



THE HAZMAT NEWS NETWORK



Regulatory Resources, Inc. 240 Joshua Road Kennewick, WA 99338

Voice: 509-628-1020 — Fax: 509-628-0972 — email: newsletter@regulatoryresources.net — www.regulatoryresources.net — May/June 07



GOTTA LUV THAT HEAT! I've waited all winter for this...summer's finally here. Time to dust off the water ski and get in some boat therapy! Welcome everyone to the combined May/June 07 issue of **The Hazmat News Network** newsletter. This free service is to help you in your compliance needs. If you don't want to

receive this simply send us an email with REMOVE.

DOCKET ACTION HAS AGAIN BEEN SLOW. Here are the two since our last newsletter. Please note that we do not address Special Permit (formerly Exemptions) actions.

May 3rd: DOT published the final rule, HM-215F, "Revision and Reformatting of Requirements for the Authorizations To Use International Transport Standards and Regulations." This docket revises the 49 CFR interface requirements for use of international regulations in Part 171. If you ship under ICAO/IATA, the IMO/IMDG, or Canadian TDG, read this and make sure you're in compliance. Pay particular attention to §171.22(f)(1). Make sure you have this covered well! Also note the general requirements in §171.22(g). One more thing: The hazardous substance interface requirement in §171.23(b)(5) states it doesn't apply to Class 7 material. That's not really true. Make sure you comply at all times with §§ 172.203(c) and 172.324 (when applicable, or course) when using any international regulation.

May 11th: The DOT (PHMSA) published information about a meeting to be held at L'Enfant Plaza in DC on June 14th. The meeting is about the loading/unloading of bulk packagings.

VERY SOON TO BE AVAILABLE... is our spreadsheet, *RRI Rad Calc*. Many of you asked us for an updated version of this program from its original debut back in 1997. The delay has been the QA work. But now it's done. This program, using Microsoft Excel software, performs the calculations necessary to determine radioactive materials shipping requirements. At the request of our

customers, activities can now be entered in TBq, Ci or grams. The user simply enters data in specified fields, clicks the calculate icon, and it's over. Material classification, activity limits, RQ determinations, fissile exception status, LSA & SCO applicability, label category, and more are completed for you. What's nice is that it can be easily loaded on any laptop for mobile use. This tool is a valuable QA step in making sure you've properly and accurately classified your material/waste. We're working on cost for an individual program and cost for a site application (up to 4 copies). Please email us at info@regulatoryresources.net if you're interested. We'll get you on the list!



NEED A BIT OF A BREATHER IN LAS VEGAS? Yeah, it's hot there this time of year...except the time you're in the nice, air conditioned classroom. We are hosting our Advanced Radioactive Materials Packaging and Transport Workshop at the beautiful Atrium Suites hotel on July 9-13. This class is almost identical to the class we teach to the NRC and State personnel, and have taught to the DOT/PHMSA. You're going to hear, from a shipper's perspective, the same thing the regulators are hearing from a compliance perspective. It's thorough, it's in-depth, and it's available to you. Check out the enrollment information and a course syllabus at our website at www.regulatoryresources.net. Remember, these open-enrollment courses are on a first-come, first-serve basis and have limited attendance. Don't delay in getting your registration in. Be sure to make your hotel arrangements early to ensure a room is available.



IT MAY BE TRUE, BUT... In a letter issued by PHMSA on March 26, 2007 (Reference No. 07-0043), clarification was made to the question concerning the applicability of the DOT Hazardous Materials Regulations (HMR) to a state university and its employees. The question was concerning the packaging and transport of instruments and articles containing excepted quantities of Class 7 radioactive material. The university asked if they were subject to the HMR. PHMSA replied, "No". A state agency, such as a state university, that transports hazmat for its own use, using its own personnel is not engaged in transportation in commerce. Therefore, the state university is not subject to the HMR. This is very true from the DOT perspective. However, this is not the case from the NRC perspective as stated in 10 CFR 71.5(b). Remember, state universities are subject to NRC licensing. In 10 CFR 71.5(b), the NRC requires all NRC licensees to comply with the DOT regulations "...to the same extent as if the shipment or transportation were subject to the DOT regulations." In other words, state universities must fully comply with the DOT! You may not see DOT enforcement at your door but you are most definitely subject to NRC enforcement.

WHILE WE'RE TALKING ABOUT 10 CFR 71... I want to just mention a small, but significant discrepancy between the NRC and DOT regs. In 10 CFR 71.13 (bad luck?), the NRC provides a blanket exemption from all DOT HMR for physicians operating under 10 CFR 35 or equivalent Agreement state regulations. Umm, this exemption from the HMR is not supported at all in 49 CFR 171.1(d). A physician transporting a Class 7 radiopharmaceutical must fully meet all DOT hazmat requirements. Sorry about that, doc.





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RRI's 2007 Training Schedule

May 7-9 (til 11:00a)	DONE Initial DOT Hazardous Materials & Waste Packaging & Transport	Richland, WA
May 9 (at 1:00p)	DONE Initial DOT Radioactive Materials Packaging & Transport	Richland, WA
June 26-29*	DOT & IATA/ICAO Radioactive Materials Packaging & Transport*	Houston, TX
July 9-13	Adv DOT Radioactive Material Packaging & Transport	Las Vegas, NV
July 23-27	CLOSED Advanced DOT/RCRA Waste Packaging & Transport	Richland, WA
August 29-30	DOT Explosives Packaging and Transport	Las Vegas, NV
October 29 - Nov 2	Advanced Mixed Waste Packaging & Transport	Richland, WA
December 4-5	IATA/ICAO Dangerous Goods Packaging & Transport	Richland, WA
December 6-7	IATA/ICAO Radioactive Materials Packaging & Transport	Richland, WA

Training Location Information

Richland, WA 99338
[Hampton Inn](#)
 486 Bradley Blvd
 509-943-4400
 800-560-7809

Houston, TX 77056*
[DGAC](#)
 1100 H Street, NW
 202-289-4550
 800-634-1598

Las Vegas, NV 89109
[Atrium Suites Hotel Las Vegas](#)
 4255 S. Paradise Road
 702-369-4400
 800-330-7728

*For course registration and hotel info, contact DGAC and ask about course HMT-601.

Cost Information and Registration Form

May 7-9 (til noon)	Richland, WA	\$ 650 each	} Both classes for \$1195 each	Registration Form
May 9-11 (at 1pm)	Richland, WA	\$ 650 each		
June 26-29*	Houston, TX*	\$1145 each (\$995 for DGAC members) – Course Number HMT-601*		
July 9-13	Las Vegas, NV	\$1395 each		Registration Form
July 23-27	Richland, WA	\$1295 each		Registration Form
August 29-30	Las Vegas, NV	\$ 675 each		Registration Form
October 29 - Nov 2	Richland, WA	\$1295 each		Registration Form
December 4-5	Richland, WA	\$ 675 each		Registration Form
December 6-7	Richland, WA	\$ 675 each		Registration Form

For course information, visit www.regulatoryresources.net. Registration forms for each course are hyperlinked in the above text. You can obtain the registration forms on our website. If you have questions, please contact us at training@regulatoryresources.net.