



Petroleum Transportation & Storage Association

COMPLIANCE BULLETIN

September 16, 2005

U.S. DOT 24-HOUR HAZMAT EMERGENCY TELEPHONE NUMBER REQUIREMENTS

BACKGROUND: The U.S. DOT's hazardous material regulations 49 CFR Sec. 172.604 requires HAZMAT shippers to include a 24-hour emergency telephone number on all shipping papers for use by first responders in the event of an emergency involving the material. The emergency telephone number must be that of a person who has comprehensive knowledge of emergency response and incident mitigation information about the material being shipped. As an alternative, the number may be that of a person who has "*immediate access*" to another person who possesses the requisite knowledge and information. Petroleum marketers generally subscribe to a commercial 24-hour emergency response service to meet this requirement or perform the task in-house with a qualified and properly trained employee.

REGULATORY ACTION: RSPA amended the emergency response number requirement on November 4, 2004 by prohibiting hazardous material shippers from using 24-hour emergency response telephone numbers that use call-back devices such as answering machines, beepers or answering services. The new rule clarifies that such call-back devices do not meet the requirement of "*immediate access*" to a person with comprehensive knowledge of emergency response and incident mitigation information.

COMPLIANCE: Call-back devices such as answering machines, beepers or answering services **must not** be used to respond to hazardous material emergency calls. Instead, petroleum marketers must either subscribe to a commercial emergency response call center service or arrange for a qualified company employee to provide 24-hour coverage of the emergency response telephone number appearing on the shipping paper.

The final rule also clarifies that emergency response telephone numbers must be included on all shipping papers for bulk shipments of hazardous materials classified as **combustible liquids** (diesel fuel, etc.).

NOTE: YOU MAY NOT RELY ON THE 24-HOUR EMERGENCY TELEPHONE NUMBER PROVIDED BY SUPPLIERS ON SHIPPING PAPERS OR BILLS OF LADING UNLESS YOUR COMPANY HAS CONTRACTED WITH THE EMERGENCY RESPONSE SERVICE TO USE IT.

COMPLIANCE DATE: OCTOBER 1, 2005

Got Questions? Contact Mark S. Morgan, Esq. at mmorganpts@cox.net or (202) 364-6767