



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

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

JAN 19 2001

Mr. Les Hochhauser  
American Dental Supply, Inc.  
2600 William Penn Highway  
Easton, PA 18045

Reference No.: 00-0368

Dear Mr. Hochhauser:

This is in response to your December 15, 2000 letter regarding the emergency response telephone number requirements under the Hazardous Materials Regulations (49 CFR Parts 171-180). You asked whether a countrywide pager number meets the requirements for the emergency response telephone number.

The answer is no. As required by § 172.604, the emergency response telephone number must be monitored at all times the hazardous material is in transportation by a person who is either knowledgeable of the characteristics of the hazardous material and has comprehensive emergency response information, or has immediate access to a person who possesses such knowledge. Services that require a "call back" (e.g., answering service, answering machine or pagers) are not acceptable and are not in compliance with the requirements in § 172.604.

I hope this satisfies your request.

Sincerely,

Hattie L. Mitchell  
Chief, Regulatory Review and Reinvention  
Office of Hazardous Materials Standards



000368

172.604

Corbin  
§172.604  
Emergency Response  
Telephone  
Number

**AMERICAN DENTAL SUPPLY, INC.**

2600 WILLIAM PENN HIGHWAY'

EASTON, PA. 18045

610 252 1464

FAX 610 252 2822

00-0368

Dec. 15, 2000

U.S. Dept of Transportation RSPA

Office of Hazardous Materials Standards (DHM-10)

400 7<sup>th</sup> St. South West

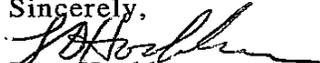
Washington D.C. 20590-0001

Dear Edward T. Mazzullo, Director

We need your assistance with the hazardous materials regulations. We sell a variety of chemical and ceramic materials to the dental laboratory in small bottles. Most of the materials are non-hazardous but a few do meet the Packing Group II definition. In the interest in providing right-to-know data for our customers, we provide Safety Data Sheets on the materials. The sheets bear our company name and address. We also provide an emergency telephone number, in the following fashion. During normal business hours, the phone number given will contact a knowledgeable person in our office. After hours, weekends and holidays a number is given that pages (countrywide) a degreed chemist who is knowledgeable about all the products. Due to our size as a company and the number of products, this approach is satisfactory to our customers and we feel provides the necessary protection and emergency contact.

What we need from you is a written approval or statement concerning the acceptability of this approach for shipping purposes. Perhaps there already exists a letter of interpretation or court ruling that covers this in your files. Obviously, we want to be in compliance with DOT regulations in the most cost-effective manner for us. In the 25 plus years we have been shipping merchandise, we have never had a spill of hazardous materials that resulted in a phone call from a carrier or emergency response personnel. Can you help us with this? Please feel free to call me with any questions?

Sincerely,



Les Hochhauser