

Mar 29, 2003

Mr. Jack Peters  
HAZ-MAT Transportation Services  
P.O. Box 69206  
Seattle, WA 98168

Reference No. 02-0235

Dear Mr. Peters:

This responds to your September 6, 2002 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) regarding recent changes to requirements for retention of shipping papers published in a final rule under Docket No. RSPA-01-10568 (HM-207B) on July 12, 2002. Specifically, you ask who is required to retain a copy of the shipping paper, the originating carrier or anyone who must have a copy for transportation purposes.

According to your letter, your understanding is that a copy of the original shipping paper is to be retained by the original carrier and that downline carriers do not have to keep copies except as required by § 175.33. You also note that carriers use transfer manifests to transfer a shipment from one carrier to another. The transfer manifest provides a paper trail to document the existence of a shipping paper, and includes the airway bill number, piece count, weights and usually a short description of the shipment, (i.e, Dangerous goods, Freeze, Live animal, etc.), date of transfer, signature of person accepting the transfer, the carrier's name, and sometimes, the signature of the person doing to transfer. Each carrier retains a copy of the transfer manifest, and the original shipping paper is retained by the original carrier.

For transportation of hazardous materials by aircraft, each person who provides the shipping paper and each person who receives a shipping paper as required by § 175.30 must retain a copy of the shipping paper, or an electronic image thereof, for a period of 375 days from the date the initial carrier accepts the shipment. The transfer manifest may be considered a shipping paper if it contains all the required information on the hazardous materials being shipped that was provided on the original shipping paper, including the date the initial carrier accepted the shipment. The date on the shipping paper may be the date a shipper notifies the air carrier that a shipment is ready for transportation, as indicated on the airbill or bill of lading, as an alternative to the date the shipment is picked up or accepted by the carrier. Only an initial carrier must receive and retain a copy of the shipper's certification, as required by § 172.204.

I hope this answers your inquiry.

Sincerely,

Delmer F. Billings  
Chief, Standards Development  
Office of Hazardous Materials Standards

175.30

