

****For PSC Insiders Circle Members only****

Friday Safety Brief®

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Federal Register: March 11, 2011

Hazardous Materials: Cargo Tank Motor Vehicle Loading and Unloading Operations

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: In this NPRM, PHMSA is proposing to amend the Hazardous Materials Regulations to require each person (i.e., carrier or facility) who engages in cargo tank loading or unloading operations to perform a risk assessment of the loading and unloading operation and develop and implement safe operating procedures based upon the results of the risk assessment. The proposed operational procedures include requirements to address several aspects of loading and unloading, including provisions for facilities to develop maintenance testing programs for transfer equipment (i.e., hose maintenance programs) used to load or unload cargo tank motor vehicles (CTMVs). In addition, PHMSA is proposing to require each employee who engages in cargo tank loading or unloading operations to receive training and be evaluated on the employee's qualifications to perform loading or unloading functions. PHMSA is proposing these amendments to reduce the risk associated with the loading and unloading of cargo tank motor vehicles that contain hazardous materials.


DATES: Submit comments by **May 10, 2011**. To the extent possible, PHMSA will consider late-filed comments as a final rule is developed.

ADDRESSES: You may submit comments identified by the docket number (PHMSA-2007-28119) by any of the following methods:

Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

For complete NPRM click here: <http://www.gpo.gov/fdsys/pkg/FR-2011-03-11/html/2011-5335.htm>

New Look on SMS

FMCSA reached a settlement agreement with three trucking associations that will end litigation over information published on the website of FMCSA's motor carrier enforcement program, Compliance Safety Accountability (CSA). Under the agreement, FMCSA made changes to CSA's Safety Measurement System (SMS) public website to address concerns regarding the display of information on a commercial motor carriers' safety performance. The primary change that FMCSA made to the SMS public website was to replace any **ALERT** symbol currently displayed in orange on the SMS website with the following symbol of the exclamation mark inside a gold triangle 

Federal Register: March 25, 2011

Hours of Service (HOS) of Drivers; Assessing the Safety Impact of the Exemption from the 14-Hour Provision of the Hours of Service Rule for Certain Pyrotechnics Operations during Independence Day Celebrations

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice; request for comments.

SUMMARY: FMCSA requests public comment from all interested parties on the impact of the Agency's previous decision granting certain members of the American Pyrotechnics Association (APA) an exemption from the current HOS prohibition against driving a commercial motor vehicle (CMV) after the 14th hour of coming on duty (i.e., the 14-hour Provision), provided their drivers did not operate CMVs after accumulating 14 hours on duty. The exemption covers certain pyrotechnics carriers and drivers for a period that begins 7 days prior to Independence Day and ends 2 days immediately following that holiday. The Agency initially granted a waiver from the 14-hour Provision in 2004, and granted an exemption from the 14-hour Provision in 2005 with subsequent renewals in 2007 and 2009. FMCSA requests public comment on the safety impact of the exemption during the Independence Day periods of 2004 through 2010.

DATES: Comments must be received on or before **April 25, 2011**.

ADDRESSES: You may submit comments identified by Federal Docket Management System Number FMCSA-2007-28043 by any of the following methods:

Web site: *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

For more information: <http://www.gpo.gov/fdsys/pkg/FR-2011-03-25/html/2011-7009.htm>

