

HAZARDOUS MATERIAL OVERVIEW

What is a Hazardous Material?

According to the U.S. Department of Transportation (DOT), a Hazardous Material is "A substance or material, including a Hazardous substance, which has been determined by the Secretary of Transportation to be capable of posing an unreasonable risk to health, safety and property when transported in commerce and which has been so designated."

In layman's terms, this means any material that, because of its chemical properties, may cause injury, loss of life, damage to property or the environment if involved in an accident during transportation. A minor transportation accident can quickly escalate into a major catastrophe when Hazardous Materials are involved.

Who provides and enforces these regulations?

There are currently two sets of regulations covering the shipping of Hazardous Materials:

1.) International Maritime Dangerous Goods Code regulations

- Pertains to international shipments
- Enforced by the "competent authorities" of the countries who have adopted these regulations

2.) Code of Federal Regulations (CFR-49)

- Regulations are governed by the DOT
- Pertain mainly to domestic shipments
- Reference international regulations when shipping by ocean and/or air
- Enforced by the Federal Aviation Administration, United States Coast Guard, Federal Highway Administration and Federal Railroad Administration

The two sets of regulations are very similar in documentation, labeling, marking and placarding requirements. However, some differences do exist. Whenever these regulations conflict, the more stringent of the two must be adhered to.

Who is responsible for complying with the Hazardous Materials regulations?

The shipper or their agent is responsible for having their Hazardous Material cargo in compliance with all the regulations at the time the cargo is offered for transportation (at the time of pickup from the shipper's facilities or at the time of delivery to the carrier's terminal).

Even though Tropical Shipping is involved with rail, highway and ocean transport, the ultimate mode of transport will be ocean carriage, and the customer's shipment must be in conformance with any special requirements for ocean carriage.

The carrier's (highway, ocean, rail, air) responsibility is to determine that the shipper has, in fact, complied to the regulations before the carrier transports the cargo. A signed "Shipper's Certification" statement is required.