

conform to the requirements of § 173.166(c) of this subchapter.

\* \* \* \* \*

(17) A self-reactive substance that is not identified by technical name in the Self-reactive Materials Table in § 173.224(b) of this subchapter must be approved by the Associate Administrator in accordance with the requirements of § 173.124(a)(2)(iii) of this subchapter. An organic peroxide that is not identified by a technical name in the Organic Peroxide Table in § 173.225(b) of this subchapter must be approved by the Associate Administrator in accordance with the requirements of § 173.128(d) of this subchapter.

■ 6. In § 171.12, paragraphs (b)(3), (b)(19) and (b)(20) are revised to read as follows:

**§ 171.12 Import and export shipments.**

\* \* \* \* \*

(b) \* \* \*

(3) A material that is designated as a hazardous material under this subchapter, but is not subject to the requirements of the IMDG Code (see § 171.12 of this subchapter) may not be transported under the provisions of this section and is subject to the requirements of this subchapter. Examples of such materials include flammable gas powered vehicles and combustible liquids.

\* \* \* \* \*

(19) For air bag inflators, air bag modules, or seat-belt pretensioners, the shipping paper description must conform to the requirements of § 173.166(c) of this subchapter.

(20) A self-reactive substance that is not identified by technical name in the Self-reactive Materials Table in § 173.224(b) of this subchapter must be approved by the Associate Administrator in accordance with the requirements of § 173.124(a)(2)(iii) of this subchapter. An organic peroxide that is not identified by a technical name in the Organic Peroxide Table in § 173.225(b) of this subchapter must be approved by the Associate Administrator in accordance with the requirements of § 173.128(d) of this subchapter.

\* \* \* \* \*

■ 7. In § 171.12a, paragraph (b)(18) is revised to read as follows:

**§ 171.12a Canadian shipments and packagings.**

\* \* \* \* \*

(b) \* \* \*

(18) A self-reactive substance that is not identified by a technical name in the Self-reactive Materials Table in § 173.224(b) of this subchapter must be

approved by the Associate Administrator in accordance with the requirements of § 173.124(a)(2)(iii) of this subchapter. An organic peroxide that is not identified by a technical name in the Organic Peroxide Table in § 173.225(b) of this subchapter must be approved by the Associate Administrator in accordance with the requirements of § 173.128(d) of this subchapter.

\* \* \* \* \*

■ 8. In § 171.14, paragraphs (d) introductory text, (d)(1), (d)(2) introductory text, (d)(4) and (d)(5) are revised, and paragraphs (d)(6), (d)(7) and (d)(8) are added to read as follows:

**§ 171.14 Transitional provisions for implementing certain requirements.**

\* \* \* \* \*

(d) A final rule published in the **Federal Register** on July 31, 2003, effective October 1, 2003, resulted in revisions to this subchapter. During the transition period, until October 1, 2004, as provided in paragraph (d)(1) of this section, a person may elect to comply with either the applicable requirements of this subchapter in effect on September 30, 2003, or the requirements published in the July 31, 2003 final rule.

(1) *Transition dates.* The effective date of the final rule published on July 31, 2003 is October 1, 2003. Delayed compliance is authorized until October 1, 2004. Unless otherwise specified, on and after October 1, 2004, all applicable regulatory requirements adopted in the final rule in effect on October 1, 2003 must be met.

(2) *Intermixing old and new requirements.* Marking, labeling, placarding, and shipping paper descriptions must conform to either the old requirements of this subchapter in effect on September 30, 2003, or the new requirements of this subchapter in this final rule without intermixing communication elements, except that intermixing is permitted during the applicable transition period for packaging, hazard communication, and handling provisions, as follows:

\* \* \* \* \*

(4) Until January 1, 2010, a hazardous material may be transported in an IM, IMO, or DOT Specification 51 portable tank in accordance with the T Codes (Special Provisions) assigned to a hazardous material in Column (7) of the § 172.101 Table in effect on September 30, 2001.

(5) Proper shipping names that included the word “inhibited” prior to the June 21, 2001 final rule in effect on October 1, 2001 are authorized on packagings and shipping papers in place

of the word “stabilized” until October 1, 2007. Proper shipping names that included the word “compressed” prior to the final rule published on July 31, 2003 and effective on October 1, 2003 may continue to be shown on packagings and shipping papers until October 1, 2007.

(6) The shipping paper requirement for total quantity indication in § 172.202(a)(6), that was in effect on September 30, 2003, is authorized until October 1, 2007.

(7) Except for transport by vessel, the non-mandatory shipping paper provision to include the subsidiary hazard class or division number in accordance with § 172.202(a)(2), in effect on September 30, 2003, is authorized until October 1, 2005.

(8) Until October 1, 2005, proper shipping names that did not identify specific isomers by numbers or letters preceding the chemical name prior to the final rule published on July 31, 2003 and effective on October 1, 2003, may continue to be marked on packagings and are authorized on shipping papers in place of the proper shipping names revised in the July 31, 2003 final rule.

\* \* \* \* \*

**PART 172—HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS, HAZARDOUS MATERIALS COMMUNICATIONS, EMERGENCY RESPONSE INFORMATION, AND TRAINING REQUIREMENTS**

■ 9. The authority citation for part 172 continues to read as follows:

**Authority:** 49 U.S.C. 5101–5127; 49 CFR 1.53.

■ 10. In § 172.101, the following amendments are made:

- a. paragraph (c)(15) is revised;
- b. in the Hazardous Materials Table, entries are removed, as set forth below;
- c. in the Hazardous Materials Table, entries are added, as set forth below; and
- d. in the Hazardous Materials Table, entries are revised, as set forth below:

**§ 172.101 Purpose and use of hazardous materials table.**

\* \* \* \* \*

(c) \* \* \*

(15) Unless a hydrate is specifically listed in the Table, a proper shipping name for the equivalent anhydrous substance may be used, if the hydrate meets the same hazard class or division, subsidiary risk(s) and packing group.

\* \* \* \* \*