

USDOT/FMCSA Update
December 12, 2018
Austin, TX

Southern States Energy Board

**Joint Meeting of the Radioactive Materials
Transportation Committee and the Transuranic
Waste Transportation Working Group**

Hazardous Materials Division

- **Ongoing Activities:**
 - **Hazardous Materials Safety Permits**
 - **Hazardous Materials Special Permits**
 - **Cargo Tank Facility Compliance Reviews**
 - **Highway Routing of Hazardous Materials**
 - **Cargo Tank Rollover Prevention**

HM Division Mission

Reduce the number of serious highway incidents and fatalities that involve hazardous materials; and to develop programs that enhance safety and security.



Hazardous Materials Safety Permits

1. Highway Route Controlled Class 7;
2. >55 lbs net.: 1.1, 1.2 or 1.3
Explosives, or Placarded 1.5;
3. PIH Zone A - >1liter / package;
4. PIH Zone B – Bulk Package >119 gal.;
5. PIH Zones C or D – Bulk Package \geq 3,500 gal.; or
6. Compressed or Refrigerated
Liquefied Methane, Liquefied Natural Gas, or Other Liquefied Gas with a Methane Content of at least 85 percent – Bulk Package \geq 3,500 gal.

The **HAZARDOUS MATERIALS SAFETY PERMIT PROGRAM**

Since January 1, 2005, intrastate, interstate, and foreign motor carriers transporting certain types and amounts of hazardous materials (HM) are required to hold a Federal Hazardous Materials Safety Permit (HMSP) issued by the Federal Motor Carrier Safety Administration (FMCSA).



U.S. Department of Transportation
Federal Motor Carrier Safety
Administration

Hazardous Materials Safety Permits



- **HRCQ: Radioactive wastes from powerplants**
- **PIH: Poison Inhalation Hazards, such as Chlorine, Nitric Acid Red Fuming, and Anhydrous Ammonia when shipped internationally.**
- **High Methane Content, such as Compressed Natural Gas**

Hazardous Materials Safety Permits

- **Status of HMSP's as of November 2018**
 - **Current Temporary HMSPs: 32**
 - **Current Permanent HMSPs: 1,072**
 - **Applications Pending (Awaiting Requested Documentation): 67**
 - **Expired HMSPs: 95**
 - **Suspended HMSPs: 4**
 - **Revoked HMSPs: 1**
 - **Denied HMSPs: 1,013**
(Due to: V-OOS / D-OOS / HM-OOS / Financial Responsibility / No PHMSA Registration / Non-SAT Rating / Lack of Security Plan)

HMSP Enhanced Oversight

- The carrier meets or exceeds the following thresholds is designated for a Comprehensive Review within 6-months of meeting prescribed condition.
 - HMSP carrier with the HM BASIC over threshold (2 consecutive months)
 - HMSP carrier with any 2 or more BASICs \geq the HM Threshold, other than the HM BASIC (2 consecutive months)
 - 48 months insufficient data (<3 roadside inspections with violations) AND a Safety Rating \geq 4 years.

DOT Special Permits

- FMCSA Responsibilities (Reasons for Review):
 - **Rating of Unsatisfactory or Conditional**
 - If Out-of Service Rates or the Crash rate are at or below National Averages, FMCSA will conduct a Compliance Review.
 - If Out-of-Service Rates or the Crash rate are above the National Averages, FMCSA will recommend denial without the conduct of a Compliance Review.
 - **Rating of Satisfactory over 10-years old**
 - If all other Safety Compliance information points to safe operations, no Compliance Review will be conducted (Roadside inspection data must include at least 4 CVSA Level I inspections in order to constitute a statistically valid number of inspections.)
 - If insufficient data to validate the Satisfactory rating, and the Out-of-Service Rates and Crash Rate are at or below the National Averages, FMCSA will conduct a Compliance Review.

DOT Special Permits

- Reasons to Review (continued)
 - **One or More of the Driver, Vehicle or HazMat Out-of-Service rates above the National Averages**
 - Regardless of Safety rating, FMCSA will recommend denial.
 - Motor carriers must receive “good” inspections, or wait until OOS inspections drop off due to time, in order to lower their OOS rates
 - **Crash Rate above the National Average**
 - Regardless of Safety rating, FMCSA will recommend denial.
 - Motor carriers must lower their crash rates through time and attrition.
 - **Other Safety Information**
 - Regardless of Safety rating, OOS rates or Crash rates, if the motor carrier’s history indicates violations directly related to the Special Permit, FMCSA will recommend denial.

Cargo Tank Facility Reviews

- **Types of Facilities Reviewed**
 - Manufacturers of new cargo tanks, including nurse tanks
 - Fixed facility testers of cargo tanks
 - Mobile testers
 - Cargo tank repair facilities
- **Number of Facilities Inspected by Region (FY 2018)**
 - Eastern Service Center: 30
 - Southern Service Center: 6
 - Midwest Service Center: 38
 - Western Service Center: 38



Top 5 Violations:

Cargo Tank Manufacturers

Cargo Tank Test and Repair
Facilities

Hazmat Roadside Inspections



Top 5 Cargo Tank Manufacturer Violations

PART NO	SECTION	DESCRIPTION
172	704(a)	Training requirements: General awareness/familiarization, Function-specific, Safety and or Security awareness training; No HM employee training as required
172	704(d)	Recordkeeping: Insufficient training records or no training records
171	8	Design Certifying Engineer: Unqualified Design Certifying Engineers
171	8	Registered Inspector: Unqualified Registered Inspectors
178	345-8 (c)(1)	Accident damage protection: Failing to meet applicable specifications, such as the overturn protection not meeting the required strength



Top 5 Cargo Tank Facility Violations

PART NO	SECTION	DESCRIPTION
172	704(d)	Failing To Keep Training Records For 90 Days After Termination.
172	704(c)(2)	Failing To Retrain Hazmat Employees Every Three Years.
180	407(h)	Failing To Perform Leakage Test As Prescribed.
180	407(d)	Failing To Perform An External Visual Inspection As Prescribed.
172	704(a)	Failing To Train HM Employees As Required.



Top 5 HM Roadside Violations

Violation Code	Violation Description	# of Inspections	# of Violations	% of Total Violations
177.834(a)	Package not secure in vehicle	3705	3851	10.03%
107.620(b)	No Copy Of US Dot Hazardous Materials Registration Number	2739	2739	7.13%
177.817(e)	Shipping paper accessibility	2415	2429	6.33%
177.817(a)	No or improper shipping papers (carrier)	1968	2026	5.28%
172.516(c)(6)	Placard damaged, deteriorated, or obscured	1882	1979	5.15%

Hazardous Materials Routing

- FMCSA has implemented an online system for states to use in the designation of routes.
- <https://www.fmcsa.dot.gov/regulations/hazardous-materials/national-hazardous-materials-route-registry>
- Current online system is updated with HM Routes as designated by each state.
 - In map format or list format by state
 - Also includes recent Federal Register publications with recent changes to routes

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FMCSA Website

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Automated Vehicles 3
PREPARING FOR THE FUTURE OF TRANSPORTATION

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- International Safety
- [Hazardous Materials Safety](#)
- Driver Safety
- Carrier Safety
- Bicyclist and Pedestrian Safety

Hours of Service

DRIVERS



[hazardous-materials](#)

...ation and requirements for truck

CARRIERS




Information resources for carrier

CONSUMERS



Tools and resources for passengers and

HM Route Registry

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Hazardous Materials

Cargo Tanks

General HM Safety Advisory Notices

Safety Permit

National HM Route Registry

Regulations

Security

Spill Reporting & Prevention

Training & Education





State Programs

National Hazardous Materials Route Registry by State

State	Report Format		
	Update	View	
Alabama	Excel	Pdf	Map
Alaska	Excel	Pdf	Map
Arizona	Excel	Pdf	Map
Arkansas	Excel	Pdf	Map
California	Excel	Pdf	Map
Colorado	Excel	Pdf	Map
Connecticut	Excel	Pdf	Map
Delaware	Excel	Pdf	Map
District of Columbia	Excel	Pdf	Map
Florida	Excel	Pdf	Map
Georgia	Excel	Pdf	Map
Hawaii	Excel	Pdf	Map
Idaho	Excel	Pdf	Map
Idaho - Fort Hall Reservation	Excel	Pdf	Map
Illinois	Excel	Pdf	Map
Indiana	Excel	Pdf	Map
Iowa	Excel	Pdf	Map
Kansas	Excel	Pdf	Map

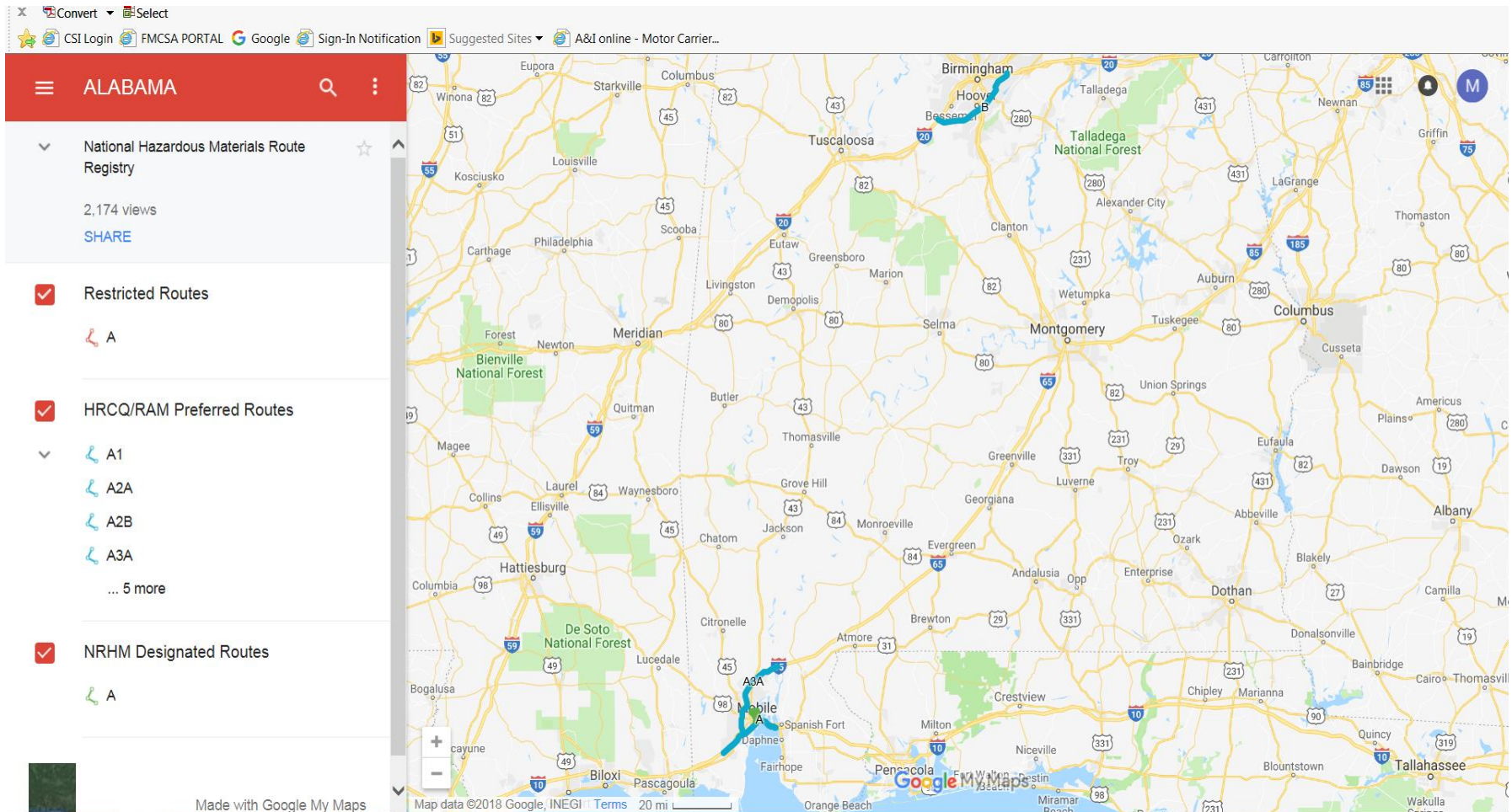
NOTE: THE DESCRIPTION OF THE ROUTE PROVIDED IN THE LEGEND OF EACH STATE MAP MUST BE CONSIDERED IN CONJUNCTION WITH THE ROUTE OR AREA DEPICTED ON THE MAP.

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Example: Alabama Map



Cargo Tank Driver Rollover Prevention

- **Rollovers accounted for:**
 - 42 to 45 percent of injuries from single vehicle large truck crashes between 2001 and 2005.
 - 50 percent of truck occupant fatalities involve a rollover crash.
 - 22 percent of what we would classify as a “serious” crash involving trucks transporting hazardous materials included a rollover incident.
 - 24 percent of all HM crashes and 75 percent of all HM spills.
- **FMCSA’s training DVD on CT Rollover Prevention is now available online at www.fmcsa.dot.gov.**

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Cargo Tank Truck Rollover Prevention

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Hazardous Materials

Cargo Tanks

Cargo Tank Safety

Cargo Tank Safety Advisory Notices

Cargo Tank Registration and Resources

Rollover Prevention

General HM Safety Advisory Notices

Safety Permit

Cargo Tank Truck Rollover Prevention



Keep the Load on the Road
A Driver's Guide to Cargo Tank Truck Rollover Prevention

Related Links

- Other Cargo Tank Safety Resources
- Hazardous Materials Reports
- Hazardous Materials Brochures

Contact Us

Federal Motor Carrier Safety Administration

Submit Feedback >

The Federal Motor Carrier Safety Administration (FMCSA) is associated with the

U.S. Department of Transportation

Recent PHMSA Rulemakings of note:

- **November 7, 2018 – HM-219A**
 - Final Rule – Response to petitions from industry to modify, clarify, or eliminate regulations – effective December 7, 2018
- **June 18, 2018 – HM-218H**
 - Correcting Amendments – response to appeals from June 2, 2016 final rule
- **March 30, 2017 – HM-215N**
 - Final Rule – Harmonization with International Standards
 - 172.505 – Subsidiary Placarding for RAM
 - 1,001 lbs or more gross weight of non-fissile, fissile excepted, or fissile uranium hexafluoride must be placarded with corrosive and poison placard

Recent Rulemakings of note (RAM):

- **July 11, 2014 – Final Rule – PHMSA HM-250 – Effective October 1, 2014**
 - The purposes of this rulemaking are to harmonize requirements of the HMR with international standards for the transportation of Class 7 (radioactive) materials and update, clarify, correct, or provide relief from certain regulatory requirements applicable to the transportation of Class 7 (radioactive) materials.
 - Amended HMR to update them to 2009 Edition of the IAEA Standards
 - Other changes to amend or clarify the requirements for transport of RAM
 - To ensure classification, packaging requirements, and hazard communication requirements for shipments of RAM provide the requisite level of public safety and are consistent with those employed throughout the world.

Recent PHMSA Interpretations of note (RAM):

- **July 13, 2018 – Reference # 18-0004**
 - Clarification on documenting the criticality safety index (CSI) on shipping papers IAW 172.203(d)(6)(ii) when in an overpack, freight container, consignment of conveyance – can it be combined for all packages?
 - Guidance – No - the CSI for each individual package of fissile material must be indicated on the shipping paper rather than the arithmetic sum of packages.

QUESTIONS????



Contact Information

Clay Greene

HM Program Manager

Southern Service Center

U. S. Department of Transportation

Federal Motor Carrier Safety Administration

404-327-7374

clay.greene@dot.gov