

Before the:
**U.S. DEPARTMENT OF TRANSPORTATION
RESEARCH AND SPECIAL PROGRAMS
ADMINISTRATION**

August 11, 2003
WASHINGTON, DC

Docket No. RSPA-03-15327 (HM-206B)

Hazardous Materials: Changes to the Hazard Communication Requirements, Including Revision of
Design of Labels and Placards for Materials Poisonous by Inhalation (PIH)

Comments by



**Commercial Vehicle Safety Alliance
1101 17th Street, N.W., Suite 803
Washington, DC 20036**

www.cvsa.org

I. Introduction

Established in 1981, the Commercial Vehicle Safety Alliance (CVSA) works to improve commercial vehicle safety on the highways by bringing federal, state, and provincial truck and bus safety enforcement agencies together with representatives from industry in the United States, Canada, and Mexico. Every state in the U.S., all Canadian provinces, the country of Mexico, and all U.S. Territories and Possessions are members of CVSA.

II. Hazardous Materials: Changes to the Hazard Communication Requirements, Including Revision of Design of Labels and Placards for Materials Poisonous by Inhalation (PIH)

Although we agree with most of the proposed changes to the regulations and believe the proposed revisions will enhance safety and hazard communication, we disagree with the revision of § 172.400a(a) exceptions from labeling to include poison gas (Division 2.3) materials. While the exception for Division 2.1 and 2.2 non-toxic gases allowing the alternate marking is, by and large effectual, frequently these markings suffer the same deterioration problems as labels. They are often abraded, torn, and faded from frequent use and handling of the cylinders to which they are attached.

We do not believe that allowing poison gases to bear the smaller label specified in CGA Pamphlet C-7 will, in any way, improve safety or enhance hazard communication, especially under emergency conditions. In our opinion, any material that has either a primary or subsidiary hazard of Division 2.3 (poison gas) should continue to bear a full-size poison gas label as specified in § 172.416. The CGA Pamphlet C-7 Appendix A marking, if allowed at all to represent a poison gas hazard, could be an acceptable addition to, but not a substitute for, the standard labeling.

Therefore, we recommend that RSPA not adopt the use of the CGA Pamphlet C-7 Appendix A marking for use with materials which exhibit the poison gas hazard, and retain the present marking and labeling requirements for those materials.