



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

OCT 26 2017

Jeff Messer
Safety Analyst
CFI
4701 East 32nd Street
Joplin, MO 64804

Reference No. 17-0086

Dear Mr. Messer:

This letter is in response to your August 14, 2017, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the Emergency Response Guidebook (ERG). Specifically, you ask if a carrier is permitted to use an older version of the ERG (e.g., 2012 edition) provided it contains the same emergency response information as the current version.

If the emergency response information remains relevant and appropriate for the hazardous material, there is no prohibition against using an older version of the ERG. According to § 172.602(b), emergency response information required for a hazardous material must be printed legibly in English, available for use away from the package containing the hazardous material, and presented on or with the shipping paper. A separate document (e.g., ERG) that cross-references the description of the hazardous material on the shipping paper with the emergency response information is one method of satisfying this requirement.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,



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

Baker
§ 172.602(b)
Emergency Response
17-0086

Dodd, Alice (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Tuesday, August 15, 2017 5:00 PM
To: Hazmat Interps
Subject: FW: 49CFR 172.602(b)

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Alice,

Please submit this as a letter of interpretation. I spoke with Mr. Messer regarding his question. Please let me know if you have any questions.

Thanks,
Jodi

From: Jeff Messer [mailto:jeff.messer@cfidrive.com]
Sent: Monday, August 14, 2017 4:27 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: 49CFR 172.602(b)

I am asking for a letter of interpretation of the regulation of this regulation when it comes to the ERG and the year. My understanding is that regardless of the year as long as the material and the response information are the same as the newest version. Example, if a UN1993 flammable liquid NOS has the same response information in both 2012 ERG and the 2016 ERG would a carrier be in violation of 172.602(b)?

CFI

Jeff Messer
Safety Analyst

4701 East 32nd Street
Joplin, MO 64804, USA
O: +1 800-641-4747 ext 5561

This e-mail and any files transmitted with it are confidential and solely for the use of the individual or entity to which they are addressed and intended. If you have received this e-mail in error, please notify the sender by return e-mail. If you are not the intended recipient, you may not read, copy, retain, print, disclose, or distribute this message or its contents to any other individual, for such actions may be unlawful. WARNING: We take certain precautions to prevent viruses, but we are not responsible for loss or damage arising from the use of this e-mail or attachments.