

# Hazardous Materials/Harmonization with International Standards: U.S. Pipeline and Hazardous Materials Safety Administration Proposed Rule



**Walter Wright, Jr.**  
wwright@mwlaw.com  
(501) 688.8839

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The United States Department of Transportation Pipeline and Hazardous Materials Safety Administration (“PHMSA”) published a Notice of Proposed Rule Making (“NPRM”) in the August 10th Federal Register that would amend the Hazardous Waste Materials Regulations (“HMR”). See 86 Fed. Reg. 43844.

PHMSA’s states that the proposal is intended to amend the HMR to:

... maintain alignment with international regulations and standards by adopting various amendments, including changes to proper shipping names, hazard classes, packing groups, special provisions, packaging authorizations, air transport quantity limitations, and vessel stowage requirements.

The NPRM would also amend the HMR to allow for what it believes is better alignment with Transport Canada’s Transportation of Dangerous Goods Regulations.

The HMR are found in 49 C.F.R. Parts 171-180.

PHMSA expresses the belief that adoption of the NPRM would:

- Maintain the high safety standards currently achieved under the HMR
- Facilitate the safe transportation of vaccines and other medical materials associated with the response to COVID-19
- Align HMR requirements with anticipated increases in the volume of lithium batteries transported in interstate commerce (from electrification of the transportation and other economic sectors)
- Reduce delays in interruptions of hazardous materials during transportation
- Lower greenhouse gas emissions and safety risks to minority, low income, underserved, and other disadvantaged population and communities in the vicinity of interim storage sites and transportation arteries/hubs

Key elements of the NPRM include:

- Identification of specific areas within the HMR in which harmonization with updated international requirements would enhance safety and provide a cost savings to hazardous materials transporters
- Update references to consensus standards for the manufacture, use, and requalification of pressure vessels used to transport gases, such as those used in COVID-19 and other medical treatments
- Require hazardous materials transporters to specify whether shipments contain damaged or defective lithium batteries

- Allow the use of small receptacles for small gas or fuel cell cartridges for recycling or disposal
- Update packaging construction provisions that would reduce delays and interruptions of hazardous materials during transportation

A copy of the Federal Register Notice can be downloaded [here](#).