



KEEPING THE NUCLEAR AND HAZARDOUS MATERIAL TRANSPORTATION INDUSTRY INFORMED OF REGULATORY CHANGES AND UPDATES

Important Dates to Remember

JANUARY 1, 2020

- Begin mandatory use of IMDG Code 2018 Edition Amendment 39-18
- Begin using the 2020 IATA DGR 61st Edition

JANUARY 8-10, 2020

EnergySolutions 18th Annual Conference
Salt Lake City, Utah | Register [here](#).

NRC Updates Advanced Notification Designee List

The Nuclear Regulatory Commission (NRC) has updated the list of individuals to receive advance notification of radioactive material and nuclear material shipments required by either 10 CFR Part 37 (Category 1 and 2), Part 71 (HRCQ) or Part 73 (Spent Nuclear Fuel) on November 12, 2019. This list of States, Territories and Participating Tribes can be downloaded from the NRC website at <https://scp.nrc.gov/special/designee.pdf>.

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It Was the Rocks' Fault!

Can rocks really set off radiation detection alarms? Yes they can! Any rock could contain enough Natural Occurring Radioactive Material (NORM) to emit dose rates detectable by radiation monitoring equipment at weigh stations or radiologically controlled facilities. These Kingman blue turquoise rocks did just that! They were discovered in the cab when an exit radiological survey was performed. The driver had to explain where these rocks came from and why they were in his truck. It was a simple story of playing tourist and picking up these beautiful rocks hoping to make jewelry with them when back home.



New CVSA Evolving Tire Design Tread Depth Measurement Inspection Bulletin

CVSA (Commercial Vehicle Safety Alliance) added a new North American Standard inspection bulletin on how to properly measure the tread depth of Commercial Motor Vehicle (CMV) tires with evolving treads. An evolving tread design is a tire tread pattern that experiences a significant and noticeable transition in appearance as the tire wears down during its service life. As the tire tread wears, some features disappear, while new features are revealed.

This evolution in the tire tread pattern allows for the balancing and optimization of multiple performance characteristics over the full life of the tire as well as maximum use of all available tread rubber. The new bulletin describes these tires in greater detail and can be downloaded at: [CVSA](#). A short informational video is also available to CVSA members after logging into the CVSA [member portal](#).

F O C U S F O R W A R D

O U R  V I S I O N

2020 Annual EnergySolutions Conference

January 8 - 10, 2020 • Salt Lake Marriott at City Creek • Salt Lake City, Utah

We are excited about *Focus Forward: Our 2020 Vision*: EnergySolutions Annual Conference will feature plenty of good topics and speakers/presenters this coming January. We will be attending the Utah Jazz game on the evening of the 8th. We have a full day planned on the 9th ending with dinner and a special guest speaker.

Friday we will provide DOT/WAC Training (8 CEUs). Registration is now available on the main EnergySolutions' [website](#) and we have secured a very good rate at the Salt Lake Marriott at City Creek. We look forward to seeing you in Salt Lake City, Utah.

2020 IATA DGR 61st Edition

The new edition of the International Air Transport Association (IATA) Dangerous Goods Regulations (DGR) is now available and will be effective starting 01 January 2020. Check out the list of Significant Changes and Addendum I for the 61st 2020 Edition at: [IATA DGR Downloads](#). Find all the changes by purchasing the 2020 edition and comparing the reference marks indicating any deletions, revisions and additions to the 2019 edition. In order to stay up to date, we suggest attending one of our IATA courses that are available on Fridays during our regularly scheduled DOT/NRC Radioactive Shipping Workshops, or contact us to schedule an IATA course on your site.

NRC Addresses Recent Spent Fuel Cask Movement Issues

The U.S. Nuclear Regulatory Commission (NRC) issued Information Notice (IN) 2019-09 on October 30, 2019 to inform all addresses (10 CFR Parts 50, 52 and 72 licensees) of recent issues related to spent fuel cask movement issues. The NRC expects recipients to review the information notice for applicability to their facilities and consider, as appropriate, to avoid similar problems. Several recent events are listed in this IN to provide examples of issues related to heavy load spent fuel movements. These issues highlight non-compliances with NUREGs, codes, and standards that are part of the

plant-specific design and licensing basis. Although there is no specific requirement to do so, licensees can prevent issues such as those described in this IN by verifying that calculations for load-handling systems and structures designated to support spent fuel casks are consistent with the plant-specific design and licensing bases; and that procedures, training and oversight of spent fuel movement are adequate. To view this NRC Informational Notice, go to: [Information Notices—2019](#) then, click on the "Publish Date" for IN-19-19 Spent Fuel Cask Movement Issues.



Winter is around the corner and so are freezing conditions. Be prepared for slippery walkways and roads. Winterize your home to prevent frozen water pipes. Maintain your questioning attitude in every situation, especially asking, "What could be the worst thing that could happen?"

Frequently Asked Questions

Shipping Paper Signature and Certification Statement.

*** Do I have to print my name and title by my signature and the certification statement?**

Reference # 02-0234

No, that was an International Air Transport Association (IATA) requirement for Shipper's Declaration before 2018, but it is acceptable to include additional information.

*** Can I modify the certification statement?**

Reference # 01-0105 & 06-0053

No. Nice one word answer by DOT. You can add an additional and separate statement, but no modifications or abbreviations to the statements that are in quotes in 49 CFR 172.204, except for the note to 172.204(a)(1).

*** Must the signature be near the certification statement?** *Reference # 04-0075, 04-0088, 08-0015 & 08-0134*

Yes, the signature must be in association to the certification statement. Any other signature on

the shipping paper document will not suffice.

*** Since the definition of a "person" in 49 CFR 171.8 includes corporations, can I sign the shipping paper with only my company's name?** *Reference # 03-0258*

No, the shipping paper must be signed by an actual person who is designated by the company to sign for the company. This may be a principal, officer, partner or employee of the shipper or their agent.

*** If I have a broker sign the shipping paper for me, will all the responsibility fall on the contracted broker?** *Reference # 04-0183 & 06-0110*

No, every hazardous material employee will be responsible for their function and how they directly affect the safety of hazardous material transportation. The level of involvement and responsibility will be determined on a

case-by-case basis using determined facts of the specific situation. Every employee and broker is responsible to have completed appropriate training.

*** Can I use a rubber stamp for my signature?** *Reference # 05-0005*

Yes, the signature can be manually or mechanically placed on the shipping paper.

DOT letters of interpretation can be found at: <https://www.phmsa.dot.gov> Click on: "Regulations and Compliance" then "Interpretations" Next, you can search by entering the reference number in the search box or search by the applicable regulatory section number, or search by the published date. Do not forget that you have these internet addresses (and many more) in a PDF on our training class CD handout.

popquiz

Recent Lessons Learned, Industry Events, and Operating Experiences



Placarding Frenzy!

How many things can you spot wrong with these placards?

1. Can you see the placard behind the portable tank saddle? (lower, right corner of picture) Hard to see when behind something and placed on top of other markings.
2. What is missing on the Flammable placard? The word "Flammable" plus the placard is placed a little askew from horizontal.
3. Is there a font specification for the identification number on the Corrosive placard? Yes! See 49 CFR 172.332(c)(1) for the size and font requirements.
4. Should the Corrosive placard be placed near other markings? No, the placard should be at least 3 inches away.
5. Is the package color contrasting to the Corrosive placard? No, the placard should have an outer border to help contrast.

Weather or Whether Resistant

Should orange panels survive normal conditions of transport? Yes, all markings should be weather resistant, whether driving through freezing conditions, desert heat, rain, sand storms, truck washes...to name a few examples of harsh, but normal conditions of transport. Unfortunately, this orange panel will not meet size and shape specifications in 49 CFR 172.332(b). Plus, the full identification number in this case, will not be understood by any emergency responders during a possible incident. Spray glue and/or good quality clear packing tape are ways to help prevent losing markings. Giving extra orange panels to the driver, with instructions to replace as needed, can help prevent this situation and possible violations.



Tiedown Load Securing

Should all tiedowns converge to one location on top of the cargo? Are indirect tiedowns sufficient as the only means of load securement to prevent cargo from shifting? Hopefully you answered no to both questions. Typically, one tiedown is required every 10 feet of length of cargo per 49 CFR 393.110. Tiedowns are also mainly for vertical restraint, but can add some friction to prevent lateral movement. Will indirect tiedowns provide enough lateral resistance? Well, depends on the type of surfaces in contact and the force between them. Using direct tiedowns, friction mats, and/or blocking would be a better choice to ensure no lateral movement.



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FMCSA Amends Driver HOS Restart

Provisions. On September 12, 2019 (84 FR 48077), the Federal Motor Carrier Safety Administration (FMCSA) published a final rule amending the Hours-of-Service (HOS) requirements in 49 CFR Part 395 applicable to drivers of property-carrying commercial motor vehicles (CMVs) to remove provisions requiring that a 34-hour restart include two periods between 1 a.m. and 5 a.m. and limiting use of a restart to once every 168 hours, provisions that were promulgated in December 2011. In a series of Appropriations Acts, Congress suspended these provisions, pending completion of a naturalistic study comparing the effects of the restart provisions in effect under the 2011 rule versus provisions in effect prior to the 2011 rule's compliance date. The 2017 naturalistic study found no statistically significant benefits from the restart rule. Pursuant to a 2017 Appropriations Act, the 2011 restart rules are therefore void by operation of law. Although not in effect, the provisions remain in the Code of Federal Regulations (CFR), which could cause confusion for some stakeholders. This final rule is effective September 12, 2019.

FMCSA Updates National HazMat Route

Registry. On September 24, 2019 (84 FR 50098), the FMCSA published a notice providing revisions to the National Hazardous Materials Route Registry (NHMRR) reported to the FMCSA from April 1, 2018 through March 31, 2019. The NHMRR is a listing, as reported by States and Tribal governments, of all designated and restricted roads and preferred highway routes for transportation of highway route controlled quantities of Class 7 radioactive materials and nonradioactive hazardous materials. These revisions are effective September 24, 2019.

NRC Announces State of Vermont Agreement.

On September 30, 2019 (84 FR 51365), the Nuclear Regulatory Commission (NRC) published a final State agreement announcing that on September

9, 2019, Kristine L. Svinicki, Chairman of the U.S. NRC, and on September 13, 2019, Governor Philip B. Scott of the State of Vermont, signed an Agreement as authorized by Section 274b. of the Atomic Energy Act of 1954, as amended (the Act). Under the Agreement, the NRC discontinues its regulatory authority, and the State of Vermont assumes regulatory authority over 11e.(1), 11e.(3), and 11e.(4) byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass. As of the effective date of the Agreement, a person in Vermont possessing these materials is exempt from certain NRC regulations. The exemptions have been previously published in the FR and are codified in the NRC's regulations. The Agreement is published in the FR as required by Section 274e. of the Act. The effective date of the Agreement is September 30, 2019.

FMCSA Makes General FMCSR Amendments.

On September 30, 2019 (84 FR 51427), the FMCSA published a final rule amending its regulations by making technical corrections throughout the Federal Motor Carrier Safety Regulations (FMCSRs) in 49 CFR Parts 325 thru 396. FMCSA is making minor changes to correct inadvertent errors and omissions, remove or update obsolete references, and improve the clarity and consistency of certain regulatory provisions. FMCSA is also making nondiscretionary, ministerial changes that are statutorily mandated. This final rule is effective on September 30, 2019.

FMCSA Finalizes CDL Security Provisions.

On October 01, 2019 (84 FR 52029), the FMCSA published a final rule adopting those requirements of the interim final rule (IFR) published on May 5, 2003 (2003 IFR), and the IFR published on April 29, 2005 (2005 IFR), which have not previously been finalized, as final without change. The 2003 IFR (68 FR 23852) amended the Federal Motor Carrier Safety Regulations (FMCSRs) to prohibit States from

issuing, renewing, transferring, or upgrading a commercial driver's license (CDL) with a hazardous materials endorsement unless the Transportation Security Administration (TSA) in the Department of Homeland Security has first conducted a security threat assessment and determined that the applicant does not pose a security risk warranting denial of the hazardous materials endorsement, as required by the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act). The 2005 IFR (70 FR 22268) amended the FMCSRs to conform to the TSA's compliance date and reduce the amount of advance notice that States must provide to drivers that a security threat assessment will be performed when they renew a hazardous materials endorsement. In addition, this rule incorporates a provision of the Implementing Recommendations of the 9/11 Commission Act of 2007 and two provisions of the FAA Reauthorization Act of 2018, which together authorize a State to issue a license to operate a motor vehicle transporting hazardous material in commerce to an individual who holds a valid transportation security card. In particular, FMCSA incorporates TSA's definition of a Transportation Worker Identification Credential (TWIC) as equivalent to a Transportation Security Card (TSC). This final rule is effective on October 31, 2019.

FMCSA Proposes Incorporating New CVSA

OOS Handbook. On October 02, 2019 (84 FR 52432), the FMCSA published a notice proposing to amend its Hazardous Materials Safety Permits regulations in 49 CFR Part 385 to incorporate by reference the updated Commercial Vehicle Safety Alliance (CVSA) handbook. The Out-of-Service Criteria provide enforcement personnel nationwide, including FMCSA's State partners, with uniform enforcement tolerances for roadside inspections. Currently, the regulations reference the April 1, 2018, edition of the handbook.



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Through this document, FMCSA proposes to incorporate by reference the April 1, 2019, edition. Comments on this document must be received on or before November 1, 2019.

DOE Proposes Elemental Mercury Storage Fees. On October 04, 2019 (84 FR 53066), the U.S. Department of Energy (DOE), Office of Environmental Management published a notice proposing to establish a fee for long-term management and storage of elemental mercury in accordance with the Mercury Export Ban Act. DOE invites all interested parties to submit in writing by October 25, 2019 comments and information regarding this proposed rule.

NRC Requests New Tribal Information Collection. On October 07, 2019 (84 FR 53479), the NRC published a request inviting the public to comment on a new proposed collection of information entitled, "Requests to Federally Recognized Indian Tribes for Information." The information collected will include voluntary requests for information that would allow the NRC to more effectively involve Indian Tribes in the NRC's regulatory activities and to enable the NRC to plan the NRC's Tribal outreach and consultation activities. Please submit comments by December 6, 2019. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

PHMSA Clarifies Explosive Approval Modification Process. On October 08, 2019 (84 FR 53822), the Pipeline and Hazardous Material Safety Administration (PHMSA) published a notice to clarify and request comments on the Approvals Program procedures for companies to request a modification to an explosives classification approval to reflect a merger, acquisition, or change in name or legal status. Interested persons are invited to submit comments on or before January 6, 2020.

FMCSA Proposes New Drug and Alcohol Clearinghouse. On October 22, 2019 (84 FR 56521), the FMCSA published a notice proposing a new system of records titled "Drug and Alcohol Clearinghouse (Clearinghouse)". This system of records allows FMCSA to collect and maintain records on commercial driver's license (CDL) and commercial learner's permit (CLP) holders who have received verified positive DOT drug or alcohol test results, refuse such testing, or otherwise violate FMCSA's drug and alcohol use prohibitions. The Clearinghouse will collect and maintain records on the completion of substance abuse programs as part of the return-to-duty process and will collect and maintain drivers' consent to the release of information. In addition, the Clearinghouse will collect and maintain records of queries of the system conducted by employers or service agents acting on their behalf, and State Driver Licensing Agencies (SDLAs). The information in this system will be used to enhance compliance with drug and alcohol use testing regulations by identifying CDL or CLP holders who have committed drug and alcohol violations that render them ineligible to operate a commercial motor vehicle (CMV). This new system will be included in the DOT inventory of record systems. Written comments must be submitted on or before November 21, 2019. The system will be effective November 21, 2019. Routine Uses will be effective at that time.

EPA and ACE Repeal 2015 Clean Water Ruling. On October 22, 2019 (84 FR 56626), both the Environmental Protection Agency (EPA) and the Department of the Army Corps of Engineers (ACE) together ("the agencies") published a final rule to repeal the 2015 Clean Water Rule: Definition of "Waters of the United States" ("2015 Rule"), which amended portions of the Code of Federal Regulations (CFR), and to restore the regulatory text that existed prior to the 2015 Rule. The agencies will implement the pre-2015 Rule regulations informed by applicable agency guidance documents and

consistent with Supreme Court decisions and longstanding agency practice. The agencies are repealing the 2015 Rule for four primary reasons. First, the agencies conclude that the 2015 Rule did not implement the legal limits on the scope of the agencies' authority under the Clean Water Act (CWA) as intended by Congress and reflected in Supreme Court cases, including Justice Kennedy's articulation of the significant nexus test in *Rapanos*. Second, the agencies conclude that in promulgating the 2015 Rule the agencies failed to adequately consider and accord due weight to the policy of the Congress in CWA section 101(b) to "recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution" and "to plan the development and use . . . of land and water resources." 33 U.S.C. 1251(b). Third, the agencies repeal the 2015 Rule to avoid interpretations of the CWA that push the envelope of their constitutional and statutory authority absent a clear statement from Congress authorizing the encroachment of federal jurisdiction over traditional State landuse planning authority. Lastly, the agencies conclude that the 2015 Rule's distance-based limitations suffered from certain procedural errors and a lack of adequate record support. The agencies find that these reasons, collectively and individually, warrant repealing the 2015 Rule. With this final rule, the regulations defining the scope of federal CWA jurisdiction will be those portions of the CFR as they existed before the amendments promulgated in the 2015 Rule. This rule is effective on December 23, 2019.

PHMSA Proposes LNG Rail Tank Car Bulk Transport. On October 24, 2019 (84 FR 56964), the PHMSA in coordination with the Federal Railroad Administration (FRA) published a notice proposing changes to the Hazardous Materials Regulations to allow for the bulk transport of Methane, refrigerated liquid, commonly known as liquefied natural gas (LNG), in rail tank cars. This rulemaking proposes to authorize the



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transportation of Methane, refrigerated liquid by rail in the DOT-113C120W specification rail tank car. Comments must be received by December 23, 2019. To the extent possible, PHMSA will consider late filed comments.

NRC Issues NUREG-1556, Vol 9 Medical Use Rev 3. On October 25, 2019 (84 FR 57493), the NRC published a notice announcing Revision 3 to NUREG-1556, Volume 9, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Medical Use Licenses" is now available. NUREG-1556 Volume 9 has been revised to include information on updated regulatory requirements, safety culture, security of radioactive materials, protection of sensitive information, and changes in regulatory policies and practices consistent with current regulations. This volume is intended for use by applicants, licensees and the NRC staff. NUREG-1556 Volume 9 Revision 3 was published in September 2019.

DOT Corrects Previous Civil Penalty Revision. On October 29, 2019 (84 FR 57813), the Department of Transportation (DOT) published a notice correcting a civil penalty revision in the final rule published on July 31, 2019 (84 FR 37059). Specifically, on page 37073, in the second column, amendatory instruction 47c should read as follows: c. Remove the dollar amount "\$113,894" and add in its place "\$116,766".

FMCSA Small Business ELD Exemption Comment Request. On October 29, 2019 (84 FR 57932), the FMCSA published a notice announcing that the Small Business in Transportation Coalition (SBTC) seeks reconsideration of its application for exemption from the electronic logging device (ELD) rule that was denied by the Agency on July 17, 2019. SBTC has resubmitted its application for exemption from the ELD requirements for all motor carriers with fewer than 50 employees, including, but not limited to, one-person private and for-hire owner-operators of commercial motor vehicles

used in interstate commerce. SBTC believes that the exemption would not have any adverse impacts on operational safety as motor carriers and drivers would remain subject to the hours-of-service (HOS) regulations as well as the requirements to maintain paper records of duty status (RODs). FMCSA requests public comment on SBTC's application for reconsideration. Comments must be received on or before November 29, 2019.

PHMSA Safety Advisory: Metal Mate Cylinders. On November 01, 2019 (84 FR 58829), the PHMSA published a notice issuing a safety advisory to inform the public, industrial gas stakeholders and relevant government officials of the risks associated with requalifying, filling, and transporting cylinders bearing the DOT specification markings "DOT 4E" or "DOT 4BA" that were produced by a company located in Thailand by the name of Metal Mate. Metal Mate does not have an approval from PHMSA to manufacture cylinders to DOT specifications; therefore, cylinders marked with the "Metal Mate" name or the "MM" logo are not DOT specification cylinders. They must not be used to transport hazardous materials in commerce to, from or within the United States, or on a United States-registered aircraft. These cylinders may not perform to the marked DOT performance standard and may not be safe for commercial transportation or consumer use.

NRC Makes Miscellaneous 10 CFR Corrections. On November 18, 2019 (84 FR 63565), the NRC published a final rule amending its regulations to make miscellaneous corrections in 10 CFR Parts 2, 21, 37, 50, 52, 73 and 110. These changes include removing obsolete language and correcting references, a typographical error, mailing, email, and web page addresses, grammatical errors, a division title, and a division address and title. This document is necessary to inform the public of these nonsubstantive amendments to the NRC's regulations. This final rule is effective on December 18, 2019.

NRC Revising NUREG-2155 Category 1 & 2 Guidance. On November 20, 2019 (84 FR 64113), the NRC published a notice requesting public comments on draft Revision 2 to NUREG-2155 "Implementation Guidance for 10 CFR Part 37, 'Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material.'" NUREG-2155 Revision 1 has been updated to revise questions & answers and guidance related to general provisions in the rule, background investigations and access authorization programs, and physical protection requirements during use and in transit. Please submit comments by February 18, 2020. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received before this date.

PHMSA Changing HHFT Grant Application. On November 26, 2019 (84 FR 65213), the PHMSA published a notice requesting comments on a revision to the information collection pertaining to hazardous materials public sector training and planning grants for which PHMSA intends to request a renewal with revision from the Office of Management and Budget (OMB). Following an audit conducted by the General Accounting Office (GAO), PHMSA received a recommendation (GAO-17-91) to develop a process for regularly collecting information from State Emergency Response Commissions (SERCs) on the distribution of the railroad-provided hazardous materials shipping information to local planning entities. In response to this recommendation, PHMSA is seeking to have grant applicants declare if SERCs have received copies of the Hazardous Materials: Oil Spill Response Plans and Information Sharing for High-Hazard Flammable Trains (HHFT). In addition, PHMSA is seeking to determine if the SERCs are disseminating this information to local planning entities. PHMSA expects that requesting grantees to provide this additional information will add approximately 2 minutes of burden time per respondent. For 62 grantees, this is



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appropriately 2.067 additional burden hours (62 grantees x 2 minutes). Interested persons are invited to submit comments on or before January 27, 2020.

DOT OST Plans Continuing Innovative NETT Council. On November 26, 2019 (84 FR 65214), the Department of Transportation (DOT) Office of the Secretary (OST) published a notice requesting comments on projects, issues or topics that DOT should consider through the Non-Traditional and Emerging Transportation Technology (NETT) Council, including regulatory models and other alternative approaches for non-traditional and emerging transportation technologies. In April 2019, the DOT created the NETT Council, an internal deliberative body at DOT, to identify and resolve jurisdictional and regulatory gaps associated with non-traditional and emerging transportation projects pending before DOT, including with respect to safety oversight, environmental review, and funding issues. Since the Council's inception, innovators and stakeholders have approached the OST with concepts and ideas that vary in their stage of development. To ensure that the Council is responsive to the needs of the public and industry, the OST is interested in hearing from stakeholders and the public as to whether and to what extent the OST's existing regulatory construct supports or hinders innovation. The OST is also seeking comment on how the NETT Council can better be in a position to support transportation innovation. Please submit comments by January 10, 2020.

NRC Revises 10 CFR Reflecting Organizational Changes. On November 29, 2019 (84 FR 65639), the NRC published a final rule amending the regulations in 10 CFR Parts 1-150 to reflect internal organizational changes and make conforming amendments. These changes include removing all references to the Office of New Reactors because that office has merged with the Office of Nuclear Reactor Regulation, changing the names of divisions that are

affected by the reorganization of the Office of Nuclear Material Safety and Safeguards, and making conforming amendments throughout the regulations to reflect the office merger and the office reorganization. This document is necessary to inform the public of these non-substantive amendments to the NRC's regulations. On December 05, 2019 (84 FR 66561), the NRC published a correction in the federal register revising this final rule's effective date to December 30, 2019.

EPA Proposed Coal Combustion Residual Disposal Changes. On December 02, 2019 (84 FR 65941), the EPA published a proposed rule concerning their regulations in 40 CFR Part 257 for the national minimum criteria for existing and new coal combustion residuals (CCR) landfills and existing and new CCR surface impoundments. On August 21, 2018, the D.C. Circuit Court of Appeals issued its opinion in the case of Utility Solid Waste Activities Group, et al. v. EPA (USWAG). This rule proposes regulations to implement the court's vacatur of the provisions that allow unlined impoundments to continue receiving coal ash unless they leak, and that classify "clay-lined" impoundments as lined, thereby allowing such units to operate indefinitely. In addition, EPA is proposing to establish a revised date by which unlined surface impoundments must cease receiving waste and initiate closure, following its reconsideration of those dates in light of the USWAG decision. Comments must be received on or before January 31, 2020. The EPA will hold a public hearing on January 7, 2020.

DOE Issues Mercury Storage Record of Decision. On December 06, 2019 (84 FR 66890), the U.S. Department of Energy (DOE) published a notice about issuing a Record of Decision (ROD) for the long-term management and storage of elemental mercury to meet the federal government's statutory responsibility for long-term storage of the elemental mercury generated within the United States. This ROD is issued for

the Final Long-Term Management and Storage of Elemental Mercury Environmental Impact Statement (DOE/EIS-0423; Final Elemental Mercury Storage EIS) and the Final Long-Term Management and Storage of Elemental Mercury Supplemental Environmental Impact Statement (DOE/EIS-0423-SI; Final SEIS). In 2019 DOE prepared a Supplement Analysis of the Final Long-Term Management and Storage of Elemental Mercury Environmental Impact Statement (DOE/EIS-0423-SA-01) to determine if there have been substantial changes to the proposal or if there are significant new circumstances or information relevant to environmental concerns as compared with those presented in the Final Elemental Mercury Storage EIS and Final SEIS. This ROD announces the DOE decision to store up to 6,800 metric tons (7480 tons) of elemental mercury in existing buildings at Waste Control Specialists (WCS) near Andrews, Texas.

EPA Adding Aerosol Cans to Universal Waste. On December 09, 2019 (84 FR 67202), the EPA published a final rule adding hazardous waste aerosol cans to the universal waste program under the Federal Resource Conservation and Recovery Act (RCRA) regulations. This change will benefit the wide variety of establishments generating and managing hazardous waste aerosol cans, including the retail sector, by providing a clear, protective system for managing discarded aerosol cans. The streamlined universal waste regulations are expected to ease regulatory burdens on retail stores and others that discard hazardous waste aerosol cans; promote the collection and recycling of these cans; and encourage the development of municipal and commercial programs to reduce the quantity of these wastes going to municipal solid waste landfills or combustors. This final rule is effective on February 7, 2020.

2020 COMMERCIAL OPEN-ENROLLMENT TRAINING SCHEDULE

Radioactive Class 7 Material Packaging, Transportation & Disposal Regulatory Compliance Courses

All DOT/NRC training courses meet the requirements of 49 CFR Part 172 Subpart H and NRC IE Notice 79-19

COURSE	DATE	CEU**	TUITION	LOCATION
2020				
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	February 24 - 27	40	\$1,995	Mount Pleasant, SC
Air Transport of Radioactive Materials (IATA/DOT)	February 28	8	\$985*	Mount Pleasant, SC
DOT/NRC/EPA Hazardous Waste/ Mixed Waste Packaging, Transportation & Disposal	March 16 - 20	40	\$2,095	Salt Lake City, UT
Clive Disposal Site Facility Tour	March 19	--	\$0	Clive, UT
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	April 20 - 23	40	\$1,995	Surfside Beach, SC
Air Transport of Radioactive Materials (IATA/DOT)	April 24	8	\$985*	Surfside Beach, SC
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	June 1 - 4	40	\$1,995	Monterey, CA
Air Transport of Radioactive Materials (IATA/DOT)	June 5	8	\$985*	Monterey, CA
DOT/NRC/EPA Hazardous Waste/ Mixed Waste Packaging, Transportation & Disposal	July 13 - 17	40	\$2,095	Clinton, TN
Bear Creek Operations (BCO) Facility Tour	July 16	--	\$0	Clinton, TN
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	July 27 - 30	40	\$1,995	Orlando, FL
Air Transport of Radioactive Materials (IATA/DOT)	July 31	8	\$985*	Orlando, FL
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	October 12 - 15	40	\$1,995	Hilton Head, SC
Air Transport of Radioactive Materials (IATA/DOT)	October 16	8	\$985*	Hilton Head, SC
DOT/NRC/EPA Hazardous Waste/ Mixed Waste Packaging, Transportation & Disposal	November 2 - 6	40	\$2,095	Clinton, TN
Bear Creek Operations (BCO) Facility Tour	November 5	--	\$0	Clinton, TN
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	December 7 - 10	40	\$1,995	Henderson, NV
Air Transport of Radioactive Materials (IATA/DOT)	December 11	8	\$985*	Henderson, NV



* If an IATA class is taken in conjunction with the DOT/NRC class during the same week, there is a \$280 multi-class discount

** The American Academy of Health Physics (AAHP) has pre-approved continuation education credit hours for these courses