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Transportation/Hazardous Materials: Pipeline and Hazardous Materials Safety Administration Interpretive Letter Addressing Shipping Papers Containing Both Hazardous/Non- Hazardous Materials

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The United States Pipeline and Hazardous Materials Safety Administration (“PHMSA”) addressed in a May 1st Interpretive Response a question regarding the Hazardous Materials Regulations (“HMR”) applicable to shipping papers. See Reference No. 24-0020.

PHMSA was responding to a request from Mr. Tom Bartfai of the Public Utilities Commission of Ohio (“PUC”).

PUC noted in a March 20th email that:

...when a shipping paper contains both hazardous and non-hazardous materials, shippers must differentiate between the two using at least one of the methods indicated in § 172.201(a)(1).

The PUC first provided an email and photo with a shipping paper utilizing all three of the options listed in § 172.201(a)(1) simultaneously stating:

...i.e., the hazardous materials entries are entered first, the hazardous materials entries are identified by the entry of an “X” place before the basic shipping description in a column caption “HM”, and the hazardous materials basic shipping descriptions are highlighted.

PUC asked whether as shown in the photo it was permissible to highlight more than just the basic shipping description.

PHMSA responds in the affirmative, stating that provided the additional highlighted information on the shipping papers associated with – and is consistent with – the hazardous materials being shipped.

Second, PUC asked if the highlight option in § 172.201(a)(1)(ii) is the only method used to differentiate between hazardous materials and non-hazardous materials on a shipping paper. Therefore, they asked whether it is acceptable to highlight more than the basic description as seen in the photo that was provided.

PHMSA stated that the answer is the same as in the above response.

A copy of the Interpretive Letter can be downloaded [here](#).