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The EHS Manager's Guide to the Pitfalls of HAZMAT Shipping: Cathy Webb (Harbor Environmental) Arkansas Environmental Federation Convention Presentation

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Ms. Cathy Webb, MS, COA, CQE undertook a presentation at the Arkansas Environmental Federation Convention and Tradeshow titled:

The EHS Manager's Guide to: The Pitfalls of HAZMAT Shipping ("Presentation")

Ms. Webb is a Senior EHS Project Manager in the Little Rock, Arkansas office of Harbor Environmental.

The *Presentation* addressed a number of issues with the United States Department of Transportation regulations associated with the transportation of hazardous materials.

The *Presentation* initially addressed the jurisdictional question of what constitutes a HAZMAT shipper. Ms. Webb posed questions such as:

- Do I generate hazardous waste and send it for treatment/disposal?
- Do I ship products that contain hazardous materials?
- Do I transfer materials between my company's facilities?
- Do I return unwanted/unexpected products to the sender?
- Do I send material for recycling or waste-to-energy that have hazardous characteristics?

In the event that the regulations are applicable, the *Presentation* noted subsequent requirements such as:

- Determination of Hazards
- Communication of Hazards
- Labeling
- Placarding
- Shipping Papers
- Packaging
- Restrictions
- Security Plan
- Training

The relevant regulatory cites addressing training were cited, which include:

- 49 CFR 171.8

- 49 CFR 172.704

The potential ramifications of noncompliance were addressed and were stated to potentially include:

- Quarantined shipments
- Intentional diversion
- Over-the-road, shipboard, or mid-air disasters

Possible reasons for such noncompliance were stated to potentially include:

- Not understanding regulatory differences between modes of transportation;
- Not considering implications of returned and self-transported goods;
- Mistakenly assuming that common article and substances are non-hazardous;
- Failing to ensure that people who are responsible for shipping hazardous materials are trained and competent;
- Not aware of the Security Plan and Training requiring.

The different regulations (49 CFR) applicable to train, truck, airplane, and marine were referenced.

As to returned and self-transported goods, the requirements applicable to someone who is now the shipper were noted, such as:

- Bill of Lading paperwork
- Shipping method must be authorized
- Packaging must be correct
- Placarding (when required)
- Security Plan (when required)
- Handled and Managed by trained and competent personnel only

The caveat of whether the shipment may qualify as a “material of trade” is subject to the exception under 49 CFR 173.6 was discussed.

The *Presentation* provided a reminder that regardless of whether a good is common is not an indication it is hazardous, citing items such as patient specimens, dry ice, certain batteries, etc.

The *Presentation* also discussed different responsibilities associated with both “initial training” and “recurrent training.” It further included a discussion of various aspects of required training, such as:

- General awareness/familiarization
- Function-specific training
- Safety training
- Security Training
- Modal specific requirements

The discussion of “Security Plans” included the applicable requirements.

The *Presentation* also included what it characterized as “other common causes of errors,” which were stated to include:

- Trusting the SDS shipping information; it is often wrong
- Relying on other companies to prepare shipping paperwork
- Not limiting shipping activities to trained employees
- Shipping by more restrictive modes (especially by air)
- No using proper packing materials
- Not hiring trained couriers

[A copy of the slides from Ms. Webb’s Presentation can be downloaded here.](#)