



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

1200 New Jersey Ave., S.E.  
Washington, DC 20590

SEP 16 2008

Mr. Gregory Sutherland  
Shane Havoc Consulting, LLC  
1905 English Ivy Court  
Mount Pleasant, SC 29464

Ref. No. 08-0200

Dear Mr. Sutherland:

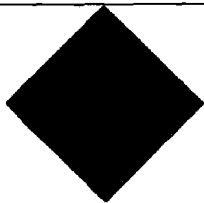
This responds to your July 26, 2008, letter requesting clarification of the training requirements in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether employees of a computer software development firm that has been retained to develop a computer program to generate shipping papers must be trained in accordance with Subpart H of Part 172 of the HMR.

If the computer programmers employed by the software development firm merely input data concerning the hazardous materials to be shipped (e.g., proper shipping names, classification, authorized packagings) provided to them by a trained hazmat employee of the client company, then the computer programmers are not considered hazmat employees, and the training requirements in Subpart H of Part 172 do not apply. However, if the computer programmers make determinations concerning regulatory requirements applicable to the hazardous materials to be shipped as part of the development of the shipping paper software, then the computer programmers are considered to be hazmat employees and must be trained.

I hope this answers your inquiry.

Sincerely,

Susan Gorsky  
Acting Chief, Standards Development  
Office of Hazardous Materials Standards



**Shane Havoc Consulting, LLC**  
1905 English Ivy Ct.  
Mount Pleasant, SC 29464  
Phone: (843) 849-1463 Fax: (561) 423-3907

July 26, 2008

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\$172.700  
Training  
08-0200*

Office of Hazardous Materials Standards, Pipeline and Hazardous Materials Safety Administration

Attn: PHH-10, U.S. Department of Transportation, East Building  
1200 New Jersey Avenue, SE  
Washington, DC 20590-0001

Dear Mr. Mazzullo

I would like the DOT to clarify a question on training.

I have a client that has employed a Computer Software Development firm to develop a computer based program to generate shipping papers for their Hazardous Materials shipments.

The program will have data stored on the materials PSN, classification, packaging and package weights. The program will output the shipping paper ready for signature.

Are the programmers from the outside consulting firm considered to be Hazmat Employees under Subpart H (172.700), and thus require Hazmat Training? The client's employees that will use the program are considered Hazmat Employees and are trained.

If you need any further clarification to my question please give me a call at:  
843-849-1463

Sincerely,

Gregory Sutherland