



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

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

MAY 3 2005

Mr. John Anderson
Director of DOT Operations
Airgas, Inc.
P.O. Box 20067
Cheyenne, WY 20067

Reference No.: 05-0091

This responds to your letter regarding the emergency response telephone number requirements under the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180). You ask whether a telephone number that provides the caller an automated option for forwarding the call to CHEMTREC or a similar emergency response service is acceptable.

The answer is yes. As required by § 172.604, the emergency response telephone number must be monitored at all time the hazardous material is in transportation by a person who is either knowledgeable of the characteristics of the hazardous material and has comprehensive emergency response information, or has immediate access to a person who possesses such knowledge. It is the opinion of this Office that a telephone number with a one-stroke patch-through capability to CHEMTREC or a similar emergency response service satisfies the requirement of "immediate access to a person with detailed emergency response information."

I trust this satisfies your request.

Sincerely,

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



050091

§ 172.604



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Corbin
§ 172.604
Emergency Response
Number
05-0091

April 8, 2005

Hattie Mitchell
Regulatory Review – DHM-12
400 Seventh St. SW
Washington, DC 20590

Dear Ms Mitchell:

Per our phone conversation on 4/8/2005, I would like to follow-up with a request for a written interpretation. You have verbally stated the following practice is acceptable, but we would like a written response for our files.

Airgas would like to implement an emergency response telephone number that would work as follows. The telephone number would be displayed on our hazardous material shipping paper as our Emergency Contact (per 49 CFR 172.604). It would state to call this number "In the event of Spill, Leak or Emergency During Transportation". When a call is placed to this phone number, an automatic attendant (non-human) would answer with the following options.

Option 1 – "If this is a spill, leak or emergency during transportation press 1". The caller would then be automatically connected to CHEMTREC or a CHEMTREC-type emergency response service.

Option 2 – "If this is a non-emergency but you would like to speak to the Airgas customer service department for product outage, trouble shooting, etc., please press 2." The caller would then be connected to the Airgas answering service that would take down the caller's information and an Airgas employee would return their call.

As I explained today during our telephone conversation, Airgas receives over 400 non-emergency after-hour calls per year. These calls are often placed through a phone number set aside/noted as an emergency response telephone number. The above solution is our attempt to meet the requirements of 49 CFR 172.604 and also be able to provide after-hours assistance to our customers who experience a non-emergency.

Our experience is that human nature will always result in someone calling a 1-800 for assistance in a non-emergency situation, even if the number is boldly noted as an emergency response telephone number.

With the October 1, 2005 effective date of HM-206B, Airgas wants to ensure our compliance. We have recently received two citations because of confusion over our CHEMTREC emergency response telephone number and our attempt to handle these non-emergency type calls through an Airgas answering service.

Thank you for your prompt response to this request.

John Anderson

Director of DOT Operations

Airgas, Inc.