



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

APR 21 2000

Mr. Bruce W. Graska, Sr.
Transport Workers Union of America
Local 563
232 E. Howard Avenue
Des Plaines, IL 60018

Ref. No. 00-0090

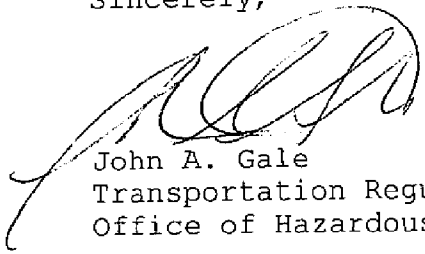
Dear Mr. Graska:

This is in response to your letter dated March 27, 2000 and subsequent telephone conversation with a member of my staff regarding the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to movements of hazardous materials on private roads. Specifically, you ask if the movement of hazardous materials on a restricted road between hangar and terminal locations at Chicago O'Hare International Airport is subject to the HMR.

Based on the information you provided, the answer is no. The HMR govern the safe transportation of hazardous materials in intrastate, interstate, and foreign commerce. Transportation of hazardous materials exclusively on private property, to which signs, gates and guard stations prevent public access, is not subject to the HMR.

I hope this satisfies your request.

Sincerely,



John A. Gale
Transportation Regulations Specialist
Office of Hazardous Materials Standards



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Transport Workers Union of America



Local 563

232 E. Howard Avenue • Des Plaines, IL 60018
Phones: (847) 299-4871 • Fax: (847) 299-4881

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March 27, 2000

Edward Mazzullo, Director
Office of Hazmat Standards
USDOT/RSPA (DHM-10)
400 7th Street SW
Washington DC 20590-0001

Dear Sir,

We are a major airline at O'Hare International Airport in Chicago, Illinois, and we are looking for clarification as to the applicability of Hazardous Materials Regulations (HMR; 49CFR parts 171-180).

The area in question is a restricted area protected by security fences, gates and guards. Only airline employees and contractors or vendors are allowed on these premises. Our hangar and terminal locations are approximately two miles apart, within these premises, connected by an access road, which is also available to contractors or vendors. Does part 171.1 apply to this area if hazardous materials for airline stock replenishment are being transported in our company vehicle between our two locations using this restricted road?

Sincerely,

Bruce W Graska, Sr
Executive Board, Local 563
Transport Workers Union