PHMSA

U. S. Department of Transportation

Pipeline and Hazardous Materials Safety Administration

Hazardous Materials Safety Assistance Team
Pipeline and Hazardous Materials Safety Administration (PHMSA)

- PHMSA was established for pipeline safety and hazardous materials transportation and packaging safety.
PHMSA Responsibilities

- Formulates, issues and revises, and enforces the HMR
- Issues special permits and approvals under the Federal Hazmat Law
- Enforces regulations emphasizing:
  - Packaging Manufacturers, Retesters and Reconditioners
  - Multimodal shippers of hazmat
Responsibilities (cont’d)

• Modal administrations (FAA, FMCSA, and FRA) enforce the HMR respective to their mode

• U.S. Coast Guard (Department of Homeland Security) enforces the HMR respective to maritime operations
Hazmat Shipments in the U.S.

The Department of Transportation (DOT) currently lists approximately 3,000 hazardous materials (hazmat) descriptions – these materials, if accidentally or intentionally released, can pose risks to public health and safety, property, or the environment.

Over 800,000 Shipments Daily

3.1 Billion Tons Shipped Annually by All Modes

Hazardous Materials Support $446 Billion of US Economy Annually
PHMSA Office of Hazardous Materials Safety (OHMS) Regional Offices
Incident Reports

- PHMSA’s tracking: Only applies if incident occurs during the course of transportation in commerce (including loading, unloading and temporary storage).
Notification Requirements

- Initial **Telephonic** Notification
  - immediate notification of certain hazardous materials are found in §171.15

- Initial **Written** Report
  - detailed hazardous materials incident report requirements are found in §171.16
Compliance Inspection

- Complaints
- High Risk (PIH/TIH)
- Investigations
- Re-Inspections
- Observations
- Incident History
- Fitness Review
- Registered Entity
Who does PHMSA Regulate?

- **Shippers/Carriers (HAZMAT)**
  - Explosives
  - Radioactive Materials
  - Select Agents and Infectious Substances
  - Lithium Batteries
  - Waste
- **Freight Forwarders**
- **Third-Party Labs**
- **Special Permit Holders**
- **Cylinder Requalifiers**
- **Aerosol Fillers/Shippers**
- **Agricultural Industry**
  - Nurse Tanks
- **Packaging Manufacturers**
  - Tanks, Drums, IBCs, Cylinders, Boxes, etc…
- **Packaging Self-Certifiers**
- **Distributors/Brokers**
- **High Hazard Entities**
- **Multi-Agency Strike Force Operations (MASFO)**
The Inspection Process – Evidence Gathering (Photographs)
Penalty Potential (per violation)

- **Civil** ($250 - $55,000); Up to $110,000 if death, illness or serious injury...
  - Violation of a requirement as it relates to the...
    - "transporting of a hazardous material, manufacture, fabrication, marking, maintenance, reconditioning, repair or testing of a hazardous materials packaging."

- **Criminal** (up to $250,000 for an individual and $500,000 for a company and/or 5 years imprisonment)
  - Willfully violating the hazardous materials regulations
  - Unlawful altering, removal, defacing, destroying or otherwise tampering with any marking, labeling, placarding or packaging requirement
Federal or International Agencies

- Interchangeable Regulations:

- Training Requirements: OSHA, EPA... - communication and security. 172.704(b)

- Security Plans: Federal agencies, International organizations or industry organizations. 172.804
Where to Find More Information...

http://hazmat.dot.gov
Hazardous Material Info-Center

1-800-HMR-4922
(1-800-467-4922)

E-mail: infocntr@dot.gov

Hours of Operation: 9 am – 5 pm ET

- Obtain answers to HMR questions
- Request copies of Federal Register, special permits or training materials
- Report HMR violations
- Fax on Demand
Hazardous Material Safety Assistance Team

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