Transportation/Hazardous Materials: U.S. Pipeline and Hazardous Materials Safety Administration Interpretive Letter Addressing Shipping Paper/Non-Hazardous Information



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The United States Pipeline and Hazardous Materials Safety Administration ("PHMSA") addressed in an April 27th interpretive letter the application of Hazardous Materials Regulations ("HMR") to shipping paper requirements. See Reference No. 26-0003.

PHMSA was responding to a Maryland Department of the Environment ("MDE") request for clarification on the intent of § 172.201(a)(1) regarding the identification of hazardous materials on a shipping paper that contains a significant amount of non-hazardous information.

MDE first asks whether the requirements in § 172.201(a)(1) to comply with having a hazardous material's basic description readily identifiable from any other non-hazardous descriptions on the shipping paper are applicable to other than cargo related items.

PHMSA responds in the negative, stating that the requirements in § 172.201(a)(1) are only applicable to a mixed load of hazardous materials with non-hazardous materials and ensuring those items are properly and readily identifiable. In addition, it notes that § 172.201(a)(4) states that the shipping paper may contain additional information concerning the material, provided the information is not inconsistent with the shipping description and does not interfere with the basic description required by § 172.202(a).

MDE then asks whether the identification of hazardous materials in the scenario must be accomplished by following one of the three methods prescribed in § 172.201(a)(1).

PHMSA responds in the negative, citing its previous answer.

Finally, MDE asks whether the shipping paper provided in the request constitutes a violation of the requirements in § 172.201(a)(1).

PHMSA responds in the negative, stating the shipping paper provided in the incoming request for a letter of interpretation is not in violation of the requirements in § 172.201(a)(1).

A copy of the interpretive letter and attached documents can be found here.