A GUIDE FOR THE INSPECTION OF RADIOACTIVE MATERIAL SHIPMENTS BY MOTOR VEHICLE OR AT FREIGHT FACILITIES

U.S. Department of Transportation

Research and Special Programs Administration

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A GUIDE FOR THE INSPECTION OF RADIOACTIVE MATERIAL SHIPMENTS BY MOTOR VEHICLE OR AT FREIGHT FACILITIES

PREPARED FOR:

U.S. DEPARTMENT OF TRANSPORTATION
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
OFFICE OF HAZARDOUS MATERIALS TRANSPORTATION
WASHINGTON, D.C.

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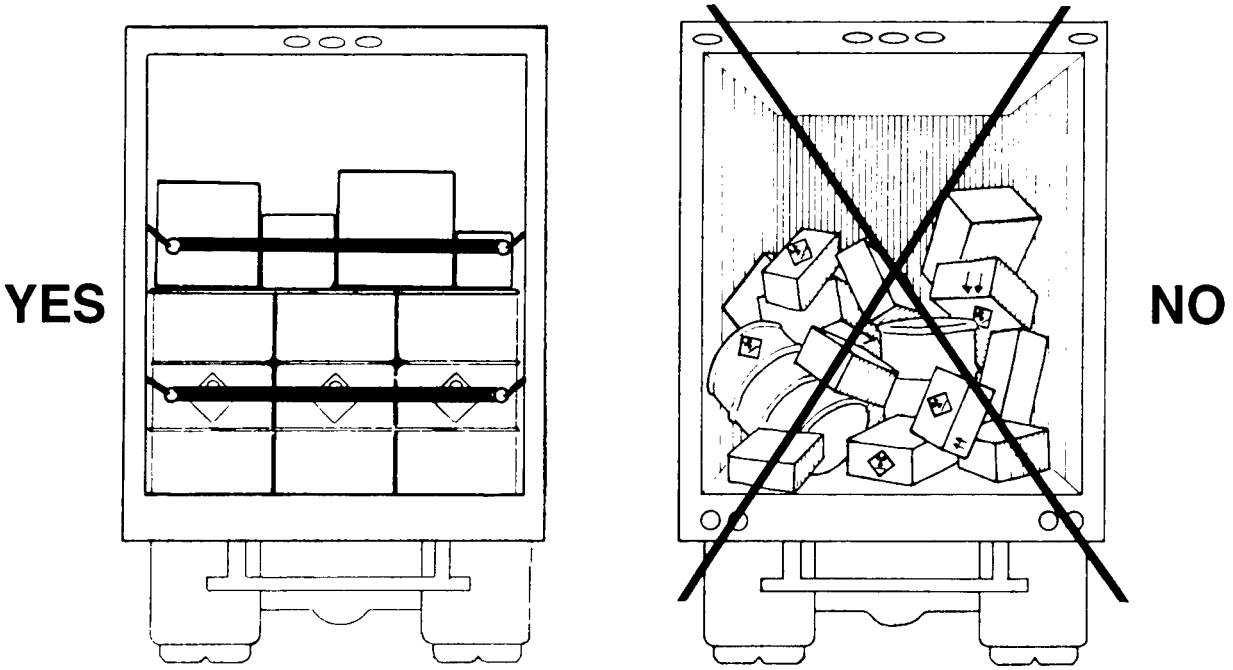
Radioactive material shipments must be

- Secured against movement within the vehicle, (§177.834) and
- Blocked and braced to prevent change of position during conditions normally incident to transportation (§177.842).

Figure 6B



APPENDIX A
VIOLATION CITATION APPENDIX

SHIPPING PAPER	VIO.	REFERENCE
1. Shipping Paper		§ 172.200(a)
2. Contents		
a. Order/Color/"X"		§ 172.201(a) (1)
b. Legible English		§ 172.201(a) (2)
c. Continuation page		§ 172.201(c)
3. Shipping Name		§ 172.202(a) (1)
4. Hazard Class		§ 172.202(a) (2)
5. Identification Number		§ 172.202(a) (3)
6. Total Quantity (weight or volume)		§ 172.202(a) (4)&(c)
7. Sequence		§ 172.202(b)
8. Additional Description—RAM		§ 172.203(d)
a. Radionuclide		§ 172.203(d) (1) (i)
b. Physical and Chemical Form		§ 172.203(d) (1) (ii)
c. Activity in Curies		§ 172.203(d) (1) (iii)
d. Highway Route Controlled Quantity		§ 172.203(d) (1) (iii)
e. Label Applied		§ 172.203(d) (1) (iv)
f. Transport Index		§ 172.203(d) (1) (v)
g. Fissile Data (if required)		§ 172.203(d) (1) (vi)
h. Packaging Approval(s)		§ 172.203(d) (1) (vii), (viii)

SHIPPER CERTIFICATION	VIO.	REFERENCE
1. Basic Paragraph		
a. General Requirements		§ 172.204(a) (1)
b. All Mode Certification		§ 172.204(a) (2)
2. Signature		§ 172.204(d)

MARKING	VIO.	REFERENCE
1. Shipping Name		§ 172.301(a)
2. Identification Number		§ 172.301(a)
3. Specifications		§ 172.304
In English		§ 172.304(a)
Not Obscured		§ 172.304(a) (2)&(4)
4. Name/Address of Consignee (or Consignor)		§172.306(a)
5. This Side Up (Liquid)		§172.312(a)
6. Radioactive Materials		§ 172.310
a. Gross Weight (110 lbs [50 kg] or more)		§ 172.310(a) (1)
b. "Type A" or "Type B" Package		§ 172.310(a) (2)
c. "USA" - Export Only		§ 172.310(a) (3)
7. DOT Specification (If Specification Container Required)		Part 178 and §173.24(c)(1)(i)

LABELING	VIO.	REFERENCE
1. Table Label		§ 172.400(a)
2. Radioactive Material		§ 172.403
a. Correct Label		§ 172.403(b)-(c)
b. RAM Plus Other HM		§ 172.403(e)
c. 2 Labels		§ 172.403(f)
d. Contents, Curies, TI		§ 172.403(g)
3. Mixed Packagings		§ 172.404
4. Placement		§172.406(a)

PLACARDS	VIO.	REFERENCE
1. Prohibited Placarding		§ 172.502
2. General Requirements		§ 172.504
3. Carrier Requirements		§ 172.506(a)(1)
4. Highway Route Controlled Quantity		§ 172.507
5. Visibility & Display		§ 172.516
6. General Specifications for Placard		§ 172.519

HIGHWAY TRANSPORTATION	VIO.	REFERENCE
1. General Requirements		§ 171.2
a. Shipper		§ 171.2(a)
b. Carrier		§ 171.2(a)&(b)
2. Driver Training Requirement		§ 177.800
3. Compliance with Motor Carrier Safety Regulations		§ 177.804
4. Incident Reporting		§ 171.5 and § 177.807
5. Connecting Carrier Requirement		§ 177.808
6. Lost or Destroyed Labels		§ 177.815
7. Shipping Paper		§ 177.817
a. General Requirements		§ 177.817(a)
b. Certification		§ 177.817(b)
c. Accessibility		§ 177.817(e)
8. Marking & Placarding		§ 177.823
9. Routing & Training Requirements - RAM		§ 177.825
10. Loading & Unloading a. General		§ 177.834
b. Radioactive Materials		§ 177.842
c. Contamination of Vehicles - RAM		§ 177.843
11. Hazardous Material Loading & Storage Chart		§ 177.848
12. Accidents - RAM		§ 177.861
13. Hazardous Material on Passenger Vehicles		§177.870
a. Radioactive Materials		§177.870(g)
14. Hazardous Material Driving & Parking Rules		*
a. Applicability		§ 397.1
b. Compliance with Motor Carrier Safety Regulations		§ 397.2
c. State & Local Laws		§ 397.3
d. Attendance & Surveillance		§ 397.5
e. Parking		§ 397.7
f. Fires		§ 397.11
g. Fueling		§ 397.15
h. Tires		§ 397.17
15. Vehicle Identification		§ 390.21

* The Federal Motor Carrier Safety Regulations are incorporated by reference in §177.804.

APPENDIX B

Identification Number Cross Reference to Radioactive Material Proper Shipping Names in § 172.101

(1) Identification Number	(2) Description
UN2908	Radioactive material, empty packages
UN2909	Radioactive material, articles manufactured from natural or depleted uranium or natural thorium
UN2910	Radioactive material, limited quantity, n.o.s.
UN2911	Radioactive material, instruments and articles
UN2912	Radioactive material, low specific activity or LSA, n.o.s.
UN2918	Radioactive material, fissile, n.o.s.
UN2974	Radioactive material, special form, n.o.s.
UN2975	Thorium metal, pyrophoric
UN2976	Thorium nitrate
UN2977	Uranium hexaflouride, fissile
UN2978	Uranium hexaflouride, low specific activity
UN2979	Uranium metal, pyrophoric
UN2980	Uranyl nitrate hexahydrate solution
UN2981	Uranyl nitrate, solid
UN2982	Radioactive material, n.o.s.
NA9180	Uranyl acetate

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SAFETY PERMIT WORKGROUP REPORT

FEBRUARY 20 - 22, 1991

Core Work Group Members:

1. Bob Bleakley, Chief, HM Programs Division
2. Bill Nalley, Chief, State Programs Division
3. Sam Rea, Chief, Federal Programs Division
4. Jerry Fulnecky, Regional Director, Office Motor Carriers, Region #5
5. George Franks, Lt. Arkansas State Police

MOTOR CARRIER SAFETY PERMITS

BACKGROUND INFORMATION

Section 8 of the Hazardous Materials Transportation Uniform Safety Act of 1990 provides that a motor carrier may not transport or cause to be transported by motor vehicle in commerce a hazardous material unless the motor carrier holds a safety permit authorizing the transportation. A a copy of such permit, or other proof establishing the existence of such permit, must be maintained in the motor vehicle used to provide such transportation.

Procedural regulations must be established by November, 1991 and the effective date for motor carriers is November, 1992.

A safety permit may after notice and an opportunity for hearing be amended, suspended, or revoked whenever it is determined that a motor carrier has failed to comply with any applicable federal motor carrier safety law or regulation, minimum financial levels, or if an imminent hazard exists.

Carrier Responsibility: The Secretary will offer "permits" to a carrier that is fit, willing, and able: (1) To provide the transportation to be authorized by the permit, (2) To comply with existing federal regulations and any applicable minimum financial responsibility laws and regulations; and (3) To comply with any safety permit regulations.

Shipper Responsibility: Each person who offers a hazardous material for motor vehicle transportation in commerce may not offer that material to a motor carrier unless the carrier has a safety permit authorizing such transportation.

Covered Transportation: As a minimum class A or B explosives, a liquefied natural gas, a hazardous material which has been designated as extremely toxic by inhalation, highway route controlled quantity of radioactive materials, or any other classifications and/or quantities of hazardous materials designated by the Secretary.

POINTS OF DISCUSSION

1. A motor carrier may provide transportation under a safety permit issued if the carrier complies with conditions established by the Secretary. What are these conditions?

2. What are the standards for issuing a safety permit?

3. If OMC is going to issue a license to move high risks hazardous materials what other than the audit should be involved used to measure fitness.

4. What type of hazardous materials and/or other technical specialists are needed to facilitate the issuance of a permit (license) to move high risk hazardous materials.

5. Administrative costs are reimbursable. How much should OMC charge for conducting a on site visit to verify acceptability under the permit program?

6. What is the best way to handle compliance and enforcement of the safety permit program?

7. How will this affect State Programs?

8. Other impact issues as identified.

Note: We have scheduled a 2 1/2 day meeting to comment on and finalize preliminary "policy development" staff work in preparation for issuing the Safety Permit Regulations by the appropriate target dates. Information will be given to participants prior to the meeting. The meeting will be held in the Nassif building (room to be announced) and run from Wednesday, February 20th through the morning of Friday, February 22. Once we work out the mechanics of the program we can move forward on the rulemaking efforts in coordination with HCS-1. Your time in this area is greatly appreciated and I am looking forward to working with you on this project. Bob Bleakley

IMPLEMENTATION PLAN

		DAYS (MINIMUMS)	DATE
A.	Policy Development	30	2/28/91
B.	Notice of Proposed Rulemaking Development	30	3/28
C.	Notice of Proposed Rulemaking Concurrence	45	5/15
D.	Notice of Proposed Rulemaking Comments	45	7/1
E.	Final Rule Development	30	8/1
F.	Final Rule Comments	60	10/1
G.	Final Rule Concurrence	45	11/16
H.	Published in Federal Register		11/16/91

SAFETY PERMIT MEETING

FEBRUARY 20 -21, 1991

A meeting was held to discuss the safety permit issues. Our appreciation is extended to those that interrupted their busy schedule to input into this important project. The following 22 individuals participated in part and/or for the entire meeting:

Bonnie Bass, HIA-10

Bob Bleakley, HFO-20

Paul Brennan, HCC-20

Bill Byrd HFO-20

Ray Cuprill, HCC-20

Dick Campbell, HFO-20/30

Rob Draper, HPS-2

Jerry Fulnecky, Region 5

George Franks, State Representative, Arkansas

Lee Jackson, HFO-20

James Keenan, HFO-10

Tom Kozlowski HCS-10

Ed Mullaney, HCC-10

Joe Nalevanko, RSPA DHM-61

Bill Nalley, HFO-30

Bob Proferes, HPS-2

Pat Savage, HIA-10

John Steinhoff, HPS-1

Sam Rea, HFO-20

Mike Trentacoste, HFO-1

Mary Woodman, HPS-2

DISCUSSION:

After a background discussion the meeting was broken down into two sessions. The first session involved a section by section analysis of the act to get a meeting of the minds with the group as to what had to be done. Several legal problems were resolved by HCC participants and the charge to FHWA was clearly laid out (See Attachment A for breakdown analysis).

The second part of the meeting dealt with the how to do it program strategy. Several basis options were developed which addressed the requirements of the act. Due to the number of variables and complexities of the interrelationships it was not feasible to develop particular and specific options at this time. The group recommended developing an options table to lay out the many variables and factors for consideration. Also, it was suggested that a short explanation of each individual option be discussed to assist management in developing a final course of action. Since the factors are not mutually exclusive of each other any final management decision should be based on a complete understanding of the different outcomes associated with different combination of relationships. With this is mind a set of the more important decision options with explanations related to the different points of view follows:

NOTE: IF YOU ARE NOT FAMILIAR WITH THE REQUIREMENTS OF THE ACT IT WOULD BE HELPFUL TO REVIEW THE REQUIREMENTS OF THE ACT FIRST (SEE APPENDIX A) BEFORE REVIEWING THE OPTION TABLE.

OPTION TABLE

I. GENERAL CONSIDERATIONS

1. Interstate or Intrastate Applicability?

- It appears that an interstate application would involve approximately 20,000 to 25,000 motor carriers if it is opened up to all hazardous classes.

  Since there is approximately a 3 to 1 or 4 to 1 ratio regarding intrastate motor carrier operations it could be reasoned that intrastate application would involve approximately 80,000 to 100,000 motor carriers.

- The HMTUSA provides authority over intrastate operations to the extent RSPA issues regulations. If FHWA applies permitting to intrastate commerce it could upset individual State permitting programs (revenue source) and bring up the issue of preemption. However, since approximately 5 States are doing 85% (OTA Study) of all intrastate compliance and enforcement activities, an expanded State/Federal safety permit program could lead to increased intrastate activities.

2. All HM Commodities or Commodity Specific?

- The Act gives OMC the authority to designate other hazardous materials to be permitted. This offers FHWA the opportunity to expand its presence program to all HM carriers and add another important compliance tool to its Selective Compliance and Enforcement program arsenal (e.g. pulling of the safety permit, 45 day shutdown procedures, etc.).

- The Act specifics certain minimums as follows:

- A or B Explosives	> 25 kilograms
- LNG	bulk, > 3,500 gallons, or 5,000 lbs of HM for which placarding is required (all products)
- Toxic by Inhalation	> 1 liter/package
- HRCRAM	defined by Section 173.403(l)

  By limiting the safety permit program to the minimums above FHWA would be looking at a very small permit program affecting approximately 1,200 motor carriers.

- Combination. Focus the permit program on the minimums and expand the program to other areas or a limited basis to other designated risk areas based on justification and documentation, and expanded time frame. The carrier impact (1,200 base) would be expanded depending on additional risks operations included in the permit program.

3. Federal or State or Combination Program?

- The act designates the Secretary to develop a permit program.

- The act allows for delegation of the program (States).

- There could be a combined program where the Federal permit program allows the States the option of administrating the program, and collecting the appropriate fees. This could be done through MCSAP and would afford the State the opportunity to collect additional monies for implementing safety programs. It appears this decision depends on the type and extent of the permit program identified.

II. PERMITS

1. Separate Permit or None?

- None: The "Safety Fitness Letter" would suffice for the safety permit. There would be no need for a safety permit or fees.

- It appears from the language of the act that a federal/state Safety permit should be issued by an appropriate governmental agency. The permit could be similar to RSPA exemptions or FHWA waivers which authorizes the transportation of certain specified HM products under prescribed conditions that are unique to the different classes and contained in the permit when issued (e.g. HM CDL with proper endorsement, RAM-- inspections and routing requirements, etc.).

2. Fees or None

- The act provides for FHWA to issue fees for the permit program. It appears that a fee structure would only be applicable to an expanded program, whereas, the costs of conducting audits, processing, permits, etc. by the federal or state could be charged off as administrative costs to the fees collected.

3. Application or None?

- The act provides for the development of forms and procedures to administer the program. One scenario would be to eliminate the application form by using the MCS-137 or MCS-150 (Identification Reports).

- The application form may require specific information germane to the different types of high risk HM products subject to the permit program. Also, certain information may be needed to determine what condition may be required in the permit when issued. In some cases, in its present form the MCS-150 is inadequate to provide sufficient information for the HCRAM motor carriers.

4. Time Limit or No Limitation

- There is no need to assign a time value to the safety permit when issued. As long as the motor carrier is meeting the satisfactory safety fitness standard, there is no negative information in the MIS, and no complaints there is no need to follow-up and audit the carrier or require a renewal of the permit.

- Assigning a time value on the safety permit (i.e. 3 years) would allow for scheduled visits, establish a timetable for renewal (scheduled screening and/or contact), and would help in roadside enforcement procedures.

5. Quantity Limitations or Designated Minimums or None?

- The act specifically states "...except that this section shall apply, at a minimum, to all transportation by a motor carrier...."
- After talks with our legal staff it appear FHWA does have the option of assigning quantities for coverage under the act. Obviously, if FHWA expands the permit program those high risk HM areas chosen should have quantity parameters established as provided for in the act. RSPA suggested that "poison by inhalation" quantities (1 liter) be tied into Group I packaging (highest standard) as defined in HM-181 (Section 173.3(a)).

III. ENFORCEMENT AND MONITORING

1. Random or Select or Scheduled Audits or Roadside Inspection or Combination?

- There wasn't an "either/or" problem here, but rather how to monitor and enforce the program. It was suggested that a random sample of "satisfactory HM motor carriers" in the program could be contacted periodically to monitor the controlled population. Also, it was suggested that scheduled visits (e.g., 3 years) could be conducted based on a renewal process. This would especially be feasible if there were a small population of motor carriers permitted. Another scenario would be to selectively monitor and audit carriers based on negative MIS/SAFETYNET information or complaints. Finally, it was suggested that we could monitor and enforce the program through existing SCE program guidelines.
- Motor carrier vehicles operating on the highways without a safety permit could be declared out-of-service. Enforcement actions would be initiated against shippers for using motor carriers without a permit and for motor carriers operating without a permit.

IV. STANDARDS

1. Safety Fitness or Safety Fitness Plus?

- It was suggested that if a carrier is meeting the safety fitness standard and rated satisfactory then a safety permit could be issued "generically" to cover all of the HM motor carrier operations. Also, the current rating methodology and rating algorithm is sufficient to rate these carriers without additional criteria being adopted.
- Some individuals believes this circumvents what the act wanted. If there is no difference among the high risk

HM products designated in the act and other HM then why have a permit program at all? Also, it was proposed that there be a higher standard for the permitted carriers than the non permitted carriers. This could be done without changing the basis system. The HM audits relative to the different types of product could be expanded. The carrier could be evaluated on a higher standard within the rating methodology. And finally, specific conditions unique to the different types of HM product could be part of the safety permit when issued.

2. Regulations or None?

- The first concern here is should the regulations be included in Part 385, 397, etc. of the FMCSR on in the HMR.
- If FHWA integrates the entire permit program into the existing program (bare bone approach) then it is possible we only need to issue some technical changes to existing regulations.

2. Safety Permit Conditions or None

- If FHWA uses the "Safety Fitness Letter" as the safety permit there is no need to issue a permit. Additional conditions of the permit could be included in the same expanded letter.
- FHWA could used the conditions on the Safety Permit to address the unique problems, issues, and requirements (tie together these elements) related to the different types of HM product to be permitted. Also, the safety permit could be tailored to the individual applications much like the exemptions RSPA issues today.

V. OTHER CONSIDERATIONS

1. Carriers Must be Fit, Willing, and Able. The committee write up and act specifically directs FHWA to consider these issue and tie in the program to the safety rating procedures and program.

2. Preemption of State Permit Programs. It was decided that Section 22, Uniformity of State Motor Carrier Registration and Permitting Forms and Procedures, would look at uniformity and consistency, however, as long as a State permit program does not prevent a carrier from complying with the federal permit program the States would not be preempted.

3. Regulatory Options. It was suggested that many of the above options could be laid out in a Notice or Advanced Notice soliciting comments before any final decision.

4. State Associations. Depending on what type of safety permit program emerges it may be to FHWA advantage to seek implementation of the program with the help of the States on State agency representatives.

5. LNG Designation. Conversations with Mr. Al Roberts, Associate Administrator for HM Safety, indicated that the term Liquefied Natural Gas is not a problem, and was an error in the language of the act. Most LNG movements occur by pipeline. The committee report talks about LPG and LNG. It appears a clarification is needed or a thorough discussion in any rulemaking action.

6. Basic Planning Options. Examples of basic program options are contained in Appendix B. Obviously, there are many different combination scenarios that could be considered off the basic options.

RECOMMENDATIONS OF WORK GROUP

1. Review the above options with appropriate management team and finalize FHWA strategy prior to issuing rulemaking actions.

2. Discuss pertinent issues addressed above in rulemaking actions before making any final management decisions regarding program implementation.

3. Distribute report to appropriate contacts to solicit additional comments.

4. Get clarifications on the differences between the DOT bill sent over to the Congressional Committees and the final language in the act.

BREAK DOWN ANALYSIS OF SECTION 8

OF

THE HAZARDOUS MATERIALS TRANSPORTATION UNIFORM SAFETY

ACT OF 1990

(d) MOTOR CARRIER SAFETY PERMITS--

(1) REQUIREMENTS:

- A motor carrier may transport HM in commerce only if the motor carrier holds a safety permit

- keeps a copy of such permit in the motor vehicle

(2) ISSUANCE:

- Safety permits shall be issued to motor carriers authorized to transport HM in commerce if it is determine that the motor carrier is fit, willing, and able:

  - To provide the transportation to be authorized by the permit,

  - To comply with applicable safety permit regulations, and

  - To comply with any applicable Federal motor carrier safety laws and regulations including minimum financial responsibility regulations.

(3) SHIPPER'S RESPONSIBILITY:

- Shippers may offer HM only to motor carriers that hold safety permits authorizing such transportation.

(4) AMENDMENT, SUSPENSION, AND REVOCATION:

- After notice and an opportunity for a hearing a permit may be amended, suspended, or revoked whenever it is determined that such carrier has failed to comply with the prescribed

regulations. If an imminent hazard exists an opportunity for a hearing may not be required before revocation, etc., actions.

(5) COVERED TRANSPORTATION:

- Minimums:

  ° Class A or B explosive,

  ° A liquefied natural gas,
  ° Extremely toxic by inhalation,

  ° Highway route controlled quantity of radioactive materials

- Other

  ° Hazardous materials and quantity amounts as designated by the Secretary.

(6) PROCEDURES: Established by regulations:

- Application procedures, including form, content, and fees necessary to recover the full costs of administering the safety permits;

- Standards for determining the duration, terms, conditions, or limitation of a safety permit;

- Procedures for the amendment, suspension, or revocation of a safety permit issued under this section, and

- Any other procedures to implement issuance of safety permits.

(7) APPLICATION:

- The motor carrier shall file an application for a safety permit under oath, and contain such information as may be required by the regulations.

(8) CONDITIONS:

- A motor carrier may provide transportation under a safety permit only if the carrier complies with such conditions as

the Secretary finds are required to protect public safety.

(b) SAFETY PERMITS:

- Enactment, take effect 2 years after the date of the enactment of this act (Nov. 1992).

- Regulations issued by Nov. 1991.

ACTION ITEMS

1. Application procedures

2. Form and Content

e. Fee structure

f. Regulatory standards
   duration
   terms
   conditions
   limitations

g. Procedures for the amendment, suspension, or revocation

h. Covered transportation
   - Minimums:
     - Class A or B explosive,
     - A liquefied natural gas,
     - Extremely toxic by inhalation,
     - Highway route controlled quantity of radioactive materials
     - Other Hazardous materials and quantity amounts as designated by the Secretary.

i. Are State permit programs preempted under this act?

Appendix B

BASIC PLANNING STRATEGIES

OPTION #1

Section 121, Uniformity of State Motor Carrier Registration and Permitting Forms and Procedures, provides that as soon as practicable a "working group" be established for the purpose of:

(1) Establishing uniform forms and procedures for States that register persons who transport, cause to be transported, or ship a HM, by motor vehicle; and

(2) Determining whether or not to limit the filing of any State registration forms and collection of fees therefore to the State in which a person resides or has its principal place of business.

Therefore, FHWA should establish an "interim" simplified system to administer the safety permit program until such time as a report is finalize by the working group established to look at these issues.

Plan 1 Barebone Approach:

Application	MCS-137 and Identification Report, MCS-150
Safety Permit	Safety Letter Notification, no assigned fees.
Vehicle Requirement	Copy of letter on the vehicle
Application	Minimums provided for in the ACT: Class A and B, LNG, Highway Controlled RAM, extremely toxic by inhalation, not other designations by the Secretary, approximately 1,200 motor carriers.
Screening & Monitoring	If a motor carrier is rated satisfactory then a safety permit will be issued authorizing transportation of subject HM product.
Enforcement	Through SCE program and normal existing procedures.
Maintenance	Existing staffing and offices.

OPTION #2

Section 8 of the act provides that FHWA establish regulatory requirements to issue safety permits to high risk movements of hazardous materials. These requirements include application procedures, including form, content, and fees, standards for determining the duration, terms, conditions, or

limitations of a safety permit, procedures for the amendment, suspension, or revocation of a safety permit and any other procedures to implement the issuance of a safety permit.

Plan #2

Application	MCS-137 and Identification Report, MCS-150 Application form contents tied into RSPA registration application and form.
Safety Permit	Safety Permit would be issued by FHWA
Vehicle Requirement	Copy of letter on the vehicle
Application	Minimums provided for in the ACT: Class A and B, LNG, Highway Controlled RAM, extremely toxic by inhalation, not other designations by the Secretary, approximately 1,200 motor carriers.
Screening & Monitoring	Once an application was received there would be an immediate screening of the MIS. If there wasn't any negative information a Safety Permit would be issued, otherwise a compliance audit would be performed. Monitoring would occur through random contacts on satisfactory carriers in the program, select contacts based on negative information or complaints, or on a scheduled basis. A permit would be issued for a 2 year time duration followed by a renewal. There would be no fees associated with issuance of the permit. The audit procedures and applicable rating methodology would be expanded to require a higher standard for safety permit authorization. Also, specific unique product considerations would be addressed through conditions provided for in the safety permit.
Enforcement	Through SCE program and normal existing procedures. The threat of pulling safety permit would be an additional enforcement tool to bring a carrier into immediate compliance. If the permit is pulled the carrier could not operate.
Maintenance	additional HIA and HFO-10 staffing.

OPTION #3

Option #3 is based on an expanded HM safety permit program emanating from section 8, paragraph (5) Covered Transportation, which allows for the

opportunity to identify additional HM coverage areas as designated by the Secretary, e.g. Flammable Liquids (gasoline transporters):

Application	MCS-137 and Identification Report, MCS-150 Application form contents tied into RSPA registration application and form.
Safety Permit	Safety Permit would be issued by FHWA
Vehicle Requirement Application	Copy of letter on the vehicle Minimums provided for in the ACT: Class A and B, LNG, Highway Controlled RAM, extremely toxic by inhalation, and other designations by the Secretary, approximately 22,000 motor carriers.
Screening & Monitoring	Once an application was received there would be an immediate screening of the MIS. If there wasn't any negative information a Safety Permit would be issued, otherwise a compliance audit would be performed. Monitoring would occur through random contacts on satisfactory carriers in the program, select contacts based on negative information or complaints, or on a scheduled basis. A permit would be issued for a 2 year time duration followed by a renewal. There would be no fees associated with issuance of the permit. The audit procedures and applicable rating methodology would be expanded to require a higher standard for safety permit authorization. Also, specific unique product considerations would be addressed through conditions provided for in the safety permit.
Enforcement	Through SCE program and normal existing procedures. The threat of pulling safety permit would be an additional enforcement tool to bring a carrier into immediate compliance. If the permit is pulled the carrier could not operate.
Maintenance	additional HIA and HFO-10 staffing.