



U.S. Department
of Transportation

Pipeline and Hazardous
Materials Safety
Administration

1200 New Jersey Avenue, SE
Washington, DC 20590

NOV 30 2017

Eva Glimsche
Save the Situation
Mühlenstr. 30A
Langwedel, Germany 24631

Reference No. 17-0082

Dear Ms. Glimsche:

This letter is in response to your July 14, 2017, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to emergency response information. Specifically, you ask if the requirements for the emergency response information can be fulfilled by providing the "24-hour" emergency response telephone number on a shipping paper if the aircraft crew and forwarding companies in the United States have the Emergency Response Guidebook (ERG) readily available.

The answer is no. The general requirements for emergency response information found in § 172.600(c) state, "No person to whom this subpart applies may offer for transportation, accept for transportation, transfer, store, or otherwise handle during transportation a hazardous material unless: (1) Emergency response information conforming to this subpart is immediately available for use at all times the hazardous material is present; and (2) Emergency response information, including the emergency response telephone number, required by this subpart is immediately available." If a person offers, transfers, accepts, or otherwise handles hazardous materials during transportation, the shipping paper (e.g., shipper's declaration, IMO declaration) must include the emergency response telephone number and either include or be accompanied by the emergency response information (see § 172.602(b)).

You may use the ERG to satisfy the HMR's emergency response information requirements by providing an ERG guide number with each hazardous material description and verifying carriage of an ERG in the carrier's vehicles (see § 172.602(b)(3)(iii)). However, the emergency response information and the emergency response telephone number are both required by the HMR. Providing only the emergency response telephone number will not meet the general requirements as specified in § 172.600(c).

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

Dodd, Alice (PHMSA)

Baker
§ 172.600 + 172.606
Emergency Response
17-0082

From: INFOCNTR (PHMSA)
Sent: Tuesday, July 18, 2017 3:15 PM
To: Hazmat Interps
Subject: FW: Written Emergency Information as per 49 CFR 172.600 to § 172.606

Hi Shante/Alice,

Please submit this as a letter of interpretation. Please let me know if you have any questions.

Thanks,
Jodi

From: Eva Glimsche [mailto:eva@savethesituation.de]
Sent: Sunday, July 16, 2017 2:57 AM
To: Cardez, Eugenio CTR (PHMSA) <eugenio.cardez.ctr@dot.gov>
Subject: Re: Written Emergency Information as per 49 CFR 172.600 to § 172.606

Dear Eugenio,

thank you very much for your reply.

I checked the different sources you mentioned. Yet they don't answer my question.

That's why I'd like to request a written interpretation answering them.

Thanks for your help.

Best regards,

Eva

savethesituation
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eva@savethesituation.de
www.savethesituation.de

Am 14.07.2017 um 17:15 schrieb Cardez, Eugenio CTR (PHMSA) <eugenio.cardez.ctr@dot.gov>:

Dear Eva Glimsche,

We have received your inquiry about the hazardous materials regulations (HMR) (49 CFR Parts 171-180).

The HMR prescribes the requirements of the Department of Transportation governing the offering and transportation of hazardous materials in interstate, intrastate, and foreign commerce by rail car, aircraft, motor vehicle, and vessel. While we cannot provide an

exhaustive list of each applicable requirement, we suggest you review section(s) 172.602, 172.604 for additional information on Emergency Response Information. The hazardous materials regulations are available at the following URL:

<http://phmsa.dot.gov/regulations>

Additionally, you may wish to review the following [Letter of Interp/Publication/Guidance Document] at the following

URL : <http://phmsa.dot.gov/staticfiles/PHMSA/DownloadableFiles/Files/Interpretation%20Files/2013/130081.pdf>

If you require additional assistance, you may contact the Hazardous Materials Information Center, which is staffed with regulatory specialists who can quickly answer your questions by phone, Monday through Friday, 9 AM - 5 PM EST at +1(202) 366-4488.

Sincerely,

Eugenio, Hazardous Materials Specialist

An e-mail response from this office is considered informal guidance. Formal guidance may be requested in accordance with 49 CFR 105.20. <http://phmsa.dot.gov/hazmat/regs/interps>

From: Eva Glimsche [<mailto:eva@savethesituation.de>]

Sent: Friday, July 14, 2017 3:44 AM

To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>

Subject: Written Emergency Information as per 49 CFR 172.600 to § 172.606

Dear Sir or Madam,

I require a written interpretation regarding the written Emergency Information as per 49 CFR 172.600 to § 172.606.

As I understand it the shipper can fulfill this requirement by having an MSDS accompanying the shipment or by entering the respective NFPA-1 fire code in the Shipper's Declaration or in the IMO Declaration.

Would the requirement for the Emergency Information also be fulfilled by the 24h Emergency Contact Telephone Number entered in the Shipper's Declaration or in the IMO Declaration if it is ensured that the aircraft crew and the forwarding companies in the US all have the emergency response guide readily available?

Looking forward to hearing from you.

Best regards

Eva Glimsche

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