

SUBJECT 3 — DOCKET 2026-2 — APPROVED AS DOCKETED

It is proposed to amend Item 540, Hazardous Materials, to read as follows:

ITEM 540

HAZARDOUS MATERIALS

Secs. 1-3. No Change.

Sec. 4. Empty Shipping Packages Containing Hazardous Material Residue: Empty shipping packages containing the residue of hazardous material regulated by the U.S. Department of Transportation will be classified as the package itself ⇨when: 1) either the material name, identification number, hazard warning label(s) or placard(s), and any other markings indicating that the material is hazardous have been removed, obliterated or securely covered, or the shipment meets the requirements of 49 CFR § 172.303 for markings and 49 CFR § 172.401(d) for labels; and 2) they are excepted from the hazardous materials regulations, per 49 CFR §173.29. Otherwise, the package will be classified as the hazardous material contained therein.

While compliance with U.S. Department of Transportation hazardous materials regulations must be made, determination of the applicable class ⇨for packages containing hazardous material residue is subject to Item 680, Sec. 1(a), Note 2(a) and (b).

Sec. 5. No Change.

Notes A-E—No Change.

Comment: Item (Rule) 540, Sec. 4 is amended to remove the term "only" in the first paragraph and add phrasing in the second paragraph to clarify the application of Item (Rule) 680, Sec. 1(a), Note 2(a) and (b).

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SUBJECT 4 — DOCKET 2026-2 — APPROVED AS DOCKETED

Item	Description	Class
47490	CHINA GROUP, etc.....	⇨Cancel; no further application
47495	Birdbaths, terra cotta, etc	⇨Cancel; see item 47500