



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

1200 New Jersey Ave, SE
Washington, D.C. 20590

JAN 5 2011

Mr. Eric Fischer
Hazardous Materials Manager
NACA Logistics (USA) Inc. dba Vanguard Logistics
857 E. 230th Street
Carson, CA 90745

Ref. No.: 10-0226

Dear Mr. Fischer:

This responds to your October 20, 2010 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You refer to a letter issued by this office to DG Advisor (Reference No. 10-0029) pertaining to the changes to § 172.604 regarding the information that is required to accompany the emergency response telephone number. Specifically, in the sample shipping papers that you provided you pose two scenarios and ask if they meet the requirement in § 172.604(b)(1) for the name of the person identified with the emergency response telephone number to be entered on the shipping paper in a prominent, readily identifiable, and clearly visible manner that allows the information to be easily and quickly found.

Your scenarios are restated as follows:

Scenario 1. Acme Inc is registered with the ERI provider. "Acme Inc" is shown in the Shipper/Consignor/Sender Box of the standard IMO Dangerous Goods Declaration. "Acme Inc" is also shown in the Name of Company Preparing Note Box. The only other company name on the shipping paper is listed in the Consignee Box. The ERI Provider name and phone number is in the Additional Handling Information Box.

Scenario 2. Acme Inc is registered with the ERI provider. "Acme Inc" is shown in the Shipper/Consignor/Sender Box of the standard IMO Dangerous Goods Declaration. "Haz Experts Inc." is shown in the Name of Company Preparing Note Box. The only other company name on the shipping paper is listed in the Consignee Box. The ERI Provider name and phone number is in the Additional Handling Information Box.

As shown in the two examples you provided, the placement of "Acme Inc" on the standard IMO Dangerous Goods Declaration is consistent with the requirement in § 172.604(b)(1) in that it is

prominent, readily identifiable, and clearly visible in the first box on the form.

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Supko". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Ben Supko
Acting Chief, Standards Development Branch
Standards and Rulemaking Division

Drakeford, Carolyn (PHMSA)

Winter
§172.604
Emergency Response Telephone
Number
10-0226

From: INFOCNTR (PHMSA)
Sent: Wednesday, October 20, 2010 1:20 PM
To: Drakeford, Carolyn (PHMSA)
Cc: DerKinderen, Dirk (PHMSA)
Subject: FW: Interpretation Request 172.604

Hi Carolyn,

We received the following request for a formal letter of interpretation at the Info Center.

Thanks,

Victoria Lehman
202-366-1035

From: Eric Fischer [mailto:eric.fischer@vanguardlogistics.com]
Sent: Wednesday, October 20, 2010 12:03 PM
To: INFOCNTR (PHMSA)
Subject: Interpretation Request 172.604

To whom it may concern,

As a follow up to your interpretation # 10-0029, I would like to get clarification on 172.604 and how it applies to companies who register with an Emergency Response Information (ERI) provider but do not put their name, contract number or unique identifier "immediately before, after, above, or below the emergency response telephone number." For this case 172.604 states the person who is registered with the ERI Provider must be entered elsewhere on the shipping paper in "a prominent, readily identifiable, and clearly visible manner that allows the information to be easily and quickly found."

Please advise if each of the following examples are compliant with the "prominent, readily identifiable, and clearly visible manner that allows the information to be easily and quickly found" requirement.

Example 1: Acme Inc is registered with the ERI Provider. "Acme Inc" is shown in the Shipper/Consignor/Sender Box of the standard IMO Dangerous Goods Declaration. "Acme Inc" is also shown in the Name of Company Preparing Note Box. The only other company name on the shipping paper is listed in the Consignee Box. The ERI Provider name and phone number is in the Additional Handling Information Box.

Example 2: Acme Inc is registered with the ERI Provider. "Acme Inc" is shown in the Shipper/Consignor/Sender Box of the standard IMO Dangerous Goods Declaration. "Haz Experts Inc" is shown in the Name of Company Preparing Note Box. The only other company name on the shipping paper is listed in the Consignee Box. The ERI Provider name and phone number is in the Additional Handling Information Box.

Thank you,

Eric Fischer
Hazardous Materials Manager
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Fax: 877-429-6222
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