



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

MAY 16 2007

Ms. Susan K. Leith
Dangerous Goods Compliance Specialist
Air Products and Chemicals, Inc.
7201 Hamilton Boulevard
Allentown, PA 18195-1501

Ref. No.: 07-0086

Dear Ms. Leith:

This is in response to your April 9, 2007 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to security plans. Specifically, you ask if the provision in § 172.802(b) for security plans to be written may be satisfied by posting the security plan on your company's intranet, which is accessible to your facilities and readily printed if necessary.

The answer is yes. A security plan posted on a company's intranet that is accessible to company employees and readily printed if necessary would be in compliance with the provisions in § 172.802(b).

I hope this information is helpful. If you have further questions, please do not hesitate to contact this office.

Sincerely,

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



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172.802(b)



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Security Plans
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9 April 2007

Mr. Edward T. Mazzullo
Director, Office of Hazardous Materials Standards
U.S. DOT/PHMSA (PHH-10)
400 7th Street S.W.
Washington, D.C. 20590-0001

Dear Mr. Mazzullo:

RE: Interpretation 49 CFR 172.802(b) Security Plan

We recently called the Hazardous Materials Information Center for an interpretation of this paragraph. Specifically, we asked if we had to maintain a printed copy of the Security Plan at each of our facilities. Presently, we maintain our security plan on our intranet website that has links to many other sites related to Security at our company. The plan is easily accessible to all of our facilities and can be readily printed if necessary. The response from the Information Center confirmed that our on-line version was sufficient.

This letter is merely to get a response in writing that our Security Plan meets the requirements of a written plan and that we do not have to maintain a printed copy at each facility. During a recent DOT inspection at one of our facilities, this was noted on the inspection report and the inspector expected to see a written copy of the Security Plan.

Please confirm that our understanding from the Information Center and of paragraph 172.802(b) is correct that we do not need a printed copy but that our on-line Security Plan is acceptable.

Sincerely,

Susan K. Leith
Dangerous Goods Compliance Specialist