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Transportation/Hazardous Materials: Pipeline and Hazardous Materials Safety Administration Interpretive Letter Addressing Contiguous Facility Boundary Issue

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The Pipeline and Hazardous Materials Safety Administration ("PHMSA") addressed in a December 22, 2022, interpretive letter clarification of Hazardous Materials Regulations ("HMR") as to what constitutes a "contiguous facility boundary." See Reference No. 22-0064.

PHMSA was responding to a June 18, 2022, letter from Total Compliance, LLC ("Total") of Hillard, Ohio.

Total stated that its client:

- Transports hazardous materials by motor vehicle between a facility and a warehouse that it owns
- The facility and warehouse are on opposite sides of a public road
- Whenever hazardous materials are transported between the two buildings the client marks the public road with yellow hashmarks and posts "CAUTION" signs facing each direction of traffic
- Closes the public road between the facility and warehouse in both directions by placing physical barriers and stop signs

Total asks whether the controls can be considered a "contiguous facility boundary" as referenced in § 171.1(d) (Functions not subject to the requirements of HMR).

PHMSA responds in the affirmative. The agency states that the client's operation would be considered a contiguous facility boundary because access to the road is restricted by signals, lights, gates, or similar controls.

A copy of the interpretive letter can be downloaded [here](#).