

COVID-19: Frequently Asked Questions

Friday, May 1, 2020

This page provides answers to frequently asked questions regarding PHMSA's Hazardous Materials Regulations (HMR) and Coronavirus Disease 2019 (COVID-19) related guidance published on the PHMSA website.

Note: This guidance does not have the force and effect of law and is not meant to bind the public in any way. This guidance is intended only to provide clarity regarding existing requirements under the law.

Hand Sanitizer Guidance

Q1. Does PHMSA's Notice of Enforcement Discretion issued on April 10, 2020, and titled "[Temporary Policy for the Transportation of Certain Alcohol-Based Hand Sanitizer Products During the Public Health Emergency \(COVID-19\)](#)" apply to all hand sanitizers?

A1. The relief granted in the April 10, 2020, notice applies to hand sanitizer products that are:

1. Prepared in accordance with the FDA Guidance Document (available at: <https://www.fda.gov/media/136118/download>); and
2. Packaged and transported as described in the April 10, 2020, notice, as applicable.

Contaminated Personal Protective Equipment (PPE)

Q1. Which PHMSA regulations apply to PPE that is known or reasonably expected to be contaminated with an infectious substance and that is shipped for cleaning or refurbishment?

A1. According to the Centers for Disease Control and Prevention (CDC), specimens of SARS-CoV-2 should be treated as a Category B infectious substance. Therefore, potentially contaminated personal protective equipment (e.g., N95 respirators) packaged and marked according to the Occupational Safety and Health Administration (OSHA) Bloodborne Pathogen Standard requirements found in 29 CFR 1910.1030 may be transported for cleaning or refurbishment in accordance with 49 CFR 173.134(b)(12)(i). Note: The provisions of 49 CFR 173.134(b)(12)(i) do not apply to medical equipment being transported for disposal.

Q2. What PHMSA regulations apply to potentially contaminated PPE transported for disposal?

A2. Potentially contaminated PPE transported for disposal must be transported in accordance with 49 CFR 173.134(c) and 173.197 of the HMR.

Q3. Do placarding requirements apply when transporting contaminated PPE?

A3. No. There is no infectious substance (Division 6.2) placard, as such placarding is not required. (See 49 CFR 172.500(b)(1)) *Note: When potentially contaminated PPE is shipped as regulated medical waste in bulk packaging contained in or on a transport vehicle or freight container, if the BIOHAZARD marking on the bulk packaging is not visible, the transport vehicle or freight container must be marked with the BIOHAZARD marking on each side and each end, in accordance with 49 CFR 172.323.*

Shipping Papers

Q1. Does PHMSA's guidance issued on April 10, 2020, titled ["Notice Highlighting Existing Options Related to Hazardous Materials Shipping Papers and Social Distancing during the COVID-19 Public Health Emergency"](#) provide any relief from the HMR or enforcement actions?

A1. No. The guidance is intended to clarify that shippers and carriers can comply with the HMR with respect to the exchange of shipping papers while also adhering to social distancing guidelines.

Q2. Is a computer-generated signature an acceptable way of complying with the signature certification requirements of the HMR?

A2. Yes. A certification may be accomplished by mechanical means such as a computer-generated electronic signature, in addition to other conventional forms of certification (e.g., signed manually, by typewriter, or by other mechanical means). (See 49 CFR 172.204(d)(2))

Q3. When hazardous materials are being transported by highway, do electronic shipping papers comply with the requirements of the HMR?

A3. No. In accordance with 49 CFR 177.817(e), during highway transportation a shipping paper must be in hard copy form. Furthermore, a driver of a motor vehicle containing hazardous material and each carrier using such a vehicle, shall ensure that the shipping paper is readily available to, and recognizable by, authorities in the event of an accident or investigation. *Note: While a physical paper is required to be in the vehicle, the HMR do not prohibit having and transmitting an additional electronic shipping paper throughout the transport chain to support efficiencies and/or social distancing.*