DEPARTMENT OF TRANSPORTATION

MATERIALS TRANSPORTATION BUREAU

WASHINGTON, D.C. 20590

DOCKET NO. HM-163B; NOTICE 79-7

[49 CFR Part 178]

Shipping Container Specifications; Withdrawal of Certain Bureau of Explosives Delegations of Authority

AGENCY: Materials Transportation Bureau, Research and Special Programs Administration, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Materials Transportation Bureau (MTB) proposes to issue an amendment to the Department's Hazardous Materials Regulations withdrawing or cancelling the remaining delegations of authority to the Bureau of Explosives (B of E) in Part 178 of 49 CFR. However, the B of E would continue to play a very important role in the testing of explosives and other hazardous materials for MTB. This action is being taken as the second step in conforming existing programs with the purposes of the Hazardous Materials Transportation Act.

DATE: Comments must be received on or before June 30, 1979.

ADDRESS: Comments must be addressed to Dockets Branch, Materials Transportation Bureau, U.S. Department of Transportation, Washington, D.C. 20590. Five copies of comments are requested.

FOR FURTHER INFORMATION CONTACT: Darrell L. Raines, Office of Hazardous Materials Regulation, 2100 Second Street S.W., Washington, D.C. 20590, 202-755-4962.

SUPPLEMENTARY INFORMATION: On August 17, 1978, the Materials Transportation Bureau published Docket No. HM-163; Amdt. Nos. 171-41, 173-119, 178-49 (43 FR 36445). These referenced amendments constituted the first action in an overall phased program to withdraw all of the delegations of authority to the B of E in 49 CFR Parts 100-199. The MTB will continue to use the service and expertise of the B of E laboratory for the testing of explosives and other hazardous materials. Results of tests performed by the B of E will be forwarded to the MTB for review and final disposition. The preamble to the above referenced amendments clearly stated the reasons for the action taken as well as those to be considered in future rulemaking. In view of the above referenced preamble, repeating it again in this notice is not deemed necessary.

The Bureau realizes that it is necessary to provide for continuity and continued effectiveness of existing B of E approvals and authorizations for a specified transition period. Accordingly, a new section 171.19 was added earlier under Docket No. HM-163A (Amdt. No. 171-45) to provide for continued effectiveness of subject approvals and authorizations until their expiration dates or until December 31, 1984, whichever is earlier.

These proposed changes should have little or no economic impact on the private sector, consumers, State or local governments since these proposals would merely require approval from MTB instead of the B of E. Also, in some instances the requirement for MTB to receive certain reports and to witness certain tests would be deleted.

For simplicity, all paragraphs affected by these proposed amendments, which now read the same, have been grouped together with the present wording and the proposed amendment. Comments regarding this format will be appreciated and useful for future rulemaking actions under Docket HM-163.

Primary drafters of this document are Darrell L. Raines, Exemptions and Regulations Termination Branch, Office of Hazardous Materials Regulation, and George W. Tenley, Office of the Chief Counsel, Research and Special Programs Administration.

In consideration of the foregoing, 49 CFR Part 178 would be amended as follows:

Regulation affected	Present wording	Proposed amendment
§ 178.1-9(a), § 178.4-8(a), § 178.5-9(a), § 178.6-10(a), § 178.14-8(a)	(a) *Apparatus.* Standard required. Detail prints can be obtained from Bureau of Explosives.	(a) *Apparatus.* Standard required. Detail prints may be obtained from the Associate Director for HMR.
§ 178.1-9(d), § 178.4-8(d), § 178.5-9(d), § 178.6-10(d), § 178.14-8(d)	(d) *When required.* By each manufacturer, and each shipper who fills and ships new or used carboys; during each 6 months of each year, one series each year to be witnessed by representative of Bureau of Explosives; separate tests required for: (1) * * *	(d) *When required.* By each manufacturer, at intervals not to exceed 6 months; separate tests required for: (1) * * *
§ 178.1-10	Approval of veneer, plywood and laminated wood boxes.	Boxes of veneer, plywood and laminated wood:
§ 178.1-10(a)	(a) Boxes of veneer, plywood, laminated wood, or any combination thereof, which comply with §§ 178.1-1 to 178.1-10 (except § 178.1-7 (a), (c), and (d) are approved provided:	(a) Boxes of veneer, plywood, laminated wood, or any combination thereof, which comply with §§ 178.1-1 to 178.1-10 (except § 178.1-7 (a), (c), and (d) are authorized provided:
§ 178.1-10(a)(2)	(2) That complete inner packing and box specifications have been filed with and approved by the Bureau of Explosives.	(2) That these boxed carboys pass the regular test prescribed in § 178.1-9. Copy of the most recent test report must be retained until further tests are made or for five years from the test.
§ 178.1-10(a)(3)	That these boxed carboys pass the regular tests prescribed in § 178.1-9.	(3) [Delete].
§ 178.1-10(a)(4)	(4) That boxed carboys after a minimum service period of 6 months pass the test prescribed in § 178.1-9.	(4) [Delete].
§ 178.1-10(a)(5)	That a detailed report of tests prescribed under paragraph (a)(4) of this section has been filed with and accepted as satisfactory by the Bureau of Explosives.	(5) [Delete].
§ 178.4-8(g)	(g) *Internal pressure test.* Bottles shall be capable of withstanding a sustained internal pressure of 20 p.s.i. gauge for a 15-day period. Bottle manufacturer shall demonstrate to Bureau of Explosives that bottles of a proposed design will meet this test prior to start of production.	(g) *Internal pressure test.* Bottles shall be capable of withstanding a sustained internal pressure of 20 p.s.i. gauge for a 15-day period.

Regulation affected	Present wording	Proposed amendment
§ 178.6-7(a)	(a) The complete inner packing and drum specification must be filed with and approved by the Bureau of Explosives.	(a) [Delete]
§ 178.13-3(a), First sentence	(a) Carboys shall be made of polyethylene with no plasticisers or additives and have a maximum melt index value of 2.5 grams per 10 minutes as determined in accordance with method acceptable to the Bureau of Explosives.	(a) Carboys shall be made of polyethylene with no plasticisers or additives and have a maximum melt index value of 2.5 grams.
§ 178.13-4(a)(1)	(1) Specification for each size outside container must be filed by each plant prior to start of production and be approved by the Bureau of Explosives.	(1) Specifications for each size outside container must be kept on file by each manufacturer.
§ 178.21-3(a), Note 1; § 178.24-2(a), Note 1	Note 1: Properties to be obtained by a test method approved by Bureau of Explosives. Other materials may be added which shall not affect the properties specified in paragraph (a) of this section.	Note 1: Other materials may be added which shall not affect the properties specified in paragraph (a) of this section.
§ 178.59-16(a), Last sentence; § 178.60-20(a), Last sentence	In all cases, the filling material as installed in the cylinder must be approved by the Bureau of Explosives.	(a) In all cases, the filling material as installed in the cylinder must be examined by the Bureau of Explosives and approved by the Associate Director for OE.
§ 178.59-16(b), First sentence; § 178.60-20(b), First sentence	Porosity of filling to be 80 percent or less except that filling with a porosity in excess of 80 percent but not in excess of 92 percent, may be used when tested with satisfactory results under the supervision of the Bureau of Explosives.	(b) Porosity of filling to be 80 percent or less except that filling with a porosity in excess of 80 percent but not in excess of 92 percent, may be used when tested with satisfactory results under the supervision of the Bureau of Explosives and approved by the Associate Director for OE.
§ 178.59-21	(a) For seamless cylinders, contracted for by the United States Navy or United States Coast Guard, made of steel commercially known as 4130X the prescribed limitations of carbon content, yield point, and elongation of steel are hereby waived provided the cylinders otherwise comply with §§ 178.59-1 to 178.59-20 and the following conditions:	(a) [Delete].
	(b) The following chemical analysis is authorized. (See Note 1.)	(b) [Delete].
	Designation: 4130X (percent) Carbon ..... 0.25/0.35. Manganese ..... 0.40/0.90. Phosphorus ..... 0.04 max. Sulphur ..... 0.05 max. Silicon ..... 0.20/0.35. Chromium ..... 0.80/1.10. Molybdenum ..... 0.15/0.25. Zirconium .... Nickel	
	Note 1: A heat of steel made under the above specification, check chemical analysis of which is slightly out of the specified range, is acceptable, if satisfactory in all other respects, provided the tolerances published by the American Iron and Steel Institute in Table 6-4 of "Supplementary Information July 1958, Alloy Steel: Semi-finished, Hot Rolled and Cold Finished Bars, July 1955," are not exceeded; or provided the variation in chemical analysis is approved by the Bureau of Explosives.	
	(c) Minimum wall thickness must be such that the wall stress under interior pressure of 1,000 pounds per square inch will not exceed 18,000 pounds per square inch when calculated by the formula: $S = [P(1.3D^2 + 0.4d^2)]/(D^2 - d^2)$ Where: S = wall stress in pounds per square inch; P = 1,000 pounds per square inch; D = outside diameter in inches; d = inside diameter in inches.	(c) [Delete].
	(d) The elongation of the steel must be at least 20 percent in 2 inches.	(d) [Delete].
	(e) The test pressure under § 178.59-12 must be at least 1,000 pounds per square inch.	(e) [Delete].
	(f) Flattening test: Between knife edges, wedge shaped, 60° angle, rounded to ½ inch radius; test 1 cylinder taken at random out of each lot of 200 or less, after hydrostatic test. The cylinders must pass test without cracking to 6 times wall thickness.	(f) [Delete].
	(g) Reports of manufacture and tests of the cylinder shells must include the following additional information: Chemical analysis data on manganese, chromium, molybdenum, and other alloy materials present, if any; definite statement as to the heat-treatment used.	(g) [Delete].
§ 178.80-7(a), Footnote 1; § 178.81-7(a), Footnote 1; § 178.82-7(a), Footnote 1; § 178.83-7(a), Footnote 1; § 178.84-7(a), Footnote 1; § 178.87-7(a), Footnote 1; § 178.88-6(a), Footnote 1; § 178.90-6(a), Footnote 1; § 178.91-7(a), Footnote 1.	Rolling hoops of pliable solid rubber or other suitable material are also authorized when approved as to type and construction by the Bureau of Explosives.	Footnote 1. Rolling hoops may be of pliable solid rubber, metal, or other suitable material provided that equivalent protection to drum integrity is afforded.
§ 178.80-9(d), Last sentence; § 178.82-9(d), Last sentence; § 178.115-8(d), Last sentence.	Equally efficient types of closures are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives.	(d) Other types of closures are authorized if they perform without failure under the tests required by this section and a record of such tests is retained during the period the closure is in use.

Regulation affected	Present wording	Proposed amendment
§ 178.80-14(a), § 178.82-14(a), § 178.97-12(a), § 178.98-12(a), § 178.99-12(a), § 178.110-11(a), § 178.115-13(a).	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired and retested. Removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every 4 months. Samples last tested to be retained until further tests are made or for 1 year, whichever period is shorter.	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE. Leakers shall be rejected or repaired and retested without failure. Removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every 4 months. Samples last tested must be retained until further tests are made or for 1 year.
§ 178.81-9(e), § 178.83-9(e), § 178.88-8(e), § 178.90-8(e)	(e) Other threaded closures may be authorized by the Bureau of Explosives upon demonstration of equal efficiency.	(e) Other types of closures are authorized if they perform without failure under the tests required by this section and a record of such tests is retained during the period the closure is in use.
§ 178.81-14(a), § 178.83-14(a), § 178.87-14(a), § 178.88-13(a), § 178.90-13(a), § 178.91-14(a), § 178.107-12(a), § 178.108-12(a), § 178.117-14(a).	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired and retested.	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE. Leakers shall be rejected or repaired and retested without failure.
§ 178.82-9(c)	(c) For closure with threaded plug or AEP, the seat (flange, etc.) for plug, or cap, must have 3 or more complete threads; two drainage holes of not over 5/16 inch diameter are allowed. Plug, or cap, must have sufficient length of thread to engage 3 threads when screwed home with gasket in place. Closures of screw-thread type or closed by other positive means, of any material or design, may be authorized by the Bureau of Explosives for use, upon satisfactory proof of efficiency.	(c) For closure with threaded plug or cap, the seat (flange, etc.) for plug or cap, must have 3 or more complete threads; two drainage holes of not over 5/16 inch diameter are allowed. Plug, or cap, must have sufficient length of thread to engage 3 threads when tightened with gasket in place. Other types of closures are authorized if they perform without failure under the tests required by this section and a record of such tests is retained during the period the closure is in use.
§ 178.84-14(a)	(a) Each container, with lining material applied, shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired and retested. Removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, every 4 months. Samples last tested to be retained until further tests are made or for 1 year, whichever period is shorter.	(a) Each container, with lining material applied, shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch. Equally efficient means of testing may be authorized upon approval by the Associated Director for OE. Leakers shall be rejected or repaired and retested without failure. Removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every 4 months. Samples last tested must be retained until further tests are made or for 1 year.
§ 178.85-13(a)	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 100 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired and retested.	(a) Each drum shall be tested with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 100 pounds per square inch. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE. Leakers shall be rejected or repaired and retested without failure.
§ 178.87-13(a)(3)	(3) Periodic drop tests will not be required after initial drop tests at start of manufacture, on containers of a construction in excess of minimum specification requirements approved by the Bureau of Explosives. Changes in construction (drum, lining, or closures) must also be approved by the Bureau of Explosives for use, after submission of proof as to efficiency, to continue this exemption.	(3) Periodic drop tests will not be required after initial drop tests at start of manufacture, on containers of a construction in excess of minimum specification requirements approved by the Associate Director for OE. Any change in construction of drum, lining, or closure must be approved by the Associate Director for OE.
§ 178.89-5(c)	(c) Flanged spout for filling and emptying container welded in place or attached in a manner approved by Bureau of Explosives.	(c) Flanged spout for filling and emptying container welded in place or attached in a manner approved by the Associate Director for OE.
§ 178.89-12(a)	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 5 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired and retested.	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 5 pounds per square inch. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE.
§ 178.92-9(a)	(a) Each container must be provided with safety devices approved as to type and location by the Bureau of Explosives and found to prevent the bursting of the normally charged container when it is placed in a fire. See § 173.124(a)(4) of this chapter.	(a) Each drum must have safety devices approved as to type and location by the Associate Director for OE. See § 173.124(a)(4) of this chapter.

Regulation affected	Present wording	Proposed amendment
*§ 178.101-12(a)	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 7 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired or retested. Removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated ever 4 months. Samples last tested to be retained until further tests are made or for 1 year, whichever period is shorter.	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 7 pounds per square inch. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE. Leakers shall be rejected or repaired and retested without failure. Removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every 4 months. Samples last test must be retained until further tests are made for 1 year.
§ 178.109-7(a)	(a) Of screw-thread type or secured by screw-thread device; openings over 2.3" not authorized; suitable gaskets required. Vented closing devices of type approved by the Bureau of Explosives are authorized when specified by the purchaser	(a) Of screw-thread type or secured by screw-thread device; openings over 2.3" not authorized; suitable gaskets required. Vented closing devices must be approved by the Associate Director for OE.
§ 178109-12(a)	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 10 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or reparied and retested.	(a) Each drum shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 10 pounds per square inch. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE. Leakers shall be rejected or repaired and retested.
§ 178.115-8(c)	(c) For closure with threaded plug or cap, the seat (flange, etc.) for plug, or cap, must have 3 or more complete threads; two drainage holes of not over 5/16 inch diameter are allowed. Plug, or cap, must have sufficient length of thread to engage 3 threads when screwed home with gasket in place. Threaded closures having fewer threads are authorized for containers having a capacity of 12 gallons or less when such closures are approved by the Bureau of Explosives upon proof of satisfactory tests.	(c) For closure with threaded plug or cap, the seat (flange, etc.) for plug or cap, must have 3 or more complete threads; two drainage holes of not over 5/16 inch diameter are allowed. Plug, or cap, must have sufficient length of thread to engage 3 threads when tightened with gasket in place. Other types of closures are authorized if they perform without failure under the tests required by this section and a record of such tests is retained during the period the closure is in use.
§ 178.115-8(c)(1), § 178.116-8(d), § 178.118-(c)(1)	(1) Closures of screw-thread type or closed by other positive means, of any material or design, may be authorized by the Bureau of Explosives for use, upon satisfactory proof of efficiency.	§ 178.115-8(c)(1)—[Delete]. § 178.116-8(d) and § 178.118-8(c)(1) would read: Other types of closures are authorized if they perform without failure under the tests required by this section and a record of such tests is retained during the period the closure is in use.
§ 178.116-13(a)	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 7 pounds per square inch for containers over 12 gallons capacity and at least 5 pounds for others. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired and retested.	(a) Each drum shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 7 pounds per square inch for containers over 12 gallons capacity and at least 5 pounds for others. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE. Leakers shall be rejected or repaired and retested without failure.
§ 178.118-8(b), Last sentence	Equally efficient types of closures are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives.	(b) Other types of closures are authorized if they perform without failure under the tests required by this section and a record of such tests is retained during the period the closure is in use.
§ 178.118-13(a)	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 7 pounds per square inch for containers over 12 gallons capacity and at least 5 pounds for others. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired and retested. Containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every four months. Samples so tested must be retained until further tests are made.	(a) Each drum shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 7 pounds per square inch for containers over 12 gallons capacity and at least 5 pounds for others. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE. Leakers shall be rejected or repaired and retested without failure. Drums not required to be tested with heads in place except samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every four months. Samples so tested must be retained until further tests are made or for a period of one year.
§ 178.119-13(a)	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 7 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory. Leakers shall be rejected or repaired and retested.	(a) Each container shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 7 pounds per square inch. Equally efficient means of testing may be authorized upon approval by the Associate Director for OE. Leakers shall be rejected or repaired and retested without failure.
§ 178.131-6(a), Footnote 2	Footnote 2. Equally efficient closing devices may be authorized by the Bureau of Explosives upon demonstration of their ability to withstand tests prescribed in § 178.131-11.	Footnote 2. Other types of closures are authorized if they perform without failure under the tests required by this section and a record of such tests is retained during the period the closure is in use.

Regulation affected	Present wording	Proposed amendment
§ 178.132-7(a)	(a) Closures shall be of any type that will withstand prescribed drop tests without leakage, see § 178.132-11. Openings shall not exceed 9 inches in diameter in containers of 16-gallon capacity and larger nor 6½ inches in diameter in containers less than 16-gallon capacity. Larger openings may be authorized upon demonstration and proof of satisfactory closure test to the Bureau of Explosives Gaskets required when necessary.	(a) Closures shall be of any type that will withstand prescribed drop tests without leakage, see § 178.132-11. Openings shall not exceed 9 inches in diameter in containers of 16-gallon capacity and larger nor 6½ inches in diameter in containers less than 16-gallon capacity. Larger openings may be used when approved by the Associate Director for OE.
§ 178.133-6(b)(1)	(1) Resin should have a maximum melt index value of 1.8 plus 0.4 per 10 minutes, and shall have a minimum average molecular weight of 21,000, as determined in accordance with methods acceptable to the Bureau of Explosives.	(1) Resin should have a maximum melt index value of 1.8 plus 0.4 per 10 minutes, and shall have a minimum average molecular weight of 21,000.
§ 178.136-7(a)	(a) Of screw-thread type or secured by screw-thread device; openings over 2.3 inches not authorized; suitable gaskets required; head openings only permitted. Vented closing devices of type approved by the Bureau of Explosives are authorized when specified by the purchaser.	(a) Of screw-thread type or secured by screw-thread device; openings over 2.3 inches not authorized; suitable gaskets required; head openings only permitted. Vented closing devices must be approved by the Associate Director for OE.
§ 178.182-2(b)	(b) Specifications for the outside container must be filed with an approval by the Bureau of Explosives.	(b) [Deleted]. Add paragraph (b) to § 178.182-3(b) to read: (b) Records of tests performed under this specification must be retained by the manufacturer for a period of one year following discontinuance of production.
§ 178.205-37(d)	(d) Tests to be conducted by or for each plant assembling and filling boxes at the initial start of production and must be repeated at intervals of four months thereafter; initial tests must be witnessed by a representative of the Bureau of Explosives. Samples last tested must be dated with date of test and must be retained until subsequent tests are conducted. Empty boxes with liners may be shipped to a central point for assembling, filling and testing in which case the Bureau of Explosives must be advised of test location	(d) Tests to be conducted by or for each plant assembling and filling boxes at the initial start of production and at intervals of four months thereafter. Samples last tested must be dated with date of test and must be retained until further tests are made.
§ 178.211-3(a)(1)(v)	(v) Other perforated or die cut areas of a size and location as authorized in writing by the Bureau of Explosives or Board of Transport Commissioners for Canada.	(v) Other perforated or die cut areas of a size and location may be used when approved by the Associate Director for OE.
§ 178.214-8(a), Last sentence	Boxes having handholes are authorized when approved by the Bureau of Explosives.	(a) Boxes having handholes may be used when approved by the Associate Director for OE.
(a) Specification for each type of container manufactured (under the specification) must be filed with and approved by the Bureau of Explosives. Changes in construction (container and closure)differing from specification thus filed must be approved before authorized for use.		(a) [Delete].
§ 178.224-3(a)	(a) Specification for each type of drum manufactured (under this specification) shall be filed with the Bureau of Explosives. Changes in construction (drum and closure) differing from specification thus filed must be approved by the Bureau of Explosives before authorized for use.	(a) [Delete].
§ 178.236-2(e)	(e) Conformance of sacks with paper strength requirements shall be established by comparing the sums of the test values for all the walls of the new and unused sack with the sums of the respective strength values specified in paragraphs (a) and (b) of this section for the different walls of the sack by a method acceptable to the Bureau of Explosives.	(e) Conformance of sacks with paper strength requirements shall be established by comparing the sums of the test values for all the walls of the new and unused sack with sums of the respective strength values specified in paragraphs (a) and (b) of this section for the different walls of the sack in accordance with Uniform Freight Classification (UFC), Rule 40, or National Motor Freight Classification (NMFC) Item 200.
§ 178.237-2(e), § 178.238-2(e), § 178.239-2(e)	(e) Conformance of sacks with paper strength requirements shall be established by comparing the sums of the test values for all the walls of the new and unused sack with the sums of the respective strength values specified in paragraphs (a) and (b) of this section for the respective papers specified for the different walls of the sack by a method acceptable to the Bureau of explosives.	(e) Conformance of sacks with paper strength requirements shall be established by comparing the sums of the test values for all the walls of the new and unused sack with the sums of the respective strength values specified in paragraphs (a) and (b) of this section for the respective papers specified for the different walls of the sack in accordance with Uniform Freight Classification (UFC), Rule 40, or National Motor Freight Classification (NMFC) Item 200.
§ 178.255-8(a)	(a) Safety devices are to be as required, subject to approval of the Bureau of Explosives, by shipping regulations.	(a) Safety devices must be approved by the Associate Director for OE.

(49 U.S.C. 1804; 49 CFR 1.53, App. A. to Part 1, and paragraph (a)(4) of App. A, Part 106.)

The Materials Transportation Bureau has determined that this notice will not result in a major economic impact under the terms of Executive Order 12044 and DOT implementing procedures (43 FR 9582). A regulatory evaluation is available in the public docket.

Issued in Washington, D.C., on April 27, 1979.

Alan I. Roberts,

Associate Director for Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 79-13964 Filed 5-4-79; 8:45 am]