Transportation/Hazardous Materials Regulations: Pipeline and Hazardous Materials Safety Administration Interpretive Letter Addressing Shipping Paper Issue

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06/19/2025

The United States Pipeline and Hazardous Materials Safety Administration ("PHMSA") addressed in a June 3rd interpretive letter the application of the Hazardous Materials Regulations ("HMR") applicable to the display of the emergency response telephone number on shipping papers. See Reference No. 25-0016.

PHMSA was responding to a February 9th query from a consultant for Quality Carriers, Inc. ("QCI").

QCI is stated to have a bill of lading (i.e., a shipping paper) where the emergency response telephone number is displayed in a separate box. The emergency response telephone number is not highlighted in the separate box and the font size and color are the same as the other information provided on the shipping paper.

QCI asks if:

…this method of placing the emergency contact telephone number in a separate box without highlighting, larger font, or font of a different color satisfy § 172.604(a)(3)?

A previous PHMSA letter of interpretation (Reference No. 16-0157) is noted which states that:

…[s]ection 172.604(a)(3)(ii) requires the emergency contact telephone number to be entered once on the shipping paper in a manner that sets it apart for quick and easy recognition.

The additional question posed by QCI is whether the response in Reference No. 16-0157 is still valid.

PHMSA responds that using the method of placing the emergency contact telephone number in a separate box is consistent with both § 172.604(a)(3) and letter Reference No. 16-0157, which remains valid. A description of PHMSA's rationale for this conclusion is provided. Further, PHMSA states that based on the shipping paper that QCI provided, the placement of the emergency response telephone number under the driver's signature is consistent with requirements in § 172.604(a)(3)(ii).

Finally, PHMSA notes that highlighting, using a larger font, or employing a different font color from the surrounding text are alternative methods for making the emergency response telephone number "easily and quickly found" on a shipping paper but are not required methods for achieving the performance standard.

A copy of the Interpretive Letter can be downloaded here.