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## DEQ Announces Training Seminars on 2021 UST Regulations

The Virginia DEQ has announced a series of both live webinar and classroom training this fall to train petroleum marketers on the new underground storage tank regulations that take effect in 2021. The three hour training sessions will include topics such as spill, overfill, and sump testing requirements, walk-through inspections, release detection for emergency generator tanks, release detection equipment testing, and requirements for equipment repairs.

[Click here](#) for full details on content, dates and locations.

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## Reminder! Shipping Paper Hazmat Sequencing Change

*From PMAA*

PMAA has learned that roadside inspections violations for improper hazardous material notice sequencing on product transfer documents (PTD) remains a frequent occurrence. The order in which hazardous material information must appear on PTDs changed six years ago. The U.S. DOT issued a final rule on December 29, 2006 that implemented a change to hazardous materials shipping papers beginning January 1, 2013. However, some petroleum marketers remain unaware of these important changes. The DOT's final rule harmonized federal hazardous material regulations (HMR) with international standards but applies to domestic shipments as well.

The rule is important to petroleum marketers because it changed the way shipping papers for hazardous materials are prepared. Specifically, the final rule changed the sequence of hazardous material product description that must be placed on shipping papers for petroleum products. Under the new requirement, the hazardous material identification number must be entered first, followed by the product shipping name. Until now, the HMR required that the product shipping name be entered first, followed by the hazard class then the hazardous material identification number. The U.S. DOT allowed for voluntary compliance with the new

hazardous material sequencing beginning January 1, 2007 but it became mandatory in 2013. The following is a comparison of the old and new hazardous material product information sequence for shipping papers (Note: bold type face used for purposes of illustration only):

**INCORRECT SEQUENCING      CORRECT SEQUENCING**

|  |   |
|--|---|
| Diesel Fuel, 3, NA1993, PG III                 | NA1993, Diesel Fuel, 3, PG III                |
| Fuel Oil, (No. 1,2,4,5 or 6) 3, NA1993, PG III | NA1993, Fuel Oil (1,2,4,5 or 6), 3, PG III    |
| Gasoline, 3, UN1203, PG II                     | UN1203, Gasoline, 3, PG II                    |
| Kerosene, 3, UN1223, PG III                    | UN1223, Kerosene, 3, PG III                   |
| E-10   | UN1203, Gasoline, 3, PG II                    |
| Gasoline, 3, UN1203, PG II                     | UN3475 Ethanol and Gasoline Mixture, 3, PG II |
| Ethanol blends over E-10 including E-85        |   |
| Ethanol and Gasoline Mixture, 3, UN3475, PG II |   |

(Remember all product sequences must be preceded or followed by quantity ex: "1 cargo tank truck" or "500 gals", etc.)

## **FDA Issues Warning Letters for 44 Illegally Marketed Tobacco Products**

FDA issued warning letters to four firms for manufacturing, selling, and/or distributing a combined 44 flavored e-liquid and hookah tobacco products without the required marketing authorization. The products subject to the warning letters were introduced or modified after Aug. 8, 2016 - the effective date of the final rule that extended FDA's authority to all tobacco products. Any new tobacco product that does not meet the Federal Food, Drug, and Cosmetic Act's (FD&C Act) premarket requirements is adulterated and/or misbranded and may not be marketed without authorization from FDA.

The companies receiving warning letters from the agency for illegally selling their products without a required marketing authorization are:

- Mighty Vapors, LLC, doing business as Ovo Manufacturing & Distribution
- Liquid Labs USA, LLC, doing business as Likido Labs USA

- V8P Juice International, LLC
- Hookah Imports, Inc.

The warning letter to Hookah Imports, Inc., includes additional violations such as selling hookah tobacco products to a minor and failing to include the required nicotine warning statement on the labeling and/or advertising of their hookah products.

FDA has requested responses from each of the four companies within 15 working days on how they intend to address the agency's concerns, including the dates on which they discontinued any violative sale and/or distribution of these tobacco products, and their plans for maintaining compliance with the FD&C Act. Failure to correct violations may result in further action such as seizure or injunction. In addition, misbranded or adulterated products imported into the U.S. are subject to detention and refusal of admission.

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## **Upcoming Webinar on State Fund Reimbursement Changes**

DEQ will be conducting a Webinar next Monday August 19, 9:30 - 11:30 AM. The webinar will present the 2019 UCR Guidance Training for remediation consultants who were unable to attend the in-person training held last month.

The following items and more will be presented:

- Changes to the claim submittal process
- New UCRs
- Changes/updates to existing UCRs

After registering, you will receive a confirmation email with information on how to join the webinar.

[Click here](#) to register.