

docket



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

400 Seventh Street, S.W.  
Washington, D.C. 20590

FEB 5 1999

Ms. Susan G. Oliver  
D-48 Waldo Point Harbor  
Sausalito, CA 94965

Ref. No. 99-0018

Dear Ms. Oliver:

This is in response to your letter dated January 18, 1999 and subsequent telephone conversation with a member of my staff, regarding emergency response information requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically you ask if a carrier of hazardous material must carry the 1996 North American Emergency Response Guidebook (NAERG) in the vehicle.

The answer is no. Any document (including the shipping paper) that contains all of the information specified in § 172.602(a)(1) through (7) may be used to satisfy the emergency response information requirement. The 1996 NAERG is one option available that may be used to comply with the requirements of § 172.602(a). Therefore, if the 1996 NAERG is present on a transport vehicle and is maintained as specified, the requirements of § 172.602(a) are met. However, the HMR do not specifically require the use of the 1996 NAERG to satisfy the requirements of § 172.602(a).

I hope this satisfies your request.

Sincerely,

A handwritten signature in black ink, appearing to read 'John A. Gale'.

John A. Gale  
Transportation Regulations Specialist  
Office of Hazardous Materials Standards

172.602

S.G. Oliver  
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415-331-7816

BHH  
\$172.602

Jan. 18, 1999

99-0018

Mr. Mazullo

In Sept. of last year I received a ticket for not having my Emergency Response Guidebook. The freight that I carry are 2 pallets of car batteries and 2 pallets of air bags.

The car batteries do not require placards because of the weight. I have sent you a copy of the law and a copy of a freight bill. Air bags fall under hazardous materials 9.

Would you please send me information on air bags, that I can present to the court, that they are a (low to moderate hazard)

I believe this will help me fall under the guidelines of the law on the batteries.

Please send me what you can as soon as possible on the matter. I must send this back to the court on February 25.

Thank you for your help.

Susan Oliver