

Q3 2023

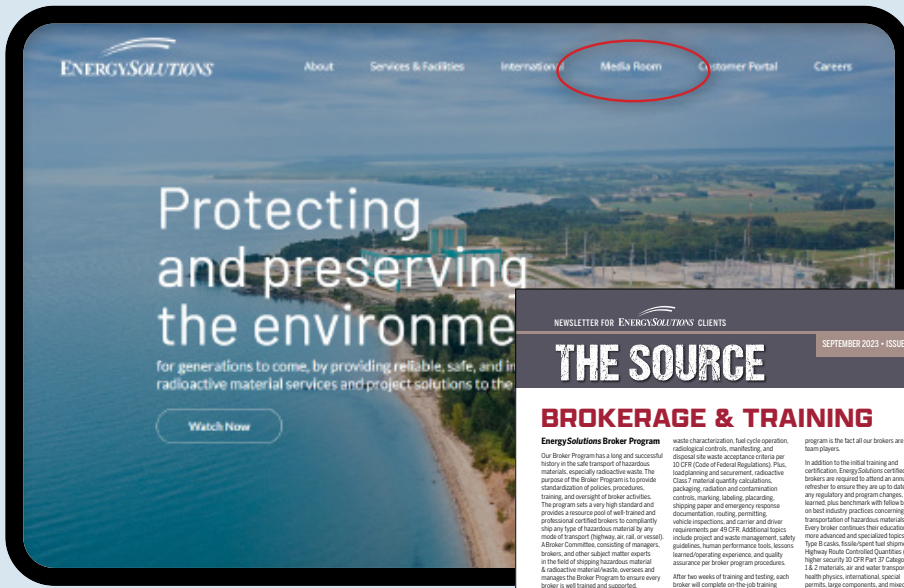
LEARN & LEAD



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

New Website

The EnergySolutions website has been completely updated and revised for a better experience. Website technology has greatly improved since the last update (eight years ago). We have implemented as much of the new technology as possible and are thrilled with the results. Some of the features include updated company information, improved user-friendly navigation, and updated photos/videos. You can also find the company newsletter, *The Source*, under the "Media Room" dropdown menu. Each edition features information on a segment about EnergySolutions. The *latest edition* featured Brokerage and Training Services!



NRC Advanced Notification Designee List Updated

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 **October 03, 2023**. Please note the NRC is now listing any additions and revisions in **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>

NEWS TEAM

Editor—Mark Lewis
Director, Broker & Training Programs
803-758-1827
mslewis@energysolutions.com

Author—James Leonard
Senior Training Professional
803.541.5019
jpleonard@energysolutions.com

Contributor—Donnie James
Nuclear Facility Training Specialist
269.270.8688
djames@energysolutions.com

Coordinator—Angie Lott
Training Coordinator
803.541.5014
aklott@energysolutions.com



Important Dates to Remember

October 2023 GPO edition — LSA-II proper shipping name fixed in 49 CFR

January 01, 2024 — IMDG Code 41-22 Amendment mandatory compliance

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

Changes to the IATA DGR – Air Transport Rules

The new edition of the International Air Transport Association (IATA) Dangerous Goods Regulations (DGR) is now available and will be effective starting January 01, 2024. Check out the list of Significant Changes for the 65th Edition (2024) at: <https://www.iata.org/en/publications/dgr/>. For Section 10, Radioactive Materials, IATA has added examples on how to fill out the Shipper's Declaration for radioactive

class 7 materials with subsidiary hazard classes and when packages are contained in an overpack. Appendix H is now "Impending Changes" to provide details of the changes that will come into effect as of January 01, 2025. Appendix H in the 63rd edition detailed the new Competency-Based Training and Assessment approach. These details are now available as a separate stand-alone document and

can be downloaded from the [IATA website](#). IATA training requires initial and recurrent classroom training and testing, plus the in-field/on-the-job assessment at least once every 24 months. Get a copy of the new IATA DGR and be prepared to comply with all the updates and changes for the new year.



New Milestone in DOE Spent Fuel Train

The Department of Energy (DOE) announced that the Atlas railcar, designed specifically to transport Spent Nuclear Fuel (SNF) and high-level radioactive waste, successfully completed its 1,680-mile test voyage from Pueblo, Colorado to Scoville, Idaho. The 12-axle Atlas railcar was loaded with 480,000 pounds of steel test weights, its maximum carrying capacity, to simulate the heaviest transport container currently certified by the Nuclear Regulatory Commission (NRC). The \$33 million Atlas project took 10 years and has resulted in the development and testing of the Atlas rail car, buffer rail cars, and the rail escort vehicles (REV). The REV was developed in partnership with the

Naval Nuclear Propulsion Program (NNPP) to replace its aging fleet of escort vehicles. The four fabricated prototype railcars will be ready for operational use when the final testing data has been granted conditional approval by the Association of American Railroads (AAR). DOE plans to use Atlas and other railcars to support emergency responder training and informational roadshows prior to commencing shipments of SNF to a future federal consolidated interim storage facility. More information about the Atlas project can be found on the DOE's website: <https://www.energy.gov/ne/articles/new-railcar-designed-transport-spent-nuclear-fuel-completes-final-testing>

Seasonal Safety

It's Fall Y'all! Time for slippery wet leaves, so tread carefully both driving and walking! Also, be prepared for hurricane season and any other severe weather changes by visiting <https://www.ready.gov/hurricanes>. Review your First Aid knowledge and have any supplies for basic survival ready now before they are needed. Stay safe for you, your family and community!



U.S. Capitol Christmas Tree Tracker

Follow the *Capitol Christmas Tree* from West Virginia to Washington, D.C. Every year, a different national forest is selected to provide a tree to appear on the west lawn of the U.S. Capitol building for the holiday season. Our country has 154 National Forests. The 2023 tree will come from the Monongahela National Forest in West Virginia. Watch its journey from West Virginia to Washington, D.C., with the U.S. Capitol Christmas tree tracker online

at www.uscapitolchristmastree.com and @uscapitolchristmastree on Facebook and Instagram and @USCapitolTree on Twitter. The tour will kick off Saturday, November 4, 2023 with a special celebration in Elkins, WV which is home to the headquarters of the Monongahela National Forest. Add the Capitol Christmas Tree transportation adventure to your family holiday traditions.



PHMSA's Quarterly Hazmat Newsletter

The Pipeline and Hazardous Material Safety Administration (PHMSA) published their July 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

PHMSA Hazmat newsletter included a spotlight on outdoor recreation safety with consumer products containing hazardous materials. So many products we use every day have hidden dangerous contents. PHMSA has prepared several safety-related brochures available for download. The newsletter also includes: a safety advisory about electric cars powered by lithium batteries; new and

updated publications and resources; learning opportunities; and The Hazardous Materials Info Center contact information. Please visit the PHMSA newsletter website at <https://www.phmsa.dot.gov/training/hazmat/phmsas-quarterly-hazmat-newsletter> to read this and any past PHMSA newsletters.

CVSA Releases 2023 Operation Safe Driver Week Results

Operation Safe Driver is a Commercial Vehicle Safety Alliance (CVSA) program aimed at reducing unsafe driver behaviors by educating all drivers about ways to share the roads safely. Each year

CVSA along with U.S. and Canadian law enforcement officers dedicate a week to perform traffic stops focusing on safe-driving awareness. This year's Operation Safe Driver Week was conducted from July 9 to 15 in which officers issued 4,494 tickets/citations and 5,756 warnings to commercial motor vehicle (CMV) and passenger vehicle drivers combined. What was the top infraction for both CMV and passenger vehicle drivers? This should be no surprise . . . Speeding! According to the U.S. National Highway Traffic Safety Administration (NHTSA), speeding-related fatalities increases each year and account for nearly one-third of all fatalities on the road. Other top driver infractions include failure to wear a seat

belt, texting or using a handheld device, failure to obey a traffic-control device, improper lane change, and improper passing. CVSA maintains an Operation Safe Driver website for year around educational outreach found at: [Operation Safe Driver - CVSA - Commercial Vehicle Safety Alliance](https://www.operation-safe-driver.com). Here one can find many resources like materials to download and public safety announcement videos about how to safely share the roads and the dangers of aggressive driving behaviors, such as speeding, cutting off other vehicles, etc. Now is the time to educate yourself, family, your co-workers, and community . . . it may just save the life of someone you care about!



Type B Cask Shipping Training

NRC Certificate of Compliance Conditions & Payload Qualifications



As many of you are aware, a Type B shipment of Class 7 Radioactive Material has a number of conditions and requirements that must be met in order to comply with the cask's NRC-issued Certificate of Compliance (CoC), and the CoC-referenced portions of the Safety Analysis Report (SAR). Each of our EnergySolutions Type B casks models have their own CoC and SAR, with their own limitations on the payload and their own methodology for determining compliance. These limitations often involve calculations based on data from graphs or tables and

can pose a real challenge for shippers to verify compliance. The EnergySolutions team has identified that additional training for compliance confirmation per the CoC and SAR would be beneficial to us as a company and to our customers.

As of September 2023, Computer-Based Training (CBT) was drafted for each of our Type B cask models: 8-120B, 10-160B, and 3-60B. A selected group of company Brokers were assigned to audit and complete the CBTs. An in-person training class was also provided to selected Brokers and

management personnel. The sessions included training that was personally delivered by our Cask Division Nuclear Engineers on the basis of the limitations as well as the use of the tables, graphs, and calculation aids.

The CBT and in-person training successfully qualified many of our Brokers as Type B cask shippers. We received valuable feedback from the Brokers, engineers, and management on how to improve the training sessions. We intend to implement the training and qualification requirements internally as soon as practical.

We are also planning to provide Type B cask compliance training services to our customers as well in CBT and in-person formats soon. We would appreciate your input on what you would like to see and how you would like it to be presented or provided (Sorry, but training and qualification as a leak test technician is not included in this Type B cask training). Please feel free to contact Mark Lewis, James Leonard, or Donnie James with suggestions.

Source & Special Nuclear Material Shipments

The Nuclear Materials Management & Safeguards System (NMMSS) is the U.S. government's official program to track movements, uses, and inventories of U.S. source and special 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. Next year's annual NMMSS users training event will be held May 13-16, 2024, in Las Vegas, Nevada. 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 - 2024. For more information on the NMMSS, their newsletter, training schedule and annual event, please see below or visit

the NMMSS website at www.energy.gov/nnsa/nuclear-materials-management-and-safeguards-system-nmmss

| Dates | Format | Location |
|---|-----------|-----------------|
| December 5-7, 2023 | Virtual | Online (Zoom) |
| Dates | Format | Location |
| February 13-16, 2024 | In-Person | Albuquerque, NM |
| April 9-11, 2024 | Virtual | Online (Zoom) |
| May 13-16, 2024 (2024 Annual Users Training Meeting) | In-Person | Las Vegas, NV |
| June 11-14, 2024 | In-Person | Germantown, MD |
| August 13-15, 2024 | Virtual | Online (Zoom) |
| September 24-27, 2024 | In-Person | Germantown, MD |
| December 10-12, 2024 | Virtual | Online (Zoom) |

Recent Lessons Learned, Industry Events, and Operating Experiences



Purblind Placarding!?!

So, what is the correct orientation of the placard and its holder? The placard holder, allowed in 49 CFR 172.516(c)(1), (d) & (e), must look like the specification in 49 CFR Part 172 Appendix C and the placard itself still must meet the "displayed horizontally, reading from left to right" as required in 49 CFR 172.516(c)(5)? This placard and its holder are "vertical"!

Perplexing Placarding!?!

So, what is wrong with placarding non-bulk packages? Yes, it is permissible to placard per 49 CFR 172.502(c) . . . but, it states in paragraph (c) "... if the placarding otherwise conforms to the requirements of this subpart [49 CFR Part 172 Subpart F - Placarding]." Well, do these placards meet the design, orientation, visibility, and durability requirements in 49 CFR Sections 172.516 & 172.519? Hope you said, "NO!"



Pathetic Placarding!?!

What do you think about placarding an empty Class 7 radioactive material packaging? Placarding is not required for UN2908, but it is permissible, but only if you meet all the placarding requirements. Should the placard have a portion of the inner border missing? Not if you want to meet the Class 7 radioactive placard design requirements outlined in 49 CFR 172.519(b) & 172.556. Also, is the identification number allowed on a Class 7 radioactive placard shipped within the U.S.A (domestic only shipment)? It may be allowed for international shipments, but it is prohibited for domestic only shipments per 49 CFR 172.503 & 172.334(a). Hypothetically, what if we could display the identification number on this placard (international), is the above the correct display of the identification number? Nope! 49 CFR 172.332(c) outlines these requirements and even has an example in 172.332(d). The letters "UN" are not allowed and the numerals must be a specific font type and size.

FAQ Separation & Segregation

* Are there unique compatibility provisions for explosives to be transported on the same vehicle?

Reference # 00-0056, 08-0126, 08-0192, 09-0268, 10-0107, 11-0011, 11-0166, 11-0011, 12-0064, 16-0202, 17-0109, 18-0123 & 22-0090

Yes, different Class 1 explosive materials are governed by the compatibility table in 49 CFR 177.848(f) based on compatibility group and type.

* Can a dromedary unit on the truck be used for segregation? Reference # 01-0280, 01-0294, 10-0208, 17-0109 & 18-0123

Yes, if the unit is attached to the cab of a tractor, then the tractor and attached trailer would be separate vehicles. But the answer is "no" if the unit is on the same transport vehicle.

* Will a single cardboard box, lab pack, palletizing and/or air space provide enough separation to prevent commingling? Reference # 02-0142, 02-0310,

03-0023, 03-0146, 03-0120, 03-0300, 04-0031, 08-0201, 10-0144, 16-0117 & 17-0064

No, neither a single cardboard box, raising cargo on pallets or air space between incompatible cargo is sufficient of a barrier to prevent mixing of two hazardous materials in the event of leakage.

* Do I only compare the primary hazard classes for which packages are labeled or placard? Reference # 03-0120, 03-0198, 03-0300, 04-0031, 04-0236, 05-0164, 08-0216, 09-0252, 10-0144, 13-0111, 13-0173 & 17-0064

No, hazmat employees (shippers, drivers, etc.) must be knowledgeable to prevent any forbidden materials on the same vehicle that could produce an unsafe condition during transportation per 173.21(e), 173.24(e)(4), 173.33(a)(2) and 177.848. Residues, subsidiary hazards, HMR exempt, consumer commodities and limited quantities must also be considered.

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

FMCSA Incorporating New CVSA Edition—On July 24, 2023 (88 FR 47437), the Federal Motor Carrier Safety Administration (FMCSA) published a Notice of Proposed Rulemaking (NPRM) in the Federal Register (FR) requesting comments on amending the Hazardous Materials Safety Permits (HMSPs) regulations in 49 CFR Part 385 to incorporate by reference the updated Commercial Vehicle Safety Alliance (CVSA) handbook containing inspection procedures and Out-of-Service Criteria (OOSC) for inspections of shipments of transuranic waste and highway routecontrolled quantities (HRCQs) of radioactive material (RAM). The OOSC provide enforcement personnel nationwide, including FMCSA's State partners, with uniform enforcement tolerances for inspections. Currently, the regulations reference the April 1, 2022, edition of the handbook. Through this notice, FMCSA proposes to incorporate by reference the April 1, 2023, edition. Comments must be received on or before August 23, 2023.

Federal Semi-Annual Regulatory Agendas, July 2023—On July 27, 2023, the Department of Energy (88 FR 48544); the Department of Health and Human Services (88 FR 48550); the Department of Labor (88 FR 48576); the Department of Transportation (88 FR 48582); the Department of Homeland Security (88 FR 48562); the Environmental Protection Agency (88 FR 48598); and the Nuclear Regulatory Commission (88 FR 48688) published their respective notices in the federal register making available their portion of the semi-annual Unified Agenda of Federal Regulatory and Deregulatory Actions under development, completed, or canceled since the last agenda. These federal agencies expect this information will enable the public to be more aware of and effectively participate in their respective

regulatory and deregulatory activity, and will encourage the public to submit comments on any aspect of these agendas.

EPA Reviewing Safer Choice Program—On July 27, 2023 (88 FR 48463), the Environmental Protection Agency (EPA) published a Notice in the Federal Register (FR) requesting public input on the Safer Choice and Design for the Environment (DfE) programs' potential expansion of their certification to new product categories. Safer Choice helps consumers, businesses, and purchasers find products that perform and contain ingredients that are safer for human health and the environment. DfE is a similar program currently used by EPA for the purpose of helping consumers and commercial buyers identify antimicrobial products that meet the health and safety standards of the normal pesticide registration process required by the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) as well as other rigorous criteria required by the EPA. The Agency will hold a listening session webinar and request stakeholder comment on which new product categories Safer Choice and DfE could expand into and how the potential expansion could offer significant benefits to human health and the environment. Safer Choice and DfE certifications would likely not expand to certify materials. The availability of EPA certified products would help give consumers a choice of products that meet EPA's high standard for human and environmental health and, as part of meeting these criteria, would not contain intentionally added per- and polyfluoroalkyl substances (PFAS). Please submit written comments on or before September 11, 2023. There will be a Virtual Listening Session on August 29, 2023 from 2:00-3:00 p.m. EST.

EPA Proposing Carbon Tetrachloride Prohibition—On July 28, 2023 (88 FR 49180), the Environmental Protection Agency (EPA) published a Proposed Rule in the Federal Register (FR) to address the unreasonable risk of injury to human health presented by carbon tetrachloride (CTC) under its conditions of use as documented in EPA's 2020 Risk Evaluation for Carbon Tetrachloride and 2022 Revised Unreasonable Risk Determination for Carbon Tetrachloride pursuant to the Toxic Substances Control Act (TSCA). CTC is a volatile, organic compound that is primarily used as a feedstock (i.e., processed as a reactant) in the making of products such as refrigerants, aerosol propellants, and foam-blowing agents. TSCA requires that EPA address by rule any unreasonable risk of injury to health or the environment identified in a TSCA risk evaluation and apply requirements to the extent necessary so that the chemical no longer presents unreasonable risk. EPA determined that CTC presents an unreasonable risk of injury to health due to cancer from chronic inhalation and dermal exposures and liver toxicity from chronic inhalation, chronic dermal, and acute dermal exposures in the workplace. To address the identified unreasonable risk, EPA is proposing under TSCA to establish workplace safety requirements for most conditions of use, including the condition of use related to the making of low Global Warming Potential (GWP) hydrofluoroolefins (HFOs), prohibit the manufacture (including import), processing, distribution in commerce, and industrial/commercial use of CTC for conditions of use where information indicates use of CTC has already been phased out, and establish recordkeeping and downstream notification requirements. Comments must be received on or before September 11, 2023. Under



THE LATEST HAPPENINGS

IN THE FEDERAL REGISTER

the Paperwork Reduction Act (PRA), comments on the information collection provisions are best ensured of consideration if the Office of Management and Budget (OMB) receives a copy of your comments on or before August 28, 2023.

EPA 40 CFR Technical Corrections—

On August 09, 2023, the Environmental Protection Agency (EPA) published a Proposed Rule (88 FR 53836) and a Direct Final Rule (88 FR 54086) in the Federal Register (FR) to correct or clarify several parts of the Resource Conservation and Recovery Act (RCRA) hazardous waste regulations in 40 CFR Parts 260, 261, 262, 264, 265, 266, 270, 271 & 441. These technical corrections correct or clarify specific provisions in the existing hazardous waste regulations that were promulgated in the Hazardous Waste Generator Improvements rule [November 28, 2016 - 81 FR 85732], the Hazardous Waste Pharmaceuticals rule [February 22, 2019 - 84 FR 5816], and the Definition of Solid Waste rule [May 23, 2018 - 83 FR 24664]. The direct final rule also makes other minor corrections that fall within the same sections of the hazardous waste regulations but are independent of these three rules. Examples of the types of corrections being made in this rule include, but are not limited to, correcting typographical errors, correcting incorrect or outdated citations, making minor clarifications, and updating addresses. The direct final rule is effective on December 7, 2023, without further notice unless the EPA receives adverse comment by October 10, 2023 for either the Proposed Rule or Direct Final Rule. If the EPA receives adverse comment on any individual correction, the EPA will publish a timely withdrawal in the Federal Register informing the public about the specific paragraph or amendment where the correction or clarification will not take effect.

EPA Used Drum Management—On August 11, 2023 (88 FR 54537), the Environmental Protection Agency (EPA) published an Advance Notice of Proposed Rulemaking in the Federal Register (FR) to solicit information and request comments to assist in the potential development of non-regulatory and regulatory options that would ensure the proper management of used industrial containers that held hazardous chemicals or hazardous waste, up to and including the drum reconditioning process. Options could include revising the Resource Conservation and Recovery Act (RCRA) regulations or other, non-regulatory options. This Advance Notice of Proposed Rulemaking (ANPRM) does not propose any regulatory requirements or change any existing regulatory requirements. Comments originally needed to be received on or before September 25, 2023, but the EPA published an extension in the Federal Register on September 05, 2023 (88 FR 60609) extending the comment period to November 22, 2023.

EPA Clean Water Act Revision—

On August 14, 2023 (88 FR 55276), the Environmental Protection Agency (EPA) published a Proposed Rule in the Federal Register (FR) to request comments on the EPA's first comprehensive revision to the regulations governing Clean Water Act (CWA) section 404 Tribal and State programs since 1988. The primary purpose of the proposed revision is to respond to longstanding requests from Tribes and States to clarify the requirements and processes for assumption and administration of a CWA section 404 permitting program for discharges of dredged and fill material. The proposed revisions would facilitate Tribal and State assumption of the section 404 program, consistent with the policy of the CWA as

described in section 101(b), by making the procedures and substantive requirements for assumption transparent and straightforward. It clarifies the minimum requirements for Tribal and State programs while allowing for flexibility in how these requirements are met. In addition, the proposed rule clarifies the criminal negligence standard for both the CWA section 402 and section 404 programs. Finally, the proposed rule makes technical revisions to remove outdated references associated with the section 404 Tribal and State program regulations. Comments must be received on or before October 13, 2023.

PHMSA Incident Reporting FAQs—

On August 18, 2023 (88 FR 56702), the Pipeline and Hazardous Materials Safety Administration (PHMSA) published a Notice in the Federal Register (FR) to solicit public comment and concerns on its next step of Hazardous Materials: Frequently Asked Questions (FAQs) before finalizing the Incident Reporting FAQs on their website: <https://www7.phmsa.dot.gov/about-phmsa/phmsa-faqs>. On March 22, 2022, PHMSA announced an initiative to convert historical letters of interpretation (LOI) applicable to the Hazardous Materials Regulations that have been issued to specific stakeholders into broadly applicable FAQs. On December 9, 2022, PHMSA finalized the first set of FAQs and announced the topic for the next FAQs. This notice contains the second set of FAQs concerning the requirements for incident reporting and notification are outlined in 49 CFR Sections 171.15 and 171.16. Interested persons are invited to submit comments on or before September 18, 2023. Comments received after that date will be considered to the extent practicable.



THE LATEST HAPPENINGS IN THE FEDERAL REGISTER

NRC Updates & Corrects 10 CFR—On August 24, 2023 (88 FR 57873), the U.S. Nuclear Regulatory Commission (NRC) published a Final Rule in the Federal Register (FR) to amend its regulations to make miscellaneous corrections in 10 CFR Parts 1, 2, 26, 32, 40, 50, 51, 52, 72, and 73. These changes include updating organizational information, revising an address, and correcting reference, spelling, and grammatical errors. The amendments also make updates to replace gendered terms with inclusive, gender-neutral language. This document is necessary to inform the public of these non-substantive amendments to the NRC's regulations. This final rule is effective on September 25, 2023.

EPA Amends PCB Regulations—On August 29, 2023 (88 FR 59662), the Environmental Protection Agency (EPA) published a Final Rule in the Federal Register (FR) to finalize an expanded set of extraction and determinative methods that can be used to characterize and verify the cleanup of polychlorinated biphenyls (PCBs) waste under implementing regulations for PCB-related authority in the Federal Toxic Substances Control Act (TSCA) (also referred to as the PCB regulations). These changes are expected to greatly reduce the amount of solvent used in PCB extraction processes, thereby conserving resources and reducing waste. In addition, the changes are expected to result in quicker, more efficient, and less costly cleanups, due to greater flexibility in the cleanup and disposal of PCB waste, while still being equally protective of human health and the environment. EPA is also finalizing several other amendments to the PCB regulations, including the amendment of the performance-based disposal option for PCB remediation waste; the removal of the provision allowing PCB

bulk product waste to be disposed of as roadbed material; the addition of more flexible provisions for cleanup and disposal of waste generated by spills that occur during emergency situations (e.g., hurricanes or floods); harmonization of the general disposal requirements for PCB remediation waste; and other amendments to improve the implementation of the regulations, clarify ambiguity, and correct technical errors. This rule is effective February 26, 2024.

FMCSA Safety Fitness

Determinations—On August 29, 2023 (88 FR 59489), the Federal Motor Carrier Safety Administration (FMCSA) published an Advanced Notice of Proposed Rulemaking (NPRM) in the Federal Register (FR) requesting comments on developing a new methodology to determine when a motor carrier is not fit to operate commercial motor vehicles (CMVs) in or affecting interstate commerce. FMCSA requests public comment on the need for a rulemaking to revise the regulations prescribing the safety fitness determination process; the available science or technical information to analyze regulatory alternatives for determining the safety fitness of motor carriers; feedback on the Agency's current safety fitness determination (SFD) regulations, including the process and impacts; the available data and costs for regulatory alternatives reasonably likely to be considered as part of this rulemaking; and responses to specific questions in this advance notice of proposed rulemaking (ANPRM). Comments on this notice must be received on or before October 30, 2023.

PHMSA LNG Rail Transport

Suspension—On September 01, 2023 (88 FR 60356), the Pipeline and Hazardous Materials Safety

Administration (PHMSA) published a Final Rule in the Federal Register (FR) in coordination with the Federal Railroad Administration (FRA) amending the Hazardous Materials Regulations (HMRs) in 49 CFR Part 172 to suspend authorization of liquefied natural gas (LNG) "Methane, refrigerated liquid" transportation in DOT-113C120W9 specification rail tank cars pursuant to a final rule published on July 24, 2020 (85 FR 44994), pending the earlier of either completion of a companion rulemaking evaluating potential modifications to requirements governing rail tank car transportation of LNG, or June 30, 2025. This final rule is effective on October 31, 2023.

PHMSA HMR Improvement

Comment Period—On September 21, 2023 (88 FR 65148), the Pipeline and Hazardous Materials Safety Administration (PHMSA) published a comment period extension notice in the Federal Register (FR) for the July 05, 2023 (88 FR 43016) Advance Notice of Proposed Rulemaking (ANPRM) soliciting stakeholder feedback on initiatives PHMSA is considering that may modernize the Hazardous Materials Regulations (HMRs) in 49 CFR Parts 171 thru 180 and improve efficiencies while maintaining or improving a current high level of safety. To fully engage with stakeholders, this ANPRM solicits comments and input on questions related to 46 distinct topics under consideration. Topics include exceptions to Emergency Response Information, Packaging, Marking and Training; Rail and Vessel Shipments; Safety Recommendations; and Clarifications to name a few. Any comments, data, and information received will be used to evaluate and potentially draft proposed amendments. Comments must now be received on or before December 04, 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

| 2023 | | | | |
|--|-----------|-------|---------|---------------|
| Course | Date | CEU** | Tuition | LOCATION |
| 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 |

| 2024 | | | | |
|--|-----------|-------|---------|-----------------------|
| Course | Date | CEU** | Tuition | LOCATION |
| DOT/NRC Radioactive Waste Packaging, Transportation & Disposal | Feb 26-29 | 32 | \$2,175 | Mount Pleasant, SC |
| Air Transport of Radioactive Materials (IATA/DOT) | Mar 1 | 6 | \$999* | Mount Pleasant, SC |
| DOT/NRC/EPA Hazardous Waste/ Mixed Waste Packaging, Transportation & Disposal | Mar 18-22 | 40 | \$2,375 | Salt Lake City, UT |
| Clive Disposal Site Facility Tour | Mar 21 | -- | \$0 | Clive, UT |
| DOT/NRC Radioactive Waste Packaging, Transportation & Disposal | Apr 22-25 | 32 | \$2,175 | Surfside Beach, SC |
| Air Transport of Radioactive Materials (IATA/DOT) | Apr 26 | 6 | \$999* | Surfside Beach, SC |
| DOT/NRC Radioactive Waste Packaging, Transportation & Disposal | Jun 10-13 | 32 | \$2,175 | San Diego/Del Mar, CA |
| Air Transport of Radioactive Materials (IATA/DOT) | Jun 14 | 6 | \$999* | San Diego/Del Mar, CA |
| DOT/NRC/EPA Hazardous Waste/ Mixed Waste Packaging, Transportation & Disposal | Jul 15-19 | 40 | \$2,375 | Clinton, TN |
| Bear Creek Operations (BCO) Facility Tour | July 18 | -- | \$0 | Oak Ridge, TN |
| DOT/NRC Radioactive Waste Packaging, Transportation & Disposal | Aug 26-29 | 32 | \$2,175 | Hilton Head, SC |
| Air Transport of Radioactive Materials (IATA/DOT) | Aug 30 | 6 | \$999* | Hilton Head, SC |
| DOT/NRC Radioactive Waste Packaging, Transportation & Disposal | Oct 21-24 | 32 | \$2,175 | Orlando, FL |
| Air Transport of Radioactive Materials (IATA/DOT) | Oct 25 | 6 | \$999* | Orlando, FL |
| DOT/NRC/EPA Hazardous Waste/ Mixed Waste Packaging, Transportation & Disposal | Nov 4-8 | 40 | \$2,375 | Clinton, TN |
| Bear Creek Operations (BCO) Facility Tour | Nov 7 | -- | \$0 | Oak Ridge, TN |
| DOT/NRC Radioactive Waste Packaging, Transportation & Disposal | Dec 9-12 | 32 | \$2,175 | Henderson, NV |
| Air Transport of Radioactive Materials (IATA/DOT) | Dec 13 | 6 | \$999* | Henderson, NV |

* If an IATA class is taken in conjunction with the DOT/NRC class during the same week, the total combined tuition is \$2,890 (\$284 multi-class discount)

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