

Chapter 446-50 WAC
TRANSPORTATION OF HAZARDOUS MATERIALS

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WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

446-50-040 Procedure upon entering the state. [Statutory Authority: RCW 46.48.190. WSR 80-01-009 (Order 79-4), § 446-50-040, filed 12/11/79.] Repealed by WSR 94-01-180, filed 12/22/93, effective 1/22/94. Statutory Authority: RCW 46.48.190.

WAC 446-50-010 Authority. Chapter 46.48 RCW authorizes the Washington state patrol acting by and through its chief after conferring with the emergency management council under RCW 38.52.040 to adopt regulations concerning the safe transportation of hazardous materials, hazardous waste, and radioactive waste materials upon the public highways of this state. Chapter 46.32 RCW permits the inspection of vehicles traveling on the highways of this state.

[Statutory Authority: RCW 46.48.170. WSR 13-18-068, § 446-50-010, filed 9/3/13, effective 10/4/13. Statutory Authority: RCW 46.48.190. WSR 81-03-008 (Order 80-2), § 446-50-010, filed 1/8/81; WSR 80-01-009 (Order 79-4), § 446-50-010, filed 12/11/79.]

WAC 446-50-020 Purpose. These rules are intended to protect persons and property from unreasonable risk of harm or damage due to incidents or accidents resulting from the transportation of hazardous materials and hazardous waste and to insure that the vehicle equipment of all carriers of radioactive waste materials are inspected by the Washington state patrol.

[Statutory Authority: RCW 46.48.190. WSR 81-03-008 (Order 80-2), § 446-50-020, filed 1/8/81; WSR 80-01-009 (Order 79-4), § 446-50-020, filed 12/11/79.]

WAC 446-50-030 Definitions. (1) Port of entry - Means any place where members of the Washington state patrol or any state official are stationed to check the movement of vehicles into the state of Washington.

(2) Certification inspection - Means an inspection form furnished by the chief of the Washington state patrol for the purpose of defining the proper items of equipment to be inspected.

(3) Radioactive waste materials - Means any material or combination of materials as provided for in Title 49, Code of Federal Regulations, Part 172.101 Hazardous Materials Table.

(4) Hazardous material carrier - Means any vehicle transporting any hazardous material provided for in Title 49, Code of Federal Regulations, Part 172.101 Hazardous Materials Table.

(5) Radioactive waste materials disposal site - Means a location that has been designated by the federal and state government where radioactive waste material can be deposited for the purpose of disposal.

[Statutory Authority: RCW 46.48.190. WSR 80-01-009 (Order 79-4), § 446-50-030, filed 12/11/79.]

WAC 446-50-050 Inspection. All carriers of radioactive waste materials within the state will submit to a comprehensive safety equipment inspection conducted by members of the Washington state patrol. These equipment inspections must be conducted under the authority of chapter 46.48 RCW.

[Statutory Authority: RCW 46.48.170. WSR 13-18-068, § 446-50-050, filed 9/3/13, effective 10/4/13. Statutory Authority: RCW 46.48.190. WSR 80-01-009 (Order 79-4), § 446-50-050, filed 12/11/79.]

WAC 446-50-060 Inspection forms. No interstate carrier of radioactive waste material will be allowed to enter any radioactive waste materials disposal site without displaying a certificate of inspection form issued by a member of the Washington state patrol, for that particular load. The chief of the Washington state patrol shall prepare and furnish such certificate of inspection forms and any other forms deemed necessary to assure compliance.

[Statutory Authority: RCW 46.48.190. WSR 80-01-009 (Order 79-4), § 446-50-060, filed 12/11/79.]

WAC 446-50-070 Intrastate quarterly inspection. Intrastate radioactive waste material carriers will be required to contact the Washington state patrol and submit to an inspection on a quarterly basis. Upon being contacted by the radioactive waste material carriers the Washington state patrol will conduct a thorough equipment inspection of that intrastate carrier at a designated location. Upon completion of the inspection the carrier will be issued an inspection sticker that will be valid for ninety days. A current and valid inspection sticker will be required for entry into the radioactive waste material site.

[Statutory Authority: RCW 46.48.190. WSR 80-01-009 (Order 79-4), § 446-50-070, filed 12/11/79.]

WAC 446-50-080 Transportation requirements. (1) The Washington state patrol acting by and through the chief of the Washington state patrol after conferring with the emergency management council under RCW 38.52.040 hereby adopts the following parts of Title 49 Code of Federal Regulations, as they exist on October 1, 2020, for motor carriers used in intrastate or interstate commerce in their entirety:

(a) The following sections of part 107 Hazardous materials program procedures:

(i) Subpart F - Registration of cargo tank and cargo tank motor vehicle manufacturers, assemblers, repairers, inspectors, testers, and design certifying engineers; and

(ii) Subpart G - Registration of persons who offer or transport hazardous materials.

(b) Part 170 (Reserved).

(c) Part 171 General information, regulations, and definitions.

(d) Part 172 Hazardous materials table, special provisions, hazardous materials communications, emergency response information and training requirements.

(e) Part 173 Shippers—General requirements for shipments and packaging.

(f) Part 177 Carriage by public highway.

(g) Part 178 Specifications for packagings.

(h) Part 180 Continuing qualification and maintenance of packagings.

(i) Part 189 (Reserved).

(2) Title 49 C.F.R., parts 100 through 199, relates to safety in the transportation of hazardous materials upon the public highways. This regulation is intended to apply only to the transportation of hazardous materials by highway in Washington, to the handling and storage operations incident to such transportation, and to the highway portion of an intermodal shipment of hazardous materials.

(3) Copies of Title 49 C.F.R., parts 100 through 199, now in force are on file at the Washington state patrol headquarters, commercial vehicle enforcement section, Olympia. Copies of the C.F.R. may be purchased through the Superintendent of Documents, United States Government Printing Office, 732 N. Capitol Street N.W., Washington, D.C. 20402.

[Statutory Authority: RCW 46.32.020 and 46.48.170. WSR 21-22-087, § 446-50-080, filed 11/2/21, effective 12/3/21. Statutory Authority: RCW 46.48.170. WSR 13-18-068, § 446-50-080, filed 9/3/13, effective 10/4/13. Statutory Authority: RCW 46.48.170 - 46.48.190. WSR 85-20-070 (Order 85-1), § 446-50-080, filed 9/30/85. Statutory Authority: RCW 46.48.170. WSR 84-05-010 (Order 82-3), § 446-50-080, filed 2/7/84; WSR 83-03-008 (Order 82-3), § 446-50-080, filed 1/11/83; WSR 82-07-100 (Order 82-2), § 446-50-080, filed 3/24/82. Statutory Authority: RCW 46.48.190. WSR 81-03-008 (Order 80-2), § 446-50-080, filed 1/8/81; WSR 80-01-009 (Order 79-4), § 446-50-080, filed 12/11/79.]