

Specification 51 portable tanks to conform with the T Codes (Special Provisions) in effect on September 30, 2001.

We are revising paragraph (d)(5) to allow proper shipping names that included the word "inhibited" prior to the June 21, 2001 final rule, to continue to be shown on packagings and shipping papers in place of the word "stabilized" until October 1, 2007. Additionally, the October 1, 2007 date applies to the proper shipping names in this final rule that are revised by removing the word "compressed" (see § 172.101, HMT).

Paragraph (d)(6) authorizes use of the shipping paper requirement to include the total quantity of packages on shipping papers until October 1, 2007.

Paragraph (d)(7) authorizes use of the non-mandatory provision to include the subsidiary hazard class or division number on shipping papers until October 1, 2005.

Paragraph (d)(8) authorizes the marking of certain other proper shipping names on packagings until October 1, 2005. The proper shipping names are those that are revised to include the position identifiers of the substituents, such as 2-Ethylbutyl acetate (see § 172.101, HMT preamble discussion).

Part 172

Section 172.101. In the regulatory text preceding the Hazardous Materials Table, the following changes are made:

Paragraph (c)(15) is revised by removing the words "of inorganic substances." Prior to this revision, unless a hydrate was specifically listed in the HMT, only hydrates of inorganic substances were authorized to be identified using the proper shipping name for the equivalent anhydrous substance, provided the hydrates met the same hazard class, division, subsidiary risk(s) and packaging group. With the removal of the phrase "of inorganic substances," paragraph (c)(15) applies to all hydrates.

Section 172.101 Hazardous Materials Table (HMT). We are making various amendments to the HMT. Readers should review all changes for a complete understanding of the Table amendments. For purposes of the Government Printing Office's typesetting procedures, changes to the HMT will appear under three sections of the Table, "remove," "add" and "revise." Certain entries in the HMT, such as those with revisions to the proper shipping names, will appear as a "remove" and "add." Amendments to the HMT for the purpose of harmonizing with international standards, unless

otherwise stated, include, but are not limited to the following:

- "*Accumulators, pressurized, pneumatic or hydraulic (containing non-flammable gas)*, see Articles, pressurized, pneumatic or hydraulic (*containing non-flammable gas*)" is added as a "see" entry into the HMT to aid the reader in locating the updated entry. This action is based on feedback we received from users of the HMR after we removed the domestic entry ("*Accumulators, pressurized, pneumatic,*" UN1956), as well as certain other domestic entries from the HMT in a final rule, HM-215D (66 FR 33316), published June 21, 2001. The entries were removed because we determined that they were no longer necessary considering the HMT already includes equally appropriate international entries. (Also see § 173.306(f) for a related editorial revision.)

- "*Air bag inflators, compressed gas or Air bag modules, compressed gas or Seat-belt pretensioners, compressed gas,*" Division 2.2, UN3353 is removed. All air bag inflators, air bag modules and seat-belt pretensioners currently classified as Division 2.2 may be reclassified as Class 9. We are also incorporating into the HMR a provision to allow this reclassification without further testing (see § 173.166). In line with the removal of this entry, Special Provision 133 is also removed. We are aware that removal of the UN3353 entry will require repackaging, remarking and relabeling of all compressed gas air bag assemblies. We received a comment from the North American Automotive Hazmat Action Committee (NAAHAC) expressing this concern; however, the NAAHAC stated that the proposed mandatory compliance date of October 1, 2004, would be sufficient time to implement the new requirements. We also believe that the mandatory compliance date of October 1, 2004, and the transitional provisions in § 171.14(d)(2), authorizing certain intermixing of old and new requirements, will offer sufficient time and flexibility to implement the new requirements and reduce the costs of meeting this requirement.

- "*Air bag inflators, pyrotechnic or Air bag modules, pyrotechnic or Seat-belt pretensioner, pyrotechnic*" UN0503, Division 1.4G, is amended by removing the word "pyrotechnic" from the proper shipping names in Column (2), revising Columns (8A) and (8C) to read "None," revising Column (8B) to read "§ 173.62" (also see § 173.62), adding new Special Provision 161 (see § 172.102), and revising the vessel stowage columns (10A) and (10B). We are adding Special Provision 161 because we believe that a

more appropriate name is "*Articles, pyrotechnic for technical purposes,*" UN0431. We believe that an article meeting the criteria for Division 1.4G should be considered a pyrotechnic article and not an air bag. We received a comment from NAAHAC supporting this revision and stating that if an inflator does not pass the UN Recommendations' Series 6 test criteria, it is considered a pyrotechnic article and not an airbag. (Also see Special Provision 161.)

- "*Air bag inflators, pyrotechnic or Air bag modules, pyrotechnic or Seat-belt pretensioner, pyrotechnic,*" UN3268, Class 9, is amended by removing the descriptive word "pyrotechnic" and adding new Special Provision 160 (see § 172.102). NAAHAC requested that we retain the word "pyrotechnic" as a descriptive word in the shipping name to provide time for depletion of existing inventories. Although we are removing the word "pyrotechnic" in this rulemaking, we believe that extending the mandatory compliance date from October 1, 2004, as proposed in the NPRM, to October 1, 2005, as adopted in this final rule (see § 173.166(d)(5)), will provide the necessary time requested by the commenters.

- "*Ammonium nitrate, with not more than 0.2% combustible substances, including any organic substance calculated as carbon to the exclusion of any other added substance,*" UN1942 is amended by editorially correcting the italicized portion of the proper shipping name by adding the word "total" after "0.2%."

- "*Ammonium nitrate fertilizers,*" UN2071, and "*Ammonium nitrate fertilizers,*" UN2067 are amended by removing the italicized portion of the proper shipping names, adding new Special Provision 150 to the UN2067 entry, and revising Special Provision 132 which applies to the UN2071 entry (see § 172.102 for Special Provision amendments).

- "*Ammonium nitrate fertilizers,*" NA2072 and "*Ammonium nitrate mixed fertilizers,*" NA2069 are removed. We believe that the international entry "*Ammonium nitrate fertilizers,*" UN2067 can be used in place of the domestic entries, which do not provide any additional exceptions.

- A new entry, "*Ammonium nitrate emulsion or Ammonium nitrate suspension or Ammonium nitrate gel, intermediate for blasting explosives,*" UN3375 (also see § 172.102, Special Provisions 52 and 147) is added.

- For the entry "*Calcium hypochlorite, hydrated or Calcium hypochlorite, hydrated mixtures, with*