



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

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

JAN - 7 2004

Ms. Jackie R. Richards
Texas Propane Gas Association
8408 N. IH-35
Austin, TX 78753

Ref. No. 03-0273

Dear Ms. Richards:

This is in response to your letter dated October 27, 2003 and subsequent telephone conversation with a member of my staff. Specifically, you request clarification on the shipping paper retention requirements under § 172.201(e). Your questions are paraphrased and answered as follows:

- Q1. Does the shipping paper retention requirement only apply to the initial carrier of the hazardous material?
- A1. No. Each shipper or carrier who provides or receives a shipping paper is subject to the shipping paper retention requirements.
- Q2. May a carrier meet the shipping paper retention requirements if they use a permanent shipping paper?
- A2. Yes. Section 172.201(e) allows the carrier to 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.
- Q3. Would a "deliver ticket" meet the shipping paper retention requirement as a record of each shipment made under a permanent shipping paper?
- A3. Yes, if each "deliver ticket" includes the following information: shipping name, identification number, quantity transported, and date of shipment.



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172.201

Q4. How would a propane dealer meet the shipping paper retention requirement if they deliver the same hazardous material without change, but do not file a permanent shipping paper?

A4. The propane dealer must retain a copy of each shipping paper, or an electronic image thereof.

I hope this satisfies your request.

Sincerely,



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

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TPGA

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October 27, 2003

Attn: Deborah Boothe
Office of Hazardous Material Standards
Research and Special Programs Administration
U.S. Department of Transportation
400 7th Street SW
Washington, DC 20590

BAH
§ 172.201 (e)
Shipping Papers
03-0273

Dear Ms. Boothe,

Per our conversation, I am seeking clarification on the Preparation and Retention of Shipping Papers 172.201 (e).

In most circumstances, in the propane industry, we have a propane supplier that transports liquefied petroleum gas to a propane dealer. Then the dealer will make multiple stops throughout the day and deliver to residences and businesses. Would the propane dealer be defined as an initial carrier and subject to the same compliance as the propane supplier?

172.201 (e) states *A motor carrier that uses a shipping paper without change of multiple shipments of a single hazardous material (i.e. one having the same shipping name and identification number) may retain a 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.* So in this case, would a propane dealer have to retain a copy of each deliver ticket? If so, would the shipping name(liquefied petroleum gas) and identification number (1075) have to appear every single deliver ticket?

What would a propane dealer do in a situation where he delivers the same hazardous material without change, but does not file a permanent shipping paper? What would the propane dealer have to do to be in compliance with the ruling? Please explain in detail.

I appreciate your time. Please fax back clarification to (512) 834-0758.

Sincerely,



Jackie R. Richards
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