

(c) When fish scrap or fish meal is offered for transportation by vessel in bulk in freight containers the following additional requirements must be met:

- (1) The fish meal must contain at least 100 PPM antioxidant (ethoxyquin) at the time of shipment.
- (2) Each shipment must be accompanied by a statement in which the shipper certifies:
 - (i) The moisture content of the fish meal;
 - (ii) The concentration of antioxidant (ethoxyquin) in the material in PPM at the time of loading into the freight container.
 - (iii) The fat content of the fish meal;
 - (iv) Date and place of production of the fish meal and
 - (v) The physical state of the material (ground, pelletized, or mixture).

Sec. 173.1010 Lead dross or scrap containing 3 percent or more free acid. Lead dross or scrap, containing 3 percent or more free acid when offered for transportation by water, must be prepared for shipment in compliance with § 173.510 and must be packaged in steel barrels or drums or wooden barrels, boxes, or kegs.

Sec. 173.1015 Lithium batteries, for disposal. (a) Lithium batteries, for disposal, comprised of one or more cells, may be offered for transportation to a permitted storage facility and disposal site by motor vehicle only, if the battery:

- (1) When new, contained not more than 12 grams of lithium per cell;
 - (2) Is equipped with an effective means of preventing external short circuits;
 - (3) Is classified and offered for transportation as an ORM-C; and
 - (4) Is overpacked in a strong fiberboard box, or metal or fiber drum which complies with § 173.24.
- (b) Paragraph (a) does not apply to lithium batteries which, when new, were excepted from regulation under § 173.206(f).

Sec. 173.1020 [Reserved]

Sec. 173.1025 Ferrous metal borings, shavings, turnings, or cuttings (excluding stainless steel). Ferrous metal borings, shavings, turnings, or cuttings, other than stainless steel, when offered for transportation by water, must be prepared for shipment in compliance with § 173.510 and must be packaged in a metal barrel or drum.

Sec. 173.1040 Pesticide, water-reactive. Water reactive pesticide not otherwise subject to this subchapter, and including fungicides, herbicides, etc., which contain manganese ethylene bis-dithio carbamate, when offered for transportation by water, must be packaged in water resistant packaging in compliance with § 173.510.

Sec. 173.1045 Petroleum coke, uncalcined. Uncalcined petroleum coke, when offered for transportation by water, must be prepared for shipment in compliance with § 173.510 and must be packaged in metal barrels or drums.

Sec. 173.1060 RESERVED

Sec. 173.1065 Rubber curing compound, solid. (a) Solid rubber curing compounds, when offered for transportation by water, must be prepared for shipment in compliance with § 173.510 and must be packaged as follows:

- (1) Metal barrel or drum;
- (2) Fiber drum;
- (3) Wooden barrel or keg;

- (4) Wooden or fiberboard box;
- (5) Sift-proof multi-wall paper bag; or
- (6) Sift-proof lined burlap bag.

Sec. 173.1070 Sawdust or wood shavings. (a) Sawdust or wood shavings, when offered for transportation by water, must be prepared for shipment in compliance with § 173.510 and must be packaged as follows:

- (1) Steel barrel or drum;
- (2) Wooden barrel or keg;
- (3) Wooden or fiberboard box;
- (4) Bag; or
- (5) Bales, slatted and compactly bound with wire or metal bands.

Sec. 173.1080 Sulfur, molten or solid. (a) Solid sulfur. When offered for transportation by water, solid sulfur, including flowers of sulfur (sulfur flower), must be packaged in conformance with § 173.510 in packagings as follows:

- (1) Metal barrel or drum;
- (2) Wooden barrel or keg;
- (3) Wooden or fiberboard box;
- (4) Sift-proof multi-wall paper bag;
- (5) Sift-proof paper-lined burlap bag;
- (6) Sift-proof rail car; or
- (7) Sift-proof or lined freight container.

(b) Molten sulfur. Packagings for molten sulfur must—

- (1) Conform to the requirements of § 173.510; and
- (2) For bulk packagings, be marked "MOLTEN SULFUR" in the manner prescribed in Subpart D of Part 172 of this subchapter.

Sec. 173.1090 Asbestos.

(a) Asbestos includes any of the following hydrated mineral silicates: chrysotile, crocidolite, amosite, anthophyllite asbestos, tremolite asbestos, actinolite asbestos, and every product containing any of these minerals.

(b) Commercial asbestos is any material or product containing asbestos that has commercial value because of its asbestos content.

(c) Asbestos which is immersed or fixed in a natural or artificial binder material (such as cement, plastic, asphalt, resins or mineral ore) and manufactured products containing asbestos or any materials or products whose commercial value is not dependent on their asbestos content, are not subject to the requirements of this subchapter.

(d) Commercial asbestos must be offered for transportation and transported in:

- (1) Rigid, leaktight packagings such as metal or fiber drums, portable tanks, hopper-type rail cars, or hopper-type motor vehicles;
- (2) Bags or other non-rigid packagings in closed freight containers, motor vehicles, or rail cars that are loaded by and for the exclusive use of the consignor and unloaded by the consignee;
- (3) Bags or other non-rigid packagings which are dust and sift-proof. When transported by other than private carrier by highway, such packagings containing asbestos must be palletized and unitized by methods such as shrink-wrapping in plastic film or wrapping in fiberboard secured by strapping. Pallets need not be used during transportation by vessel for loads with slings that are unitized by methods such as shrink-wrapping, if the slings adequately and evenly support the loads and the unitizing method prevents shifting of the bags or other non-rigid packagings during conditions normally incident to transportation; or
- (4) Bags or other non-rigid packagings which are dust and sift-proof in strong outside fiberboard or wooden boxes.

SUBPART N

OTHER REGULATED MATERIAL; ORM—D

Sec. 173.1200 Consumer Commodity. (a) In order to be transported under the proper shipping name of "Consumer commodity," a material must meet that definition. It may be reclassified and offered for shipment as ORM—D material (See § 173.500) provided that an ORM—D exception is authorized in specific sections applicable to the material, and that it is prepared in accordance with the following paragraphs. (The gross weight of each package must not exceed 65 pounds and each package offered for transportation aboard aircraft must meet the requirements of § 173.6.)

(1) Flammable Liquids must be:

- (i) In inside metal containers, each having a rated capacity of 1 quart or less, packed in strong outside packagings;
- (ii) In inside containers, each having a rated capacity of 1 pint or less, packed in strong outside packagings.
- (iii) In inside containers, each having a rated capacity of one gallon or less, packed in strong outside packagings. The provisions of this exception apply only if the flash point of the material is 73° F. or higher.