

03-02: RSPA – Proposed Rule - Hazardous Materials

Pacific Maritime Association

Accident Prevention Department

550 California Street, P. O. Box 7861

San Francisco, California 94120-7861

SAFETY BULLETIN 03-02

May 3, 2002

RSPA – Proposed Rule - Hazardous Materials

Security Requirements for Offerors and Transportation of Hazardous Materials

49 CFR Parts 107, 171, 172, and 177

[Docket No. RSPA-02-12064 (HM-232)]

INFORMATION

The Research and Special Programs Administration is proposing new requirements to enhance the security of hazardous materials transported in commerce. Proposals include a requirement for motor carriers registered with the agency to maintain a copy of their current registration certificate on each motor vehicle. The proposed rule would further require shipping papers to include the name and address of the consignor and consignee and the shipper's DOT Hazmat Registration number, if applicable. In addition, shippers and carriers of certain highly hazardous materials must develop and implement security plans. It also requires hazardous materials shippers and carriers to assure that their employee training includes a security component. This proposal was published in the Federal Register on May 2, 2002 Volume 67 Number 85.

ACTION

Employers should review this Notice of Proposed Rulemaking, and submit comments as appropriate.

DATES: Submit comments by June 3, 2002.

ADDRESSES: Submit comments to the Dockets Management System, U.S. Department of Transportation, Room PL 401, 400 Seventh Street, SW, Washington, DC 20590-0001. Comments should identify Docket Number RSPA-02-12064 (HM-232) and be submitted in two copies. If you wish to receive confirmation of receipt of your written comments, include a

Self-addressed, stamped postcard. You may also submit comments by e-mail by accessing the Dockets Management System web site at [`http://dms.dot.gov/`](http://dms.dot.gov/) and following the instructions for submitting a document

electronically. The Dockets Management System is located on the Plaza level of the Nassif Building at the Department of Transportation at the above address. You can review public dockets there between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. You can also review comments on-line at the DOT Dockets Management System web site at ``<http://dms.dot.gov/>."

FOR FURTHER INFORMATION CONTACT: Susan Gorsky, (202) 366-8553, Office of Hazardous Materials Standards, Research and Special Programs Administration.

The Pacific Maritime Association's Accident Prevention Department suggests, when submitting comments, members raise the following issues concerning this proposed rule. They are;

1. It is premature to enact the security elements in this rule without the Federal Government first implementing a National Transportation Worker Identification System.
2. There is no way to insure security of foreign shipments until Customs and the Transportation Security Agency (TSA) complete their requirements for documentation and certification of international cargo.
3. Based on PMA member experience with the implementation of the United States Coast Guard, PACAREA West Coast Security Guidelines, the costs estimated by RSPA for implementation are grossly understated. The Office of Management & Budget must review this proposal.