



U.S. Department
of Transportation

1200 New Jersey Avenue SE
Washington, DC 20590

**Pipeline and Hazardous
Materials Safety
Administration**

SEP 1 9 2015

Ms. Michele A. Jacobs
Corporate Safety and Fleet Manager
The Lane Construction Corporation
8205 Wilkinson Blvd.
Charlotte, NC 28214

Ref. No. 15-0121

Dear Ms. Jacobs:

This responds to your email of June 16, 2015 requesting clarification on shipping paper requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Your questions have been paraphrased and answered as follows:

- Q1. Must a shipping paper that describes a shipment of diesel fuel in a cargo tank motor vehicle show the quantity transported in a specific unit of measurement such as gallons?
- A1. No. Under § 172.202(a)(5)(iii)(A), the HMR allow the total quantity of hazmat transported in a bulk package, such as in your scenario, to be described on the shipping paper by indicating the number and type of bulk package(s) (e.g., 1 cargo tank), rather than an applicable unit of measurement (e.g., gallons, liters).
- Q2. Must a shipping paper that describes a shipment of diesel fuel in a cargo tank motor vehicle include a "log" of the quantity dispensed from a cargo tank?
- A2. There is no requirement under the HMR to include a "log" of the quantity dispensed on a shipping paper used for multiple deliveries. However, if a driver picks up additional quantities of hazmat, which were not previously indicated on the shipping paper, the additional quantities must be added if the total quantity on the vehicle exceeds that indicated on the shipping papers. PHMSA understands, however, that using one shipping paper for multiple deliveries is not common practice for transport by cargo tank motor vehicle. For more information, please see enclosed Letter of Interpretation, Ref. No. 03-0247.
- Q3. Does the shipping paper that your company provided comply with the shipping paper requirements found in Part 172, Subpart C—Shipping Papers?

A3. It is the opinion of this Office that the shipping paper provided satisfies the shipping paper requirements of the HMR. However, you may wish to consider making the emergency response telephone number information more "prominent," such as by highlighting, using a larger font or a font that is a different color from other text, or otherwise setting the information apart to provide for quick and easy recognition, as described in § 172.604. In addition, you may wish to modify the "Total Quantity" section of the shipping paper to read "___ Cargo Tank(s)" instead of "___ Tank(s)" since this is more descriptive of your scenario and the exception referred to in § 172.202(a)(5)(iii)(A) specifically uses this language.

I hope this answers your inquiry. If you need additional assistance, please contact this Office again.

Sincerely,

A handwritten signature in black ink, appearing to read "Dirk Der Kinderen". The signature is written in a cursive style with a large, sweeping initial "D".

Dirk Der Kinderen
Acting Chief, Standards Development Branch
Standards and Rulemaking Division

Resko
§172.202
Shipping Papers
15-0124

Dodd, Alice (PHMSA)

From: Geller, Shelby CTR (PHMSA)
Sent: Wednesday, June 17, 2015 4:26 PM
To: Hazmat Interps
Subject: FW: Request for formal review of Shipping Paper that it meets the regulations §172.202 Description of hazardous material on shipping papers.
Attachments: Master Shipping Paper Diesel - as of May 2015.pdf; DSC03939.JPG; IMG_0298.jpg

Dear Shante and Alice,

Forwarded is a formal request for a letter of interpretation. Ms Jacobs spoke with Jordan Rivera in the HMIC.

Thanks,
Shelby

From: Michele A. Jacobs [<mailto:majacobs@laneconstruct.com>]
Sent: Tuesday, June 16, 2015 11:51 AM
To: INFOCNTR (PHMSA)
Subject: Request for formal review of Shipping Paper that it meets the regulations §172.202 Description of hazardous material on shipping papers.

To Whom It May Concern:

Please see attached document which is our Shipping Paper that we use for all of our service trucks which are placarded for diesel 1993. These service trucks fuel our construction equipment on our road construction projects. We have used this shipping paper for years with no problem. Over ten years ago we verified with the Hazardous Materials Information Center that this shipping paper met the regulations. The only change we have made is to update the shipping paper with our current USDOT Hazmat registration number at renewal time. At a recent roadside inspection an officer stated that we need to show gallons and a log showing the gallons dispensed. We would like a letter acknowledging that our shipping paper is correct should we have any future issues as this could adversely affect our Hazmat rating. At least 44 Hazmat roadside inspections have been conducted over the previous 24 month period with no violations related to the attached shipping paper being improper. We called the Hazardous Materials Information Center and they suggested I send a note to the info center in order to receive this in writing as they could not provide anything in writing. Thank you

Note - Two pictures of straight trucks are attached – one type has several tanks on each truck (oil, antifreeze, etc.) and another has one tank containing diesel fuel.

This is the only change made recently to include our renewal registration No. - **U.S. DOT Hazmat Reg. No. 050115 550 016XZ** Issued 05/01/2015 Expires 6/30/2018

Michele A. Jacobs

LANE

Corporate Safety and Fleet Manager
The Lane Construction Corporation
8205 Wilkinson Blvd. | Charlotte, NC 28214

[✉: MAJacobs@LaneConstruct.com](mailto:MAJacobs@LaneConstruct.com)

[☎: 704.395.3243](tel:704.395.3243) | [☎: 704.394.5354](tel:704.394.5354) | Cell: 704.201.1249

6 Point Focus

Safety / Innovation / Continuous Improvement / Coach and Be Coachable / Execute with Excellence
Live the Lane Values

Note: This message is for the named person's use only. It may contain confidential, proprietary or legally privileged information. No confidentiality or privilege is waived or lost by any miss-transmission. If you receive this message in error, please immediately delete it and all copies of it from your system, destroy any hard copies of it and notify the sender. You must not, directly or indirectly, use, disclose, distribute, print, or copy any part of this message if you are not the intended recipient. LANE INDUSTRIES and any of its subsidiaries each reserve the right to monitor all e-mail communications through its networks. Any views expressed in this message are those of the individual sender, except where the message states otherwise and the sender is authorized to state them to be the views of any such entity. Thank You.

Keep shipping paper on top or flag page per regulations.
Keep package within immediate reach while restrained by the seatbelt.
Best practice is to velco laminated shipping paper to driver's side door.

HAZARDOUS MATERIAL SHIPPING PAPERS

LANE

The Lane Construction Corp.
90 Fieldstone Ct.
Cheshire, CT 06410
(203) 235-3351

U.S. DOT Hazmat Reg. No. 050115 550 016XZ Issued 05/01/2015 Expires 6/30/2018

Product (Hazardous Material)

Total Quantity

NA 1993, Diesel fuel, Combustible liquid, PG III

 1 Tank (s)

In case of emergency, call:

24 Hour Emergency Response Contact:
Chemtrec # (800) 424-9300

Numbers
must be
3½" tall



Use 4 placards and keep in EXCELLENT condition and clearly visible – Place on Front, Back and Both Sides (right and left) of Hazmat Vehicle.

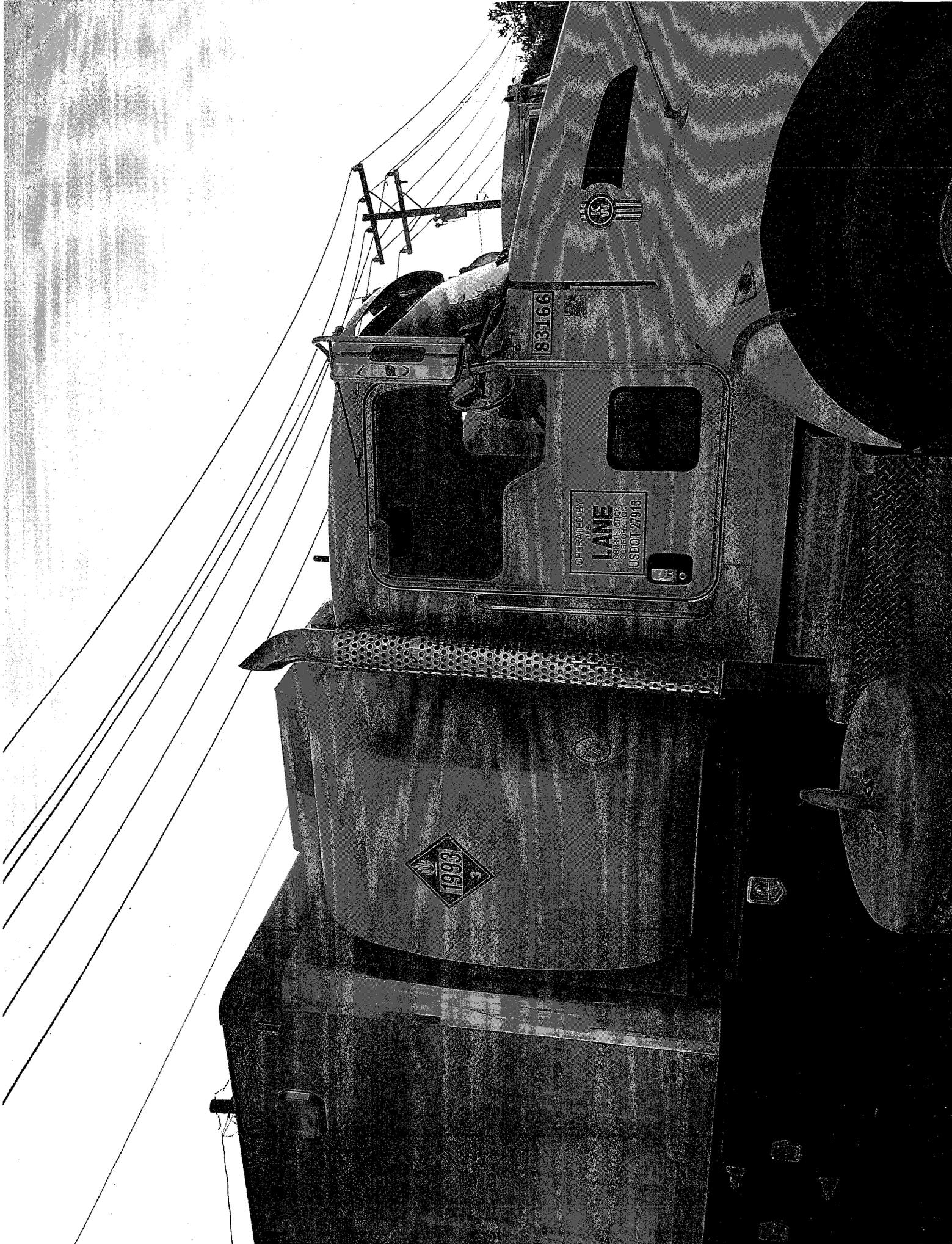
Certification (172.204)

This is to certify that the above-named materials are properly classified, described, packaged, marked, and labeled and are in proper condition for transportation according to the applicable regulations of the Department of Transportation.

Signed: Michele A Jacobs

Michele A. Jacobs – Corp. Safety and Fleet Manager





83166

OPERATED BY
THE
LANE
CONSERVATION
CORPORATION
USDOT 27918

1993
3