



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

DEC 21 2016

Mr. Ed Ballash, CHMP  
Vice President of Operations  
Emergency Response and Training Solutions  
6001 Cochran Road, Suite 300  
Solon, OH 44139

Reference No. 16-0153

Dear Mr. Ballash:

This letter is in response to your September 20, 2016, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to incident reporting and road closures. You describe a scenario in which a hazmat incident caused an interstate highway's on-ramp to close while the main lanes remained open. Specifically, you ask if this closed ramp meets the definition of a "road closure" subject to the hazmat reporting requirements in § 171.15.

The answer is yes. The Interstate System consists of several components that include access ramps and interchange areas. See 23 U.S.C. § 103(c). The HMR do not define "road closure." However, it is the opinion of this Office that the ramps and interchange areas that provide access to the Interstate System are components of a "major transportation artery or facility" as this phrase is used under § 171.15(b)(1)(iv). Therefore, a hazmat incident that closes or shuts down an Interstate System ramp or interchange area for one hour or more is a reportable incident subject to the incident reporting requirements prescribed in § 171.15. Section 171.15(a) requires the person in physical possession of a hazardous material at the time an incident occurs in transportation—such as a release of materials, serious accident, evacuation, or closure of a main artery—to report the incident to the National Response Center as soon as practical but no later than 12 hours after the occurrence. This person must also complete a Hazardous Materials Incident Report, DOT Form F 5800.1, within 30 days of discovery of the incident and submit the report to the Pipeline and Hazardous Materials Safety Administration Information Systems Manager in conformance with § 171.16(b).

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

T. Glenn Foster  
Chief, Regulatory Review and Reinvention Branch  
Standards and Rulemaking Division

**Goodall, Shante CTR (PHMSA)**

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Edmonson  
171.8  
Definitions  
16-0153

**From:** Twitty, Gail (PHMSA)  
**Sent:** Tuesday, September 20, 2016 2:32 PM  
**To:** Hazmat Interps  
**Subject:** FW: Assistance

**From:** Ed Ballash [mailto:eballash@ertsonline.com]  
**Sent:** Tuesday, September 20, 2016 2:06 PM  
**To:** Twitty, Gail (PHMSA)  
**Subject:** Assistance

Gail,

We had a client that was involved in an incident and was curious as to if this met the definition of a road closure. The on ramp to the south bound lanes to get onto the interstate were closed and traffic was diverted. The interstate was not closed at all. Would this constitute a lane closure and require NRC notification and be indicated on the DOT5800? Just let me know.

Regards,

**Ed Ballash, CHMP**  
**Vice President of Operations**



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