



U.S. Department  
of Transportation  
**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

September 2, 2021

Mr. Timothy Decker  
Field Health and Safety Specialist  
Superior Plus Propane  
1870 South Winton Road  
Rochester, NY 14618

Reference No. 21-0073

Dear Mr. Decker:

This letter is in response to your July 8, 2021, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to shipping paper retention and recordkeeping requirements. You describe a scenario in which a shipping paper—describing “UN1075, Liquefied Petroleum Gas, 2.1”—is used for multiple shipments. In addition, you state that the carrier retains a record of each shipment made and describes the material as “1075 Propane LPG.” You ask whether the description of the hazardous material on the shipping paper and the record of shipment must match exactly.

As you note in your email, the final sentence of paragraph (e) in § 172.201 states, “A motor carrier (as defined in § 390.5 of subchapter B of chapter III of subtitle B) using a shipping paper without change for multiple shipments of one or more hazardous materials having the same shipping name and identification number may retain a single copy of the shipping paper, instead of a copy for each shipment made, if the carrier also retains a record of each shipment made, to include shipping name, identification number, quantity transported, and date of shipment.” Therefore, it is the opinion of this Office that to comply with the above requirement, the proper shipping name and identification number on both the shipping paper and the record of each shipment must match.

In the scenario you describe, and the accompanying documents submitted with your request, the proper shipping names do not match.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Dirk Der Kinderen".

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

Ciccarone

**From:** [INFOCNTR \(PHMSA\)](#)  
**To:** [Dodd, Alice \(PHMSA\)](#); [Hazmat Interps](#)  
**Subject:** FW: Request for Clarification  
**Date:** Thursday, July 8, 2021 2:31:40 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[Shipping Paper.pdf](#)  
[Delivery ticket2.pdf](#)  
[Daily summary 6 15 21 \(2\).pdf](#)

---

21-0073

Good afternoon Alice,

Please see the letter of interpretation request below and the associated documents attached. Please contact our office with any questions.

Best,

Sarah (HMIC)

---

**From:** Decker, Tim <tdecker@superiorplusenergy.com>  
**Sent:** Thursday, July 8, 2021 1:41 PM  
**To:** INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>  
**Subject:** Request for Clarification

**CAUTION:** This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I am requesting clarification on 49 CFR 172.201(e) which states: **Retention and Recordkeeping.** *Each person who provides a shipping paper must retain a copy of the shipping paper required by § 172.200(a), or an electronic image thereof, that is accessible at or through its principal place of business and must make the shipping paper available, upon request, to an authorized official of a Federal, State, or local government agency at reasonable times and locations. For a hazardous waste, the shipping paper copy must be retained for three years after the material is accepted by the initial carrier. For all other hazardous materials, the shipping paper must be retained for two years after the material is accepted by the initial carrier. Each shipping paper copy must include the date of acceptance by the initial carrier, except that, for rail, vessel, or air shipments, the date on the shipment waybill, airbill, or bill of lading may be used in place of the date of acceptance by the initial carrier. A motor carrier (as defined in § 390.5 of subchapter B of chapter III of subtitle B) using a shipping paper without change for multiple shipments of one or more hazardous materials having the same shipping name and identification number may retain a single copy of the shipping paper, instead of a copy for each shipment made, if the carrier also retains a record of each shipment made, to include shipping name, identification number, quantity transported, and date of shipment.*

I have highlighted the section in question. Attached is a copy of our “permanent” shipping paper. Also attached, with customer identifying information redacted, are a copy of a delivery receipt and a daily summary of the driver’s daily work. These are the documents that are retained as a “record of each shipment made”.

Is the bracketed information on the delivery ticket sufficient to meet the intent of the regulation?  
Or, does the information on the delivery ticket need to match, exactly, the wording on the shipping paper as to shipping name and identification number?

On a recent audit, it was alleged that “1075 Propane LPG” on the delivery ticket does NOT meet the requirements of the regulation as to shipping name and identification number.

Regards,

**Timothy Decker**

***Field Health and Safety Specialist***

Superior Plus Propane



---

**Address:** 1870 South Winton Rd., Rochester, NY 14618

**Mobile:** 845-527-1040

**Email:** [tdecker@superiorplusenergy.com](mailto:tdecker@superiorplusenergy.com)

**Website:** [www.superiorplusenergy.com](http://www.superiorplusenergy.com)



***The primary responsibility for safety lies  
with those who create the risks and those  
who work with them.***

## HAZARDOUS MATERIAL SHIPPING PAPER

Date: \_\_\_\_\_

Company Name or Account Number #: 112738

\_\_\_\_ UN1075, PETROLEUM GASES, LIQUEFIED, 2.1

☒ UN1075, LIQUEFIED PETROLEUM GAS, 2.1

\_\_\_\_ UN1075, PROPANE, 2.1

\_\_\_\_ UN1978, PROPANE, 2.1

☒ NONCORROSIVE \_\_\_\_\_ NOT FOR Q and T TANKS (Only required for MC 330 or MC 331 cargo tank)

1 Cargo Tank \_\_\_\_\_ Portable Tank \_\_\_\_\_ Tank \_\_\_\_\_ Cylinders (check one)

Quantity: \_\_\_\_\_ ☐ Gal ☐ Lbs (check one)

---

**INFOTRAC EMERGENCY CONTACT: 24-HOUR NUMBER: 1-800-535-5053 OR +1-352-323-3500**  
**EMERGENCY RESPONSE INFORMATION IS ON THE BACK: ERG 115**

### DRIVER RESPONSIBILITIES

#### Shipping Paper Accessibility:

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 accident or inspection.

Specifically, the driver and the carrier shall:

1. Clearly **distinguish** the shipping paper, if it is carried with other shipping papers or other papers of any kind, by either distinctively tabbing it or by having it appear first; and
2. When the **driver is at the vehicle's controls**, the shipping paper shall be:
  - a. Within his **immediate reach** while he is restrained by the lap belt; and
  - b. Either **readily visible** to a person entering the driver's compartment or in a **holder** which is mounted to the inside of the door on the driver's side of the vehicle.
3. When the **driver is not at the vehicle's controls**, the shipping paper shall be:
  - a. In a **holder** which is mounted to the inside of the door on the driver's side of the vehicle; or
  - b. On the **driver's seat** in the vehicle.

#### Vehicle:

1. Check for proper placards (front, sides, and rear) if required.
2. Check emergency warning devices and fire extinguisher.
3. Inspect vehicle (oil, tires, etc.).
4. Check load securement.

#### Accident or Emergency:

1. Set warning signals to protect the scene.
2. Stay with the vehicle (if it is safe to do so).
3. Get others to call police, fire departments, and supervisors.
4. Protect scene from fire, sparks, and smokers.
5. Keep spectators away.
6. Give shipping paper to emergency personnel.
7. Follow general accident procedures of obtaining names, license numbers, etc.
8. Avoid making any statements that may cause panic, and give information only to authorized persons.

# EMERGENCY RESPONSE GUIDE (ERG) 115

## GASES – FLAMMABLE (INCLUDING REFRIGERATED LIQUIDS)

### POTENTIAL HAZARDS

#### FIRE OR EXPLOSION

- **EXTREMELY FLAMMABLE.**
- Will be easily ignited by heat, sparks or flames.
- Will form explosive mixtures with air.
- Vapors from liquefied gas are initially heavier than air and spread along ground.
- Vapors may travel to source of ignition and flash back.
- Cylinders exposed to fire may vent and release flammable gas through pressure relief devices.
- Containers may explode when heated.
- Ruptured cylinders may rocket.

---

#### HEALTH

- Vapors may cause dizziness or asphyxiation without warning.
- Some may be irritating if inhaled at high concentrations.
- Contact with gas or liquefied gas may cause burns, severe injury and/or frostbite.
- Fire may produce irritating and/or toxic gases.

### PUBLIC SAFETY

- **CALL INFOTRAC AT 1-800-535-5053 AS SOON AS POSSIBLE.**
- As an immediate precautionary measure, isolate spill or leak area for at least 100 meters (330 feet) in all directions.
- Keep unauthorized personnel away.
- Stay upwind, uphill and/or upstream.
- Many gases are heavier than air and will spread along ground and collect in low or confined areas (sewers, basements, tanks).

---

#### PROTECTIVE CLOTHING

- Wear positive pressure self-contained breathing apparatus (SCBA).
- Structural firefighters' protective clothing will only provide limited protection.
- Always wear thermal protective clothing when handling refrigerated/cryogenic liquids.

---

#### EVACUATION

##### Large Spill

- Consider initial downwind evacuation for at least 800 meters (1/2 mile).

##### Fire

- If tank, rail car or tank truck is involved in a fire, ISOLATE for 1600 meters (1 mile) in all directions; also, consider initial evacuation for 1600 meters (1 mile) in all directions.
- In fires involving Liquefied Petroleum Gases (LPG) (UN1075); Butane, (UN1011); Butylene, (UN1012); Isobutylene, (UN1055); Propylene, (UN1077); Isobutane, (UN1969); and Propane, (UN1978), also refer to BLEVE – SAFETY PRECAUTIONS (ERG Page 368).

In Canada, an Emergency Response Assistance Plan (ERAP) may be required for this product. Please consult the shipping document and/or the ERAP Program Section (ERG page 391).

### EMERGENCY RESPONSE

#### FIRE

- **DO NOT EXTINGUISH A LEAKING GAS FIRE UNLESS LEAK CAN BE STOPPED.**

##### Small Fire

- Dry chemical or CO<sub>2</sub>.

##### Large Fire

- Water spray or fog.
- Move containers from fire area if you can do it without risk.

##### Fire involving Tanks

- Fight fire from maximum distance or use unmanned hose holders or monitor nozzles.
- Cool containers with flooding quantities of water until well after fire is out.
- Do not direct water at source of leak or safety devices; icing may occur.
- Withdraw immediately in case of rising sound from venting safety devices or discoloration of tank.
- ALWAYS stay away from tanks engulfed in fire.
- For massive fire, use unmanned hose holders or monitor nozzles; if this is impossible, withdraw from area and let fire burn.

---

#### SPILL OR LEAK

- ELIMINATE all ignition sources (no smoking, flares, sparks or flames in immediate area).
- All equipment used when handling the product must be grounded.
- Do not touch or walk through spilled material.
- Stop leak if you can do it without risk.
- If possible, turn leaking containers so that gas escapes rather than liquid.
- Use water spray to reduce vapors or divert vapor cloud drift. Avoid allowing water runoff to contact spilled material.
- Do not direct water at spill or source of leak.
- Prevent spreading of vapors through sewers, ventilation systems and confined areas.
- Isolate area until gas has dispersed.

**CAUTION: When in contact with refrigerated/cryogenic liquids, many materials become brittle and are likely to break without warning.**

---

#### FIRST AID

- Ensure that medical personnel are aware of the material(s) involved and take precautions to protect themselves.
- Move victim to fresh air.
- Call 911 or emergency medical service.
- Give artificial respiration if victim is not breathing.
- Administer oxygen if breathing is difficult.
- Remove and isolate contaminated clothing and shoes.
- Clothing frozen to the skin should be thawed before being removed.
- In case of contact with liquefied gas, thaw frosted parts with lukewarm water.
- In case of burns, immediately cool affected skin for as long as possible with cold water. Do not remove clothing if adhering to skin.
- Keep victim calm and warm.

Energy Services  
PO Box 981045  
Boston MA 02298-1045  
Gas Incorporated | 770-483-4768

PATRICIA H THOMPSON  
6016 SENECA BREWER RD  
LOGANVILLE, GA 30052

PATRICIA H THOMPSON  
6016 SENECA BREWER RD  
LOGANVILLE, GA 30052

35.1 + 7.4

GAS INC 330 GAL TANK (SERIAL # 1H19025) 33  
0

TICKET NUMBER 16618  
DATE 06/15/21  
START COUNT 0.0 GALLONS  
END NET COUNT 100.0 GALLONS  
NET DELIVERY 100.0 GALLONS  
1075 PROPANE LPG 1  
GALLONS CORRECTED TO 60.0°F  
SALE NUMBER 6367  
Invoice No. 2334959  
Account No. [REDACTED]  
Date Delivered 13:35 06/15/21  
Gallons Delivered 100.0

Truck 4619 BT  
Driver 497  
Propane \$289.00  
<100.0 Gallons @ \$2.750000  
Hazmat Fee \$11.02  
GA Walton CO 3% \$7.17  
GA Sales tax 4% \$9.56

TOTAL \$ THIS DEL. [REDACTED]

Propane

pay online @ mypropaneaccount.com

Miles: 73.0      Start: 08:21 AM      Start Odom: 77731.0      Start Eng Hours:  
Truck: 4619 BT      End: 04:54 PM      End Odom: 77804.0      End Eng Hours:  
Route Name: 6304 [REDACTED]

Totalizer Information:

Register #	Serial #	Totalizer #	Start Totalizer	End Totalizer	Shift GallonsTotal
1		1	1326934.70	1327778.90	844.20

Shift Transactions:

Propane	Location	# Trxs	Partial	Runout	Grid Gallons Total	Grid Dollars Total	Number Of Cylinders
Delivery		11	0	1	844.20	[REDACTED]	50
Internal Load	Conyers Bulk Plant	1			2550.00	0.00	

Payments Collected:

Customer #	Customer Name	Type	Amount
	Total		

Shift Transactions:

Fuel	Time	Transaction #	Account #	Description	Partial	Runout	Quantity	Dollar Amount	Inventory On Board	Unmetered Temp	Posting Code	Number Of Cylinders	Tank ID
Propane	10:08 AM	2316181	1477200	[REDACTED]			-152.2	[REDACTED]	-109.40		Forklift - Spray fill - Gallons	26	341135
	10:34 AM	2316183	1477200	[REDACTED]			-74.4	[REDACTED]	-183.80		Forklift - Spray fill - Gallons	24	341134
	11:32 AM	2305760	1066560	[REDACTED]		X	-40.4	[REDACTED]	-224.20		Residential- Bulk	0	378693
	1:20 PM	2310630	1678050	[REDACTED]			-100.0	[REDACTED]	-324.20		Residential- Bulk	0	342480
	1:35 PM	2334959	1356450	[REDACTED]			-100.0	[REDACTED]	-424.20		Residential- Bulk	0	342172
	2:23 PM	2305756	1184160	[REDACTED]			-100.0	[REDACTED]	-524.20		Residential- Bulk	0	381333
	2:49 PM	2313142	1557320	[REDACTED]			-64.2	[REDACTED]	-588.40		Residential- Bulk	0	364881
	3:02 PM	2339627	1040670	[REDACTED]			-49.5	[REDACTED]	-637.90		Residential- Bulk	0	341986
	3:30 PM	2316190	1348120	[REDACTED]			-83.6	[REDACTED]	-721.50		Residential- Bulk	0	342073
	3:46 PM	2018522	1277380	[REDACTED]			-63.8	[REDACTED]	-785.30		Residential- Bulk	0	342694
	4:29 PM	2308365	1124440	[REDACTED]			-16.1	[REDACTED]	-801.40		Residential- Bulk	0	341950
	4:33 PM	2348385		Internal Load from Conyers Bulk Plant			2550.0		1748.60				
				Shift Total	0	1	1705.80	[REDACTED]					



Speeding Exceptions:

Time	Latitude	Longitude	Speed
------	----------	-----------	-------