

Where can I learn more?

Visit RSPA's Hazmat Safety Homepage on the Internet to view the HMR, copies of the latest rulemakings, including **HM-206**, exemptions, clarifications of the regulations, hazmat publications and training schedules.

<http://hazmat.dot.gov>

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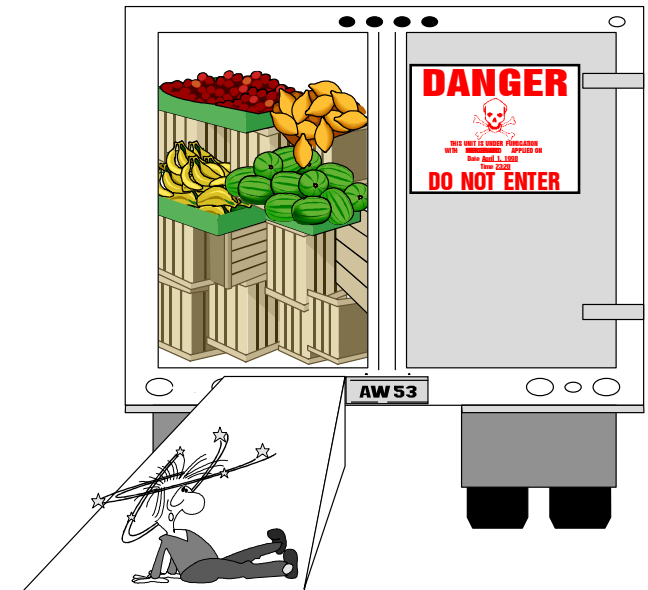
 **Hazardous Materials**
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What are the
new marking
requirements for a
transport vehicle
or freight container
in which the lading
has been
FUMIGATED?



New FUMIGANT Marking Requirements

In a final rule--HM-206--published on January 8, 1997, RSPA amended the Hazardous Materials Regulations (HMR) to better identify hazardous materials in transportation.

In 49 CFR 172.302 and 173.9, a new **FUMIGANT** marking requirement has been adopted which:

- requires display of the marking (sign) on a transport vehicle (truck body or trailer), freight container or railcar, in which the lading has been fumigated or is undergoing fumigation,
- now applies to **all** modes of transportation and not just to rail transport as previously required, and
- is consistent with international standards.

A transport vehicle, freight container, or railcar, in which the lading has been fumigated or is undergoing fumigation with any material, is considered a "**package** containing a hazardous

material" unless it has been sufficiently aerated so that it does not pose an unreasonable risk to health and safety.

You **may not** affix or display the new **FUMIGANT** marking on a transport vehicle, freight container or railcar unless it contains lading which has been fumigated or is undergoing fumigation.

The new **FUMIGANT** marking must:

- have red letters on a white background at least 30 cm (11.8 inches) wide and at least 25 cm (9.8 inches) high; The "*" is replaced with the technical name of the fumigant.
- be prominently displayed so that it can be seen by any person attempting to enter the interior of the vehicle or container; and
- remain on the transport vehicle, container or railcar until the fumigated lading is unloaded, **and** the vehicle or container has undergone sufficient aeration so that it does not pose an unreasonable risk to health and safety.

For **domestic** transportation, a hazard warning label authorized by EPA under 40 CFR Part 156 may be used as an alternative to the **FUMIGANT** marking.

For **international** shipments, transport documents must indicate the date of fumigation, type and amount of fumigant used, and instructions for disposal of any residual fumigant, including fumigation devices.

Any person subject to the regulations solely due to the fumigated lading, must be informed of the requirements and the safety precautions necessary to protect themselves and others in the event of an incident or accident involving the fumigated lading.

If you offer for transportation or transport a freight container, railcar, or transport vehicle that is subject to the HMR solely because it contains lading which has been fumigated or is undergoing fumigation (i.e., no other hazardous materials are being transported), you **are not** subject to any other requirements of the HMR.

The new **FUMIGANT** marking requirement takes effect **October 1, 1998**.



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THIS UNIT IS UN
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