



U.S. Department  
of Transportation

Pipeline and Hazardous  
Materials Safety  
Administration

1200 New Jersey Avenue, SE  
Washington, DC 20590

JAN 12 2016

Ms. Marie Easley Cook  
Hazardous Materials Administrator, Sr  
XPO Logistics Freight (XPO LTL)  
2211 Old Earhart Road  
Suite 100  
Ann Arbor, MI 48105

Reference No. 16-0148

Dear Ms. Cook:

This letter is in response to your August 31, 2016, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to shipping papers. Specifically, you ask whether the number and type of package entry required by § 172.202(a)(7) may be split in two, that is, where the number is placed before the basic description and the type of package is placed after the basic description.

The answer is no. The number and type of packages must be indicated on a shipping paper either before or after the required basic description. See §§ 172.202(a)(7) and 172.202(c). The type of packages must be indicated as a description of the package (i.e., "12 drums").

The requirement to indicate the number and type of packages together on a shipping paper enhances the safety and security of hazardous materials transportation. When incidents occur during transportation, it is essential for emergency responders at the scene to easily ascertain the number of packages present in a given shipment when determining emergency response actions.

Furthermore, the requirement to indicate the number and type of packages facilitates accountability. It promotes public safety and allows carriers, transportation workers, emergency responders, and law enforcement personnel to quickly determine whether packages may be missing, such as from theft. The requirement also assists law enforcement personnel in identifying questionable shipments where further investigation may be warranted.

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

Stevens  
§ 172.202(a)(1)  
Shipping Paper  
16-0148

**Dodd, Alice (PHMSA)**

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**From:** Rivera, Jordan CTR (PHMSA)  
**Sent:** Wednesday, August 31, 2016 2:28 PM  
**To:** Hazmat Interps  
**Subject:** FW: Request for formal letter of interpretation  
**Attachments:** Request for Letter of Interpretation Number and Type of Packages.pdf

Hi Shante/Alice,

Please submit this as a letter of interpretation. Ms. Easley-Cook spoke with Eamonn.

Please let me know if you have any questions.

Thanks,  
Jordan

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**From:** Marie Easleycook [<mailto:Marie.EasleyCook@xpo.com>]  
**Sent:** Wednesday, August 31, 2016 9:42 AM  
**To:** INFOCNTR (PHMSA)  
**Subject:** Request for formal letter of interpretation

Dear Infocenter,

I have attached a request for a formal letter of interpretation. Please let me know if you have any questions.

Regards,

**Marie Easley-Cook**

Less-Than-Truckload | Hazardous Material Administrator, Sr.

**XPOLogistics**

2211 Old Earhart Road  
Suite 100  
Ann Arbor, MI 48105 USA  
O: +1 734-757-1330

# XPOLogistics

August 31, 2016

Standards and Rulemaking Division  
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

I am writing to request a Department of Transportation (DOT) formal letter of interpretation concerning the placement of the number and type of packages in a hazardous material shipment.

Please review the example below. The offeror has placed the number before the basic description and the type of packages after the basic description. Is this placement compliant with the Hazardous Material Regulations specifically 172.202(a)(7) and 172.202(c)(1)? Can the number and type of packages be split into two separate locations?

An asterisk(\*) below denotes instructions specific to designated items.

# PIECES	PACKS	DESCRIPTION OF MATERIALS, SPECIAL MARKS AND EXCEPTIONS.	BATCH	ORIGIN	WEIGHT	U/M
1	EA	UN 1170, ETHANOL SOLUTION (ETHYL ALCOHOL SOLUTION), 3, PG III, ERG: 127, Danger labels: 3, Tinogard Q 5KG 3H1 Customer Code: 94120 55750371 Tinogard® Q 5KG PE-Jerrican FREIGHT DESCRIPTION: CHEMICALS, DRY CC8C,				
		NET QTY: 5.000 KG	NET WGT: 11 LB	0015090808	CH	12 LB
				Add'l/Tare Weight		32 LB
1	TOTAL			Gross Weight		44 LB

Please provide written clarification. I appreciate your assistance with these questions.

Regards,

Marie Easley Cook  
Hazardous Materials Administrator, Sr  
XPO Logistics Freight (XPO LTL)  
2211 Old Earhart Road  
Suite 100  
Ann Arbor, MI 48105  
(734)757-1330