



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

APR 5 2004

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

Mr. John V. Currie  
Currie Associates, Inc.  
1118 Bay Road  
Lake George, New York 12845-4618

Ref. No. 04-0032

Dear Mr. Currie:

This is in response to your February 18, 2004 letter regarding the emergency response telephone number requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether the emergency response telephone number may be in the form of "alpha characters" representing a telephone number on the telephone dial or keypad of a telephone.

The answer is yes. As specified in § 172,604, a person offering a hazardous material for transportation must provide an emergency response telephone number, including the area code or international access code, for use in the event of an emergency involving the hazardous material. The HMR do not prohibit the use of "alpha characters" as a method of complying with this requirement. However, based on the concerns you raised, we may consider publishing a notice of proposed rulemaking to address this issue in the future.

I hope this information is helpful. If you have additional questions, please do not hesitate to contact this office.

Sincerely,

Hattie L. Mitchell, Chief  
Regulatory Review and Reinvention  
Office of Hazardous Materials Standards



040032

§172.604



**CURRIE ASSOCIATES, INC.**  
THE GLOBAL COMPLIANCE PROFESSIONALS

BeHs  
§172.604  
Emergency Response Telephone  
Number 04-0032

February 18, 2004

Dr. Robert McGuire, Ph.D.  
Associate Administrator  
Research and Special Programs Administration  
400 7<sup>th</sup> Street, SW DHM-1  
Washington, DC 20590-0001

Dear Dr. McGuire:

I am submitting this request for consideration of an official interpretation of the requirements applicable to 49 CFR, Part 172, Subpart G, §172.604 Emergency Response telephone number.

On behalf of several of my clients and as a former emergency responder we have a joint concern regarding immediate access to the information that may be required to be provided by the "person who is either knowledgeable of the hazardous material being shipped and has comprehensive emergency response and incident mitigation information for that material, or has immediate access to a person who possesses such knowledge and information." Several places throughout the section and more particularly at §172.604(b), the regulations specifically require a "number" and states "The telephone number required by paragraph (a) of this section must be the number of the person offering the hazardous material for transportation or the number of an organization capable of, and accepting responsibility for, providing detailed information concerning a hazardous material." (*Emphasis added by underlining*)

It has been brought to our attention that some shippers are using the "alpha characters" representing a telephone number on the telephone dial or keypad of a telephone. It is possible that in some instances the letters may form an acronym advertising an agency or shipper company division that has accepted the responsibility for providing the emergency response information.

In the past most wall or desk telephones had rotary dials with large numerals and equally large letters, usually three letters representing each number, or were equipped with keypads which also had large numerals and equally large letters, similarly configured. However, please permit me to call to your attention that the introduction of wireless and cellular phone service has increasingly focused on miniaturizing the hardware for convenience in mobile use. Modern cellular phones are now so small that they may be carried in a shirt pocket and some even include a computer keypad function that require a

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stylus to push the tiny buttons. These modern telephones, due to the reduction in size, make reading of the letters on the small buttons of a keypad extremely difficult under good lighting conditions and virtually impossible in poor light.

Many emergency responders, including firefighters, police, and emergency medical technicians are equipped with cellular telephones and rely on these phones for on-scene communications. Requiring these responders to transpose letters into numbers to reach the emergency response contact and obtain critical information at the scene of hazardous materials release, under normal conditions such as night time incidents could result in loss of valuable time. Under conditions usually associated with an accident scene, such as wearing "turn-out gear" and other distractions, the difficulty could be exacerbated. We do not feel that these emergency responders should be encumbered in any way in obtaining the necessary information as quickly as possible in the emergency situation.

In the interest of transportation safety, we would therefore request an official written clarification be issued as expeditiously as possible that in consideration of these factors, would include a literal interpretation of the term telephone number within the text of the regulations at §172.604 and accordingly §172.201(d).

Sincerely yours,

A handwritten signature in cursive script, appearing to read "John V. Currie".

John V. Currie  
Currie Associates, Inc.