



U.S. Department of Transportation
**Pipeline and Hazardous Materials
Safety Administration**

1200 New Jersey Ave, S.E.
Washington, D.C. 20590

APR 05 2013

Mr. Matthew Maslanka
Division Manager
UPS
2100 Center Square Road, Suite 400
Logan Township, NJ 08085

Ref. No.: 13-0056

Dear Mr. Maslanka:

This is in response to your March 4, 2013 letter requesting clarification of the requirements in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to training requirements.

In the scenario you provide, the shipper prepares small quantity packages in accordance with § 173.4. Your company then collects the packages and returns them to your terminal where the packages are sorted, weighed and routed via domestic ground transportation. Specifically, you ask whether employees handling a product that meets the small quantity requirements of § 173.4 are subject to the training requirements of Subpart H in Part 172.

The answer to your question is no. Materials which meet the requirements of § 173.4 are not subject to any other requirements of the HMR. Therefore, persons who handle shipments of hazardous materials under the provisions of § 173.4 are not subject to the formal training requirements of Subpart H in Part 172, unless they perform other hazardous materials transportation functions.

I hope this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

Delmer Billings
Senior Regulatory Advisor
Standards and Rulemaking Division

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Wiener
§171.1
§172.101
Applicability
13-0056

Dear Mr Betts,

Enclosed is a sample of a product that one of our customer ships on a monthly basis. All the boxes are individual. They have documentation the shows that the product conforms with 49 CFR 173.4. I have enclosed those letters. They prepare all the boxes, we pick them up and bring them back to our location, sort them, weigh each package, move product on ground transportation throughout the country, and induct to the USPS for final delivery.

My question is: Do all my employees need documented Hazardous Training? Does the training need to be completed and documented every 3 years? What kind of training if any needs to be completed?

I appreciate any guidance or ruling you can provide back to me in writing so we are not at risk for OSHA or any violations.

If you can give an immediate since the customer wants to start next week.

Matthew Maslanka
Division Manager, UPS