

test conditions and exposed to an external source of flame.

■ 28. In § 173.121, paragraph (b)(2)(i) is revised to read as follows:

§ 173.121 Class 3—Assignment of packing group.

(b) * * *

(2) * * *

(i) *Viscosity test.* The flow time in seconds is determined at 23 °C (73.4 °F) using the ISO standard cup with a 4 mm (0.16 inch) jet as set forth in ISO 2431 (IBR, see § 171.7 of this subchapter). Where the flow time exceeds 100 seconds, a further test is carried out using the ISO standard cup with a 6 mm (0.24 inch) jet.

■ 29. In § 173.124, paragraph (a)(2)(iii)(C), (a)(2)(iv), (a)(3)(ii), and (a)(3)(iii) are revised to read as follows:

§ 173.124 Class 4, Divisions 4.1, 4.2 and 4.3—Definitions.

* * * * *

(a) * * *

(2) * * *

(iii) * * *

(C) Performance of the self-reactive material under the test procedures specified in the UN Manual of Tests and Criteria (IBR, see § 171.7 of this subchapter) and the provisions of paragraph (a)(2)(iii) of this section; and

(iv) *Tests.* The generic type for a self-reactive material must be determined using the testing protocol from Figure 14.2 (Flow Chart for Assigning Self-Reactive Substances to Division 4.1) from the UN Manual of Tests and Criteria.

* * * * *

(3) * * *

(ii) Show a burning rate faster than 2.2 mm (0.087 inches) per second when tested in accordance with the UN Manual of Tests and Criteria (IBR, see § 171.7 of this subchapter); or

(iii) Any metal powders that can be ignited and react over the whole length of a sample in 10 minutes or less, when tested in accordance with the UN Manual of Tests and Criteria.

* * * * *

■ 30. In § 173.125, paragraph (a) is revised to read as follows:

§ 173.125 Class 4—Assignment of packing group.

(a) The packing group of a Class 4 material is assigned in column (5) of the § 172.101 Table. When the § 172.101 Table provides more than one packing group for a hazardous material, the

packing group shall be determined on the basis of test results following test methods given in the UN Manual of Tests and Criteria (IBR, see § 171.7 of this subchapter) and by applying the appropriate criteria given in this section.

* * * * *

■ 31. In § 173.127, paragraph (a)(1) is revised to read as follows:

§ 173.127 Class 5, Division 5.1—Definition and assignment of packing groups.

(a) * * *

(1) A solid material is classed as a Division 5.1 material if, when tested in accordance with the UN Manual of Tests and Criteria (IBR, see § 171.7 of this subchapter), its mean burning time is less than or equal to the burning time of a 3:7 potassium bromate/cellulose mixture.

* * * * *

■ 32. In § 173.128, paragraphs (c)(3) and (e) are revised to read as follows:

§ 173.128 Class 5, Division 5.2—Definitions and types.

* * * * *

(c) * * *

(3) Performance of the organic peroxide under the test procedures specified in the UN Manual of Tests and Criteria (IBR, see § 171.7 of this subchapter), and the provisions of paragraph (d) of this section.

* * * * *

(e) *Tests.* The generic type for an organic peroxide shall be determined using the testing protocol from Figure 20.1(a) (Classification and Flow Chart Scheme for Organic Peroxides) from the UN Manual of Tests and Criteria (IBR, see § 171.7 of this subchapter).

■ 33. In § 173.137, the introductory paragraph is revised to read as follows:

§ 173.137 Class 8—Assignment of packing group.

The packing group of a Class 8 material is indicated in Column 5 of the § 172.101 Table. When the § 172.101 Table provides more than one packing group for a Class 8 material, the packing group must be determined using data obtained from tests conducted in accordance with the 1992 OECD Guideline for Testing of Chemicals, Number 404, “Acute Dermal Irritation/Corrosion” (IBR, see § 171.7 of this subchapter) as follows:

* * * * *

■ 34. In § 173.158, paragraph (b)(1)(v) is revised to read as follows:

§ 173.158 Nitric acid.

* * * * *

(b) * * *

(1) * * *

(v) All parts of drum exposed to lading must be capable of withstanding the corrosive effect of nitric acid to the extent that 65 percent boiling nitric acid does not penetrate the metal more than 0.0381 mm (0.002 inches) per month. (ASTM A 262 may be used for a suitable corrosion test procedure.)

* * * * *

■ 35. In § 173.197, paragraph (c) introductory text is revised to read as follows:

§ 173.197 Regulated medical waste.

* * * * *

(c) *Large Packagings.* Large Packagings constructed, tested, and marked in accordance with the requirements of the UN Recommendations (IBR, see § 171.7 of this subchapter) and conforming to other requirements of this paragraph (c) may be used for the transportation of regulated medical waste, provided the waste is contained in inner packagings conforming to the requirements of paragraph (e) of this section. Each Large Packaging design must be capable of meeting the vibration test specified in § 178.819 of this subchapter. Each Large Packaging is subject to the periodic design requalification requirements for IBCs in § 178.801(e) of this subchapter, and to the proof of compliance requirements of § 178.801(j) and record retention requirements of § 178.801(l) of this subchapter. Inner packagings used for liquids must be rigid.

* * * * *

■ 36. In § 173.225, paragraph (e)(4) is revised to read as follows:

§ 173.225 Packaging requirements and other provisions for organic peroxides.

* * * * *

(e) * * *

(4) For tertiary butyl hydroperoxide (TBHP), each tank car, cargo tank or portable tank must contain 7.6 cm (3.0 inches) low density polyethylene (PE) saddles having a melt index of at least 0.2 grams per 10 minutes, as set forth in ASTM D 1238, condition E (IBR, see § 171.7 of this subchapter), as part of the lading, with a ratio of PE to TBHP over a range of 0.008 to 0.012 by mass. Alternatively, plastic or metal containers equipped with fusible plugs having a melting point between 69 °C (156 °F) and 71 °C (160 °F) and filled with a sufficient quantity of water to dilute the TBHP to 65 percent or less by mass may be used. The PE saddles must be visually inspected after each trip and, at a minimum, once every 12 months, and replaced when discoloration,