopt the use of electronic manifest forms to minimize data quality issues and support compliance. Please visit the EPA's e-Manifest website for more details: <https://www.epa.gov/e-manifest>.

Seasonal Safety

Spring is here for some and around the corner for others. Please be prepared for pollen, rain, and insects. Pollen can cause a messy yellow soup covering our cars and causing allergy attacks. 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. Biting and stinging insects will also be out in full force. Stay safe and healthy!

IATA Updates Li Battery Shipping Guidance



The International Air Transport Association (IATA) has updated its Lithium Battery Guidance Document based on the new provisions contained in both the 2023-2024 Edition of the International Civil Aviation Organization (ICAO) Technical Instructions for the Safe Transport of Dangerous Goods by Air and the 64th Edition of the IATA Dangerous Goods Regulations (DGR). The purpose of this publication is to help shippers safely prepare lithium metal and lithium ion batteries for transport by air. This includes Definitions; Classification (plus flowcharts); Prohibitions; Restrictions; Frequently Asked Questions; and Abbreviations, Acronyms, Symbols. New to shipping batteries? Or just needing an update? Visit the IATA Lithium Batteries website at: <https://www.iata.org/lithiumbatteries>. The new guidance document can be downloaded from there, plus find other useful information and resources.

LSA-II Proper Shipping Name FIXED!

The “Radioactive material, low specific activity (LSA-II)” proper shipping name entry in 49 CFR 172.101 had been inadvertently modified by the final rule published in the Federal Register on May 11, 2020 (85 FR 27810). This final rule removed the italics for the “non fissile or fissile-excepted” text associated with the LSA-II proper shipping name. This error affected all versions of the 49 Code of Federal Regulations (CFR), which includes the U.S. Government Publishing Office (GPO) [bookstore](#) and the electronic CFR ([e-cfr](#)). On December 27, 2022 (87 FR 79752), the Pipeline and Hazardous Material Safety Administration (PHMSA) published a final rule to amend the Hazardous Materials Regulations (HMR), which included fixing the LSA-II proper shipping name text error. So, the 2020 to 2022 bookstore editions of the 49 CFR will still have the italics text error. This includes both the printed version from the GPO bookstore and the PDF version that can be download from the GPO Code of Federal Regulations (Annual Edition) website: <https://www.govinfo.gov/app/collection/cfr>. The text in *italics* will be back in the 2023 editions from the GPO. The e-cfr was updated on January 26, 2023, which is the effective date for the December 27, 2022 (87 FR 79752) final rule. Since the e-cfr is already updated, this may cause confusion since the italicized text will not be fixed in the annually published CFR from the GPO until the 2023 edition of 49 CFR. These print and PDF versions will not be available until early 2024.

	Symbols	Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	PG	Label Codes	Special provisions (§ 172.102)
Editions	(1)	(2)	(3)	(4)	(5)	(6)	(7)
2019		Radioactive material, low specific activity (LSA-II) <i>non fissile or fissile-excepted</i>	7	UN3321		7	A56, T5, TP4, W7
2020 - 2022		Radioactive material, low specific activity (LSA-II) <i>non fissile or fissile-excepted</i>	7	UN3321	7	325, A56, T5, TP4, W7
2023		Radioactive material, low specific activity (LSA-II) <i>non fissile or fissile-excepted</i> .	7	UN3321	7	325, A56, T5, TP4, W7.

PHMSA's Quarterly Hazmat Newsletter

The Pipeline and Hazardous Material Safety Administration (PHMSA) published their January - March 2023 newsletter for Hazardous Materials Safety. PHMSA consolidates timely information on their latest rulemaking activities, upcoming workshops and webinars, newest publications, and other highlights from PHMSA's current safety initiatives into each quarterly newsletter. This quarter's Hazmat newsletter included PHMSA welcoming two (2) new additions to their leadership team, reminding us on how to safely ship any returns containing hazardous material, and announcing some updates to their firework resources (brochures and website) in this latest edition. For more information and to subscribe, please visit the PHMSA newsletter website at <https://www.phmsa.dot.gov/training/hazmat/phmsas-quarterly-hazmat-newsletter>.

Source & Special Nuclear Material Shipments

Date	Format	Location
February 14-17, 2023	In-Person	Germantown, Maryland
April 18-20, 2023	Virtual	Online (Zoom)
July 11-14, 2023	In-person	Germantown, Maryland
August 29-31, 2023	Virtual	Online (Zoom)
October 17-20, 2023	In-Person	Germantown, Maryland
December 5-7, 2023	Virtual	Online (Zoom)

The Nuclear Materials Management & Safeguards System (NMMSS) is the U.S. government's official program to track movements, uses, and inventories of U.S. nuclear materials. NMMSS is co-sponsored by the U.S. Nuclear Regulatory Commission (NRC) and managed by the Department of Energy's (DOE) National Nuclear Security Administration (NNSA) Office of Nuclear Materials Integration. Shippers and accountability custodians of source material (SM) and special nuclear material (SNM), including imports and

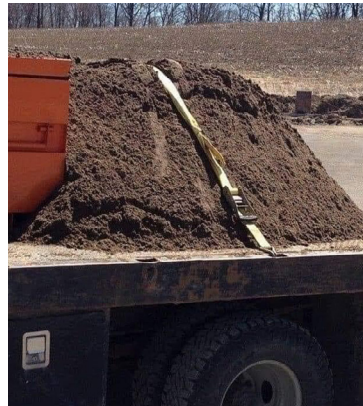
exports of nuclear materials into and from the United States may be responsible to report transactions using the NMMSS. This year's annual NMMSS users training event will be held June 26-29, 2023, in New Orleans, Louisiana. Plus, several three-to-four-day training courses focusing on the fundamentals of reporting Material Control and Accountability (MC&A) data to NMMSS consistent with prevailing DOE and NRC requirements are planned for 2023. For more information on the NMMSS, their newsletter, training schedule and annual event, please visit the NMMSS website at www.energy.gov/nnsa/nuclear-materials-management-and-safeguards-system-nmmss

Earth Day Celebration

Are you thinking of new ways to help the earth? Looking for a special Earth Day event? The American Nuclear Society (ANS) is hosting an open and free virtual event on Friday, April 22nd from 11:00 am - 12:00 pm EDT. For more information and to register, please visit the ANS website: <https://www.ans.org/news/article-3859/ans-to-host-virtual-earth-day-event>.

The title of this year's webinar is "Earth Day: Reflections on the Future of Clean Energy." The webinar will consist of a panel of experts and leader who will field questions. Questions can be submitted early and the recorded event will be available to everyone who registers.

Recent Lessons Learned, Industry Events, and Operating Experiences



Calamitous Communications!?!

Three strikes and you're "out"? Can you identify the three misgivings here? **1.** Someone took a "bite" out of the orange panel's outer border along the top part. Markings need to be able to survive normal conditions of transport. Plus, drivers should know when and how to replace damaged communications. **2.** The dash (hyphen) is missing from the low specific activity "Radioactive - LSA" marking. **3.** The placard is missing the outer border, which is required when placed on a non-contrasting background.

Seedy Securement!?!

Load securing soil could be dirty work!?! Now that your ribs hurt from that bad joke and this picture, how would you prevent the shifting and/or loss of loose material during transport? Would the use of drums, boxes, soft-sided totes or bags be more appropriate? Would the use of an outer packaging make load securement a little easier and effective? We appreciate y'all emailing this picture to us. Made our day!

Perplexing Placarding!?!

Hmm ...did the driver help or hurt in this situation? To be fair, what could the shipper have done to prevent the placard from peeling in the first place? Is it important to clean the package surface before applying the sticky-backed placard? (Ensure you use an approved non-hazardous cleaning agent.) Does the manufacture quality of the placard matter, too? Will adding/applying spray adhesive help? Lastly, could you use good quality clear packing tape over the placard? Some shippers may have to use all these ideas/techniques depending on their weather or environment.

FAQ: DOT Transportation Security Plans

*** Do I have to consider subsidiary hazard classes for security plan applicability?** Reference # 14-0016 & 49 CFR 172.800

No, only the primary hazard class

*** Does security start before the shipment is in transit?**

Reference # 12-0013 & 49 CFR 171.1

Yes, the Hazardous Material Regulations are applicable to pre-transportation and incidental to movement

*** If I only receive or third-party broker hazardous materials, must I have a security plan?** Reference # 05-0066, 07-0035, 08-0048, 10-0064, 10-0132, 17-0022 & 49 CFR 172.800

No, only if you offer a hazardous material that requires a security plan

by performing or responsible for performing any transportation related functions in 49 CFR 171.1

*** Must a carrier have its own transportation security plan?**

Reference # 10-0083, 17-0022 & 49 CFR 172.800

Yes, anyone who offers, transports, or loads or unloads during transportation anything listed in 49 CFR 172.800(b)

*** Do I have to include a risk assessment, and must I consider all locations separately?**

Reference # 05-0020, 06-0170, 10-0205, 11-0263, 18-0137 & 49 CFR 172.802

Yes, a threat assessment of security risks at all locations must be included in your plan and a helpful

evaluation guide is available on the PHMSA website: <https://www.phmsa.dot.gov/training/hazmat/security-requirements-brochure-english>

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.



THE LATEST HAPPENINGS

IN THE FEDERAL REGISTER

PHMSA Updates Lithium Batteries Air Transport

—On December 21, 2022 (87 FR 77995), the Pipeline and Hazardous Materials Safety Administration (PHMSA) published a Final Rule in the Federal Register (FR) revising the Hazardous Materials Regulations (HMRs) in 49 CFR Parts 107, 171, and 173 for lithium cells and batteries transported by aircraft by prohibiting the transport of lithium ion cells and batteries as cargo on passenger aircraft; requiring lithium ion cells and batteries to be shipped at not more than a 30 percent state of charge aboard cargo-only aircraft when not packed with or contained in equipment; and limiting the use of alternative provisions for smaller lithium cell or battery shipments to one package per consignment. In response to comments received for a previously published interim final rule (IFR) on Mar. 6, 2019 (84 FR 8006) concerning lithium cells and batteries transported by aircraft, this final rule provides editorial amendments and modification of certain provisions including marking requirements, requests for an extension on the compliance date, and exception for lithium cells or batteries used for medical devices with approval by the Associate Administrator. This final rule is effective on January 20, 2023.

FMCSA Updates Safety Permit

Reference—On December 22, 2022 (87 FR 78579), the Federal Motor Carrier Safety Administration (FMCSA) published a Final Rule in the Federal Register (FR) to amend its Hazardous Materials Safety Permits regulations in 49 CFR Part 385 to incorporate by reference the April 1, 2022, edition of the Commercial Vehicle Safety Alliance's (CVSA) handbook (the handbook) containing inspection procedures and Out-of-Service Criteria (OOSC) for the inspection of commercial motor vehicles (CMVs) used in the transportation of transuranic (TRU) waste and highway route controlled quantities (HRCQ) of radioactive material. The OOSC provide enforcement personnel nationwide, including FMCSA's State partners, with uniform enforcement tolerances for these inspections. Through this rule, FMCSA incorporates by reference the April 1, 2022, edition of the handbook. The effective date of this final rule and the incorporation by reference of the material

described in this final rule is approved by the Director of the Federal Register as of January 23, 2023.

PHMSA Corrects HazMat Regulations

—On December 27, 2022 (87 FR 79752), the Pipeline and Hazardous Materials Safety Administration (PHMSA) published a Final Rule in the Federal Register (FR) revising the Hazardous Materials Regulations (HMRs) in 49 CFR Parts 107 - 180 correcting editorial errors and improving the clarity of certain provisions in PHMSA's program and procedural regulations. The intended effect of this rulemaking is to enhance accuracy and reduce misunderstandings of the regulations. For example, PHMSA inadvertently revised the italic font for "non fissile or fissile-excepted" when the HazMat Table (49 CFR 172.101) entry for "UN3321" was updated to reflect the addition of special provision 325. Therefore, PHMSA is amending the "UN3321" entry back to the following: "UN3321, Radioactive material, low specific activity (LSA-II) non fissile or fissile-excepted." The amendments contained in this final rule are non-substantive changes and do not impose new requirements. In addition, PHMSA published a correction to this Final Rule on January 25, 2023 (88 FR 4756). Both the final rule and correction are effective January 26, 2023.

FMCSA Proposes Financial Revisions

—On January 05, 2023 (88 FR 830), the Federal Motor Carrier Safety Administration (FMCSA) published a Notice of Proposed Rulemaking (NPRM) in the Federal Register (FR) to increase the financial security amount for brokers from \$25,000 to \$75,000 for household brokers and from \$10,000 to \$75,000 for all other property brokers and, for the first time, established financial security requirements for freight forwarders. FMCSA proposes regulations in five separate areas: Assets readily available; immediate suspension of broker/freight forwarder operating authority; surety or trust responsibilities in cases of broker/freight forwarder financial failure or insolvency; enforcement authority; and entities eligible to provide trust funds for form BMC-85 trust fund filings. Comments must be received on or before March 6, 2023.

EPA Adjusts Civil Monetary Penalties

—On January 06, 2023 (88 FR 986), the Environmental Protection Agency (EPA) published a Final Rule in the Federal Register (FR) to adjust 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 the violator's ability to pay. This final rule is effective January 6, 2023.

DOT Revises Civil Penalty Amounts

—On January 06, 2023 (88 FR 1114), the Department of Transportation (DOT) published a Final Rule in the Federal Register (FR) to adjust the level of civil penalty amounts that may be imposed for violations of certain DOT regulations. The 2023 civil penalty adjustments are summarized for each of DOT's operating administrations, Office of the Secretary (OST), Federal Aviation Administration (FAA), National Highway Traffic Safety Administration (NHTSA), Federal Motor Carrier Safety Administration (FMCSA), Federal Railroad Administration (FRA), Pipeline and Hazardous Materials Safety Administration (PHMSA), Maritime Administration (MARAD), and Great Lakes St. Lawrence Seaway Development

THE LATEST HAPPENINGS



IN THE FEDERAL REGISTER

Corporation (GLS). This final rule is effective January 6, 2023.

EPA Trichloroethylene Eval Final—

On January 09, 2023 (88 FR 1222), the Environmental Protection Agency (EPA) published a Notice in the Federal Register (FR) announcing the availability of the final revision to the risk determination for the Trichloroethylene (TCE) risk evaluation issued under the Toxic Substances Control Act (TSCA). The revision to the TCE risk determination reflects the announced policy changes to ensure the public is protected from unreasonable risks from chemicals in a way that is supported by science and the law. EPA determined that TCE, as a whole chemical substance, presents an unreasonable risk of injury to health when evaluated under its conditions of use. In addition, this revised risk determination does not reflect an assumption that workers always appropriately wear personal protective equipment (PPE). EPA understands that there could be adequate occupational safety protections in place at certain workplace locations; however, not assuming use of PPE reflects EPA's recognition that unreasonable risk may exist for subpopulations of workers that may be highly exposed because they are not covered by Occupational Safety and Health Administration (OSHA) standards, or their employers are out of compliance with OSHA standards, or because many of OSHA's chemicals specific permissible exposure limits largely adopted in the 1970's are described by OSHA as being "outdated and inadequate for ensuring protection of worker health," or because EPA finds unreasonable risk for purposes of TSCA notwithstanding OSHA requirements. This revision supersedes the condition of use-specific no unreasonable risk determinations in the November 2020 TCE Risk Evaluation and withdraws the associated TSCA order included in the November 2020 TCE Risk Evaluation.

DHS, DOE & NRC Adjust Civil Penalties—

On January 13, 2023, (88 FR 2175) the Department of Homeland Security (DHS), (88 FR 2190) the U.S. Department of Energy (DOE), and (88 FR 2188) the U.S. Nuclear

Regulatory Commission (NRC) published Final Rules in the Federal Register (FR) to adjust the level of civil penalty amounts due to inflation that may be imposed for violations of their respective regulations. Additionally, the NRC is amending provisions concerning program fraud civil penalties for each false claim or statement; and amending its Enforcement Policy (88 FR 2187). These final rules and actions are effective on January 13, 2023.

EPA eManifest February Public Meeting—

On January 18, 2023 (88 FR 2910), the Environmental Protection Agency (EPA) published a Notice in the Federal Register (FR) announcing the Hazardous Waste Electronic System ("e-Manifest") Advisory Board will convene for a three (3) day virtual public meeting. The purpose of the meeting is for EPA to seek the Board's consultation and recommendations regarding the e-Manifest system (Meeting Theme: "Meeting the Needs of the User Community: e-Manifest Program Priorities and User Fees for FY 2024 and 2025"). The meeting will be held virtually on February 28-March 2, 2023, from approximately 10:00 a.m. to 5:00 p.m. EST on each day. Registration is required to attend and/or participate (as public commenter) in this public meeting. Please refer to the e-Manifest Advisory Board website at <https://www.epa.gov/e-manifest/hazardous-waste-electronic-manifest-system-e-manifest-advisory-board> for information on how to register either as a public audience attendee or as an oral public commenter.

EPA Revised Waters of the U.S.

Definition—On January 18, 2023 (88 FR 3004), the Environmental Protection Agency (EPA) and the Department of the Army ("the agencies") published a Final Rule in the Federal Register (FR) finalizing a rule defining the scope of waters protected under the Clean Water Act (CWA). In developing this rule, the agencies considered the text of the relevant provisions of the CWA and the statute as a whole, the scientific record, relevant Supreme Court case law, and the agencies' experience and technical expertise after

more than 45 years of implementing the longstanding pre-2015 regulations defining "waters of the United States." This final rule advances the objective of the CWA and ensures critical protections for the nation's vital water resources, which support public health, environmental protection, agricultural activity, and economic growth across the United States. This action is effective on March 20, 2023.

FAA International Strategy Role—

On February 13, 2023 (88 FR 9312), the Federal Aviation Administration (FAA) published a Notice in the Federal Register (FR) inviting the public to comment about their intention to request the Office of Management and Budget (OMB) approval for a new information collection. The collection involves questioning, via email, telephone or other means, foreign entities to determine what collaborative opportunities exist. The information to be collected is necessary to accomplish the statutory requirements to "provide technical assistance on any other aspect of aviation safety that the Administrator determines is likely to enhance international aviation safety." The information collection will also inform the FAA's International Strategy, which is the agency's mechanism for fulfilling its international role. The information collection directly supports the International Strategy by enabling the FAA to reshape and further strengthen its longstanding international contributions. Written comments should be submitted by April 11, 2023.

FMCSA Revising Safety Measurement—

On February 15, 2023 (88 FR 9954), the Federal Motor Carrier Safety Administration (FMCSA) published a Notice in the Federal Register (FR) inviting the public to comment and input on the proposed changes to the carrier Safety Measurement System (SMS). Since 2010, FMCSA has used its Safety Measurement System to identify motor carriers for safety interventions. The National Research Council of the National Academy of Sciences (NAS) recommended on June 27, 2017, that FMCSA develop and test a new statistical model. This notice explains FMCSA's analysis and the Agency's



THE LATEST HAPPENINGS IN THE FEDERAL REGISTER

proposed changes to SMS, and announces FMCSA's preview of the proposed changes. Comments must be received on or before May 16, 2023.

Coast Guard Updates Water Shipping—

On February 16, 2023 (88 FR 10024), the Coast Guard (CG) published a Final Rule in the Federal Register (FR) making nonsubstantive technical, organizational, and conforming amendments to existing Coast Guard regulations in 33 CFR Parts 5 – 174 & 46 CFR Parts 1 – 178. This rule is a continuation of our practice of periodically issuing rules to keep our regulations up-to-date and accurate. This rule will have no substantive effect on the regulated public. This final rule is effective February 16, 2023.

EPA Updates CWA Effluent Methods—

On February 21, 2023 (88 FR 10724), the Environmental Protection Agency (EPA) published a Proposed Rule in the Federal Register (FR) to request comments on changes to its test procedures required to be used by industries and municipalities when analyzing the chemical, physical, and biological properties of wastewater and other samples for reporting under EPA's National Pollutant Discharge Elimination System (NPDES) permit program. The Clean Water Act (CWA) requires EPA to promulgate these test procedures (analytical methods) for analysis of pollutants. EPA anticipates that these proposed changes would provide increased flexibility for the regulated community in meeting monitoring requirements while improving data quality. In addition, this proposed update to the CWA methods would incorporate technological advances in analytical technology and make a series of minor changes and corrections to existing approved methods. As such, EPA expects that there would be no negative economic impacts resulting from these proposed changes. Comments on this proposed rule must be received on or before April 24, 2023.

Federal Semi-Annual Regulatory

Agendas: February 2023—On February 22, 2023, the Department of Energy (88 FR 11222); the Department of Labor (88 FR 11252); the Department of Transportation

(88 FR 11258); the Department of Homeland Security (88 FR 11238); the Environmental Protection Agency (88 FR 11286); and the Nuclear Regulatory Commission (88 FR 11372) published their respective notices in the Federal Register (FR) making available their portion of the Semiannual Unified Agenda of Federal Regulatory and Deregulatory Actions.

PHMSA 2023 Public Meetings—

On February 23, 2023 (88 FR 11512), the Pipeline and Hazardous Materials Safety Administration (PHMSA) published a Notice in the Federal Register (FR) announcing that PHMSA's Office of Hazardous Materials Safety will host four (4) public meetings during 2023 in advance of certain international meetings. For each of these meetings, PHMSA will solicit public input on current proposals. Each public meeting will take place approximately two weeks preceding the international meeting. The first meeting will be held in preparation of the International Civil Aviation Organization's (ICAO) Dangerous Goods Panel (DGP) Working Group 23 (WG/23) scheduled for May 15 – 19, 2023, in Rio de Janeiro, Brazil. The second meeting will be held in preparation of the 62nd session of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods (UNSCOE TDG) scheduled for July 3 – July 7, 2023, in Geneva, Switzerland. The third meeting will be held in preparation of the 29th session of the ICAO DGP (DGP/29) scheduled for November 13 – 17, 2023, in Montreal, Canada. The fourth meeting will be held in preparation of the 63rd session of the NSCOE TDG scheduled for November 27 – December 6, 2023, in Geneva, Switzerland.

PHMSA 2023 Proposed HMR Updates—

On March 03, 2023 (88 FR 13624), the Pipeline and Hazardous Materials Safety Administration (PHMSA) published a Notice of Proposed Rulemaking (NPRM) in the Federal Register (FR) requesting public comment on proposed amendments to the Hazardous Materials Regulations (HMR) to update, clarify, improve the safety of, or streamline various regulatory requirements. Specifically, this rulemaking responds to 18 petitions for rulemaking submitted by the

regulated community between May 2018 and October 2020 that requests PHMSA address a variety of provisions, including but not limited to those addressing packaging, hazard communication, and the incorporation by reference of certain documents. These proposed revisions maintain or enhance the existing high level of safety under the HMR while providing clarity and appropriate regulatory flexibility in the transport of hazardous materials. Comments must be submitted by May 2, 2023. PHMSA will consider latefiled comments to the extent possible.

NRC Updating Part 73 Security

Provisions—On March 14, 2023 (88 FR 15864), the U.S. Nuclear Regulatory Commission (NRC) published a final rule in the Federal Register (FR) amending its regulations in 10 CFR Parts 20 thru 76 to implement its authority under Section 161A of the Atomic Energy Act of 1954, as amended. This final rule applies to several classes of facilities as well as activities involving the transportation of radioactive material as Category I, II or III quantities of strategic special nuclear material (SSNM), Category II or III quantities of special nuclear material (SNM), spent nuclear fuel (SNF), or high-level radioactive waste (HLW). This final rule also revises the physical security event notification requirements for different classes of facilities and the transportation of radioactive material to add consistency and clarity. Further, the NRC is adding new event notification requirements associated with the possession of enhanced weapons and imminent or actual hostile acts, and new reporting requirements for suspicious activity. Lastly, the NRC is issuing a final implementation guidance for this final rule. This final rule is effective April 13, 2023, with compliance required by January 8, 2024. The NRC also published a correction to this final in the Federal Register (FR) on March 29, 2023 (88 FR 18379).

FMCSA Changing Registration Fees—

On March 16, 2023 (88 FR 16207), the Federal Motor Carrier Safety Administration (FMCSA) published a Notice of Proposed Rulemaking (NPRM) in the Federal Register (FR) proposing to amend regulations for



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the annual registration fees States collect from motor carriers, motor private carriers of property, brokers, freight forwarders, and leasing companies for the Unified Carrier Registration (UCR) Plan and Agreement for the 2024 registration year and subsequent registration years. The fees for the 2024 registration year would be reduced below the fees for 2023 by approximately 9 percent overall, with varying reductions between \$4 and \$3,453 per entity, depending on the applicable fee bracket. Comments must be received on or before April 17, 2023.

EPA Chrysotile Asbestos Comment Request—On March 17, 2023 (88 FR 16389), the Environmental Protection Agency (EPA)

published a Notice in the Federal Register (FR) announcing the availability of and soliciting public comment on additional data received by EPA related to the proposed rule for Part 1: Chrysotile Asbestos; Regulations of Certain Conditions of Use under TSCA. These additional data pertain to chrysotile asbestos diaphragms used in the chlor-alkali industry and chrysotile asbestos-containing sheet gaskets used in chemical production and may be used by EPA in the development of the final rule, including EPA's determination of what constitutes "as soon as practicable" with regard to the proposed chrysotile asbestos prohibition compliance dates for these uses. Comments must be received on or before April 17, 2023.

DOT Public Access Plan Comment Request—On March 28, 2023 (88 FR 18371), the United States Department of Transportation (DOT) published a Notice in the Federal Register (FR) inviting the public to comment on issues or topics the DOT should consider as it updates the DOT Public Access Plan in response to new White House Office of Science and Technology Policy (OSTP) guidance. DOT first published its "Plan to Increase Public Access to the Results of Federally Funded Scientific Research, Version 1.1" on December 16, 2015. DOT will draft a version 2 of its Public Access Plan based on public feedback, especially answers received to 8 questions outlined in this notice. Comments are requested by May 10, 2023

2023 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

DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	Apr. 17–20	32	\$2,175	Surfside Beach, SC
Air Transport of Radioactive Materials (IATA/DOT)	Apr. 21	6	\$999*	Surfside Beach, SC
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	Jun. 12–15	32	\$2,175	Monterey, CA
Air Transport of Radioactive Materials (IATA/DOT)	Jun. 16	6	\$999*	Monterey, CA
DOT/NRC/EPA Hazardous Waste/ Mixed Waste Packaging, Transportation & Disposal	Jul. 10–14	40	\$2,375	Clinton, TN
Bear Creek Operations (BCO) Facility Tour	Jul. 13	--	\$0	Oak Ridge, TN
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	Aug. 21–24	32	\$2,175	Hilton Head, SC
Air Transport of Radioactive Materials (IATA/DOT)	Aug. 25	6	\$999*	Hilton Head, SC
DOT/NRC/EPA Hazardous Waste/ Mixed Waste Packaging, Transportation & Disposal	Sep. 11–15	40	\$2,375	Salt Lake City, UT
Clive Disposal Site Facility Tour	Sep. 14	--	\$0	Clive, UT
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	Oct. 23–26	32	\$2,175	Orlando, FL
Air Transport of Radioactive Materials (IATA/DOT)	Oct. 27	6	\$999*	Orlando, FL
DOT/NRC/EPA Hazardous Waste/ Mixed Waste Packaging, Transportation & Disposal	Nov. 6–10	40	\$2,375	Clinton, TN
Bear Creek Operations (BCO) Facility Tour	Nov. 9	--	\$0	Oak Ridge, TN
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	Dec. 4–7	32	\$2,175	Henderson, NV
Air Transport of Radioactive Materials (IATA/DOT)	Dec. 8	6	\$999*	Henderson, NV

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

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