

class in § 172.504(f)(9). Revised Special Provision 30 provides the same placarding exceptions for the international entries provided the bulk packagings are marked in accordance with § 172.325.

- Special Provision 52 is editorially revised by removing the wording specific to fertilizers. The special provision, which is currently applied to “Ammonium nitrate fertilizers,” UN2067, is added to the new entry “Ammonium nitrate emulsion or Ammonium nitrate suspension or Ammonium nitrate gel, *intermediate for blasting explosives*,” UN3375. The special provision states that a material using the assigned entries may not exhibit explosive properties of Class 1 (explosive) when tested in accordance with the UN Manual of Tests and Criteria, Part I, Test Series 1 and 2.

- Special Provision 130, which excepts dry batteries from the HMR, is revised by adding a requirement that such batteries must be securely packed and protected against short circuits and by clarifying that dry batteries specifically named in the § 172.101 Table are not eligible for the exception.

- Special Provision 132 is revised to add the criteria for use of this special provision. The special provision is added to the revised entry “Ammonium nitrate,” UN2071, Class 9.

- Special Provision 133 is removed. This special provision was assigned to the entry “Air bag inflators, compressed gas or Air bag modules, compressed gas or Seat-belt pretensioners, compressed gas” UN3353, Division 2.2, which is removed from the HMT by this final rule (see discussion under § 172.101, HMT.)

- Existing Special Provision 134 is revised to include vehicles powered by lithium batteries. This revision is based on comments from Argonne National Laboratories and the Conference on Safe Transportation of Hazardous Articles.

- New Special Provision 145 is added to the existing entry “Hydrogen peroxide and peroxyacetic acids mixtures, stabilized, *with acids, water and not more than 5 percent peroxyacetic acid*,” UN3149. The special provision describes the formulations for which this entry apply.

- New Special Provision 146 is added to the entries “Environmentally hazardous substances, liquid, n.o.s.,” UN3082 and “Environmentally hazardous substances, solid, n.o.s.,” UN3077 to clarify that the entries may be used to describe a material that poses a hazard to the environment if it is designated as environmentally hazardous by the Competent Authority of the country of origin, transit or

destination, even if it is not an environmentally hazardous substance under the HMR.

- New Special Provision 147 is added to the new entry, “Ammonium nitrate emulsion or Suspension or Gel, *intermediate for blasting explosives*,” UN3375. The special provision describes the composition of the material for which the use of the entry is authorized and prohibits the material from being classified and transported unless approved by the Associate Administrator.

- New Special Provision 149 is added to the Packing Group II entries for 13 existing proper shipping names. The special provision allows the maximum net capacity for inner packagings to be increased to no more than 5 L (1.3 gal) when the material is transported as a limited quantity. The National Paint and Coatings Association (NPCA) supports the increase for inner packagings, stating that the potential for errors will be greatly reduced by allowing the same quantity limits for PG II and PG III materials. However, NPCA, along with the Association of Hazmat Shippers and PPG Industries, requests that we clarify that the special provision is applicable to consumer commodities as well as limited quantities. We revised the special provision accordingly. The 13 entries are: “Adhesives, *containing a flammable liquid*,” UN1133; “Coating solution (*includes surface treatments or coatings used for industrial or other purposes such as vehicle undercoating, drum or barrel lining*),” UN1139; “Extracts, aromatic, liquid,” UN1169; “Extracts, flavoring, liquid,” UN1197; “Printing ink, *flammable or Printing ink related material (including printing ink thinning or reducing compound)*, *flammable*,” UN1210; “Paint including paint, lacquer, enamel, stain, shellac solutions, varnish, polish, liquid filler, and liquid lacquer base,” UN1263; “Paint related material *including paint thinning, drying, removing, or reducing compound*,” UN1263; “Perfumery products *with flammable solvents*,” UN1266; “Rubber solution,” UN1287; “Wood preservatives, liquid,” UN1306; “Resin solution, *flammable*,” UN1866; “Tars, liquid *including road asphalt and oils, bitumen and cut backs*,” UN1999; and “Polyester resin kit,” UN3269 for Packing Group II resin kits as specified in Special Provision 40.

- New Special Provision 150 is added to the entry “Ammonium nitrate based fertilizer,” UN2067 to authorize the use of the entry for uniform mixtures containing ammonium nitrate as the main ingredient within certain composition limits.

- New Special Provision 151 is added to the new entry “Hydrazine aqueous solution, *with more than 37% hydrazine, by mass*” UN2030, Packing Group I and to the existing entry “Motor fuel anti-knock mixtures,” UN1649. This special provision requires a packaging containing a material meeting the definition of a flammable liquid to display a FLAMMABLE LIQUID label, and it requires a Class 3 subsidiary hazard to be shown on shipping papers.

With regard to the entry “Motor fuel anti-knock mixtures,” UN1649, as discussed in the NPRM, we received a petition for rulemaking (P-1420) requesting that we remove the flammable subsidiary risk for this entry. The petitioner stated that the international standards do not assign the entry a flammable subsidiary risk and that the inconsistency with the HMR causes a regulatory compliance burden when transporting the material internationally. The petitioner stated that removing the subsidiary risk is additionally justified because motor fuel anti-knock mixtures containing tetramethyl lead, with fire points greater than 54 °C (129.2 °F), are no longer manufactured or transported. Although the UN Recommendations, the ICAO Technical Instructions and the IMDG Code do not assign a flammable subsidiary risk to the entry, all three standards assign a special provision stating that mixtures with a flashpoint of less than 60.5 °C (141 °F) must bear a flammable liquid subsidiary risk label. We are removing the flammable subsidiary risk from the label requirements in Column (6) of the HMT for “Motor fuel anti-knock mixtures,” UN1649 and adding a new Special Provision 151 to require a FLAMMABLE LIQUID subsidiary label only when the mixtures have a flashpoint of less than 60.5 °C (140.9 °F). Also, see preamble text under the § 172.101 Table changes.

- New Special Provision 153 is added to the five “Aerosols,” UN1950 entries to provide the criteria for classifying aerosols.

- New Special Provision 155 is added to two entries, “Fish meal, stabilized or Fish scrap, stabilized,” UN2216 and “Fish meal, unstabilized or Fish scrap, unstabilized,” UN1374. The special provision specifies that the fish scrap or fish meal may not be transported if the temperature of fish scrap at the time of loading either exceeds 35 °C (95 °F), or exceeds 5 °C (41 °F) above the ambient temperature, whichever is higher. Also see § 173.218 for additional discussion.

- New Special Provision 156 is added to three entries, “Blue asbestos (*Crocidolite*) or Brown asbestos (*amosite, mysorite*),” UN2212, “White